



# Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

**Criminal Justice Coordinating Council**

**Notice of Grant Writing Workshop**

A grant writing workshop will be conducted from 9 a.m. to 4:30 p.m. Thursday, January 10, in the Florentine Room at the Jayhawk Tower, 700 S.W. Jackson, Topeka. Executive Director Barbara Tombs will be conducting the workshop, which will focus on the fundamentals of grant writing as well as provide specific information on criminal justice grants. For additional information, call (785) 296-0923.

Barbara Tombs  
Executive Director

Doc. No. 027391

State of Kansas

**Criminal Justice Coordinating Council**

**Notice of Bullet Proof Vest  
Application Availability**

The Bullet Proof Vest Grant Application for 2002 is scheduled to open on Monday, January 14. This is a direct online application process. The Bullet Proof Vest Grant Application may be accessed through the following e-mail address: <http://vests.ojp.gov>. Submission deadline is Saturday, April 13. For additional information, call (785) 296-0923.

Barbara Tombs  
Executive Director

Doc. No. 027392

State of Kansas

**Department of Agriculture**

**Correction Notice Concerning Hearing on  
Proposed Administrative Regulations**

The address for which a hearing will be conducted on proposed administrative regulations concerning public grain warehouses was printed incorrectly in the notice of hearing published in the November 29, 2001 Kansas Register. The hearing will be at 9:30 a.m. February 11 at the Department of Agriculture, fourth floor, 109 S.W. 9th, Topeka.

Jamie Clover Adams  
Secretary of Agriculture

Doc. No. 027388

State of Kansas

**University of Kansas**

**Notice to Bidders**

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (785) 864-3416 or fax (785) 864-3454 for additional information.

**January 7, 2002**

**RFQ 21068**

Gas Chromatograph/Mass Spectrometry System

Barry Swanson  
Director of Purchasing

Doc. No. 027396

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**Garden Level, Memorial Hall**  
**(785) 296-3489**  
**Fax (785) 368-8024**

## State of Kansas

## Kansas Sentencing Commission

## Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Thursday, January 24, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For further information, call (785) 296-0923.

Barbara Tombs  
Executive Director

Doc. No. 027397

## 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 10 a.m. Tuesday, February 26, in Room 481, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of one regulation pertaining to the authorization to implement other regulations in Article 8, Cereal Malt Beverage Tax.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation 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 adoption of the proposed 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 east entrance to the Docking Building is accessible.

The revocation of this regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

**Article 8.—CEREAL MALT BEVERAGE TAX**

**Revocation of 92-8-20.** All other regulations in this article have been repealed and the implementing/authorizing statute does not exist. It appears to have been overlooked when eliminating other regulations in the past.

Economic Impact: No impact on the public, the department or other agencies is anticipated.

A copy of the regulation and the economic impact statement may be obtained from the Kansas Department of Revenue, Office of Policy and Research, Room 230,

Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588.

Stephen S. Richards  
Secretary of Revenue

Doc. No. 027379

## State of Kansas

## Board of Healing Arts

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, February 21, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of one proposed amended rule and regulation dealing with the release of records.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and the 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 Melissa Kipp at (785) 368-6425. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed amended rule and regulation to be considered at the hearing and its respective economic impact is as follows:

**K.A.R. 100-22-1. Release of records.** This amended regulation specifies what a reasonable time means for furnishing a copy of the patient record to the patient, to another licensee designated by the patient, or to a patient's legally authorized representative. Additionally, the regulation defines what reasonable costs shall mean for delivering a record to a person or entity and what things can be taken into account when considering reasonable costs.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by visiting the board's Web site at [www.ksbha.org/pubinfo.html](http://www.ksbha.org/pubinfo.html).

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 027398

## 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 10 a.m. Monday, February 25, in Room 481, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of amendments and revocations to regulations related to the leasing of minerals and natural product leases on navigable streambeds.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments on the proposed regulations 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 adoption of the proposed regulations. 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 regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting 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 east entrance to the Docking Building is accessible.

The regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and the economic impact follows:

**Article 9.—MINERAL AND NATURAL PRODUCTS  
LEASES ON NAVIGABLE STEAM BEDS**

**Amendments and revocations to K.A.R. 92-9-1, 92-9-3, 92-9-4, 92-9-5 and 92-9-7.** These regulations are being amended to correct changes in statutes, such as deleting "director of revenue" and substituting "director of taxation." The purpose of other amendments is to correct statutory references, delete redundant language and add language to clarify requirements. These language changes do not change established requirements; they only clarify the requirements.

Economic Impact: No impact on the public, the department or other agencies is anticipated.

A copy of the regulations and the economic impact statements may be obtained from the Kansas Department of Revenue, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588.

Stephen S. Richards  
Secretary of Revenue

Doc. No. 027378

## 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. Tuesday, February 26, in Room 481, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider amendments or revocation of regulations relating to Kansas income tax.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments on the proposed regulations 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 adoption of the proposed regulations. 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 regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting 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 east entrance to the Docking Building is accessible.

The regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and the economic impact follows:

**Article 12.—INCOME TAX**

**Amendments to K.A.R. 92-12-4, 92-12-11, 92-12-47, 92-12-58, 92-12-67, 92-12-105 and 92-12-106:**

K.A.R. 92-12-4 was amended to remove out of date and obsolete language.

K.A.R. 92-12-11 was amended to clarify what is considered to be a tax and when the credit must be taken.

K.A.R. 92-12-47 was amended to refer to current statutory provisions.

K.A.R. 92-12-58 was amended to explain the treatment of fees associated with the return of a check.

K.A.R. 92-12-67 was amended to remove references to outdated forms and include present policies and procedures.

K.A.R. 92-12-105 was amended to refer to current statutory provisions and clarify certain language.

K.A.R. 92-12-106 was amended to include language prohibiting trusts from filing composite returns.

**Revocation of K.A.R. 92-12-29, 92-12-56 and 92-12-68:**

K.A.R. 92-12-29 was revoked because it is out of date and obsolete.

K.A.R. 92-12-56 was revoked because it is out of date and obsolete.

K.A.R. 92-12-68 was revoked because it is out of date and obsolete.

Economic Impact: No impact on the public, the department or other agencies is anticipated.

A copy of the regulations and the economic impact statements may be obtained from the Kansas Department of Revenue, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588.

Stephen S. Richards  
Secretary of Revenue

Doc. No. 027377

## State of Kansas

### Department of Revenue

#### Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&As, Information Guides and Notices published by the Department of Revenue for October and November 2001. Copies can be obtained by accessing the Policy Information Library located on the Internet at [www.ksrevenue.org](http://www.ksrevenue.org) or by calling the Office of Policy and Research at (785) 296-3081.

#### Private Letter Rulings

- P-2001-128 Software.
- P-2001-127 Electronic access control devices.
- P-2001-126 Direct mail services.
- P-2001-125 Machinery and equipment.
- P-2001-124 Engineering, design, fabrication and installation of control panels for machinery and machinery entities.
- P-2001-123 Machinery and equipment for oil and/or gas well sites.
- P-2001-122 Medical chart information; electronic database solutions.
- P-2001-121 Senior center.
- P-2001-120 Design and maintenance of Web sites; design and production of training/promotion films, tape, CD-ROM or DVD.
- P-2001-119 Construction materials purchased with the proceeds of industrial revenue bonds.
- P-2001-118 Newspaper subscriptions.
- P-2001-117 Medical supplies and equipment.
- P-2001-116 Bookkeeping and accounting services.
- P-2001-115 ATV and watercraft acquisition from dealer for modification and resale.
- P-2001-114 Termite and pest control services to residential and commercial property.
- P-2001-113 Tools sold to Kansas manufacturers.
- P-2001-112 Labor services.
- P-2001-111 Out-of-state company sales and leases of tangible personal property in Kansas.
- P-2001-110 Historical society sale of books.
- P-2001-109 Disposable electrode medical products.
- P-2001-108 Sale of coupons or discount cards redeemable by third part merchants.
- P-2001-107 High performance incentive program (HPIP) credits.
- P-2001-106 Crane service related operations.

#### Opinion Letters

- O-2001-025 Historic preservation tax credit.
- O-2001-024 Integrated plant exemption related.
- O-2001-023 Financing equipment purchases and leasing equipment.
- O-2001-022 Calculation of HPIP investment tax credit.
- O-2001-021 City purchase of pump and motor for a well house.

#### Final Written Determination

No new publications

#### Revenue Rulings

No new publications

#### Notices

No new publications

#### Memorandums

No new publications

#### Property Valuation Division Directives

No new publications

#### Q&As

Sales Tax Software maintenance agreement.

#### Information Guides

No new publications

Stephen S. Richards  
Secretary of Revenue

Doc. No. 027389

## State of Kansas

### Department of Corrections

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Wednesday, February 20, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the revocation of various regulations found in Article 4—Training, Article 5—Inmate Management, Article 7—Programs and Activities, and Article 8—Work Release, in Chapter 44 of the *Kansas Administrative Regulations*. At the hearing, the proposed revocation of the following Kansas Department of Corrections administrative regulations will be considered:

K.A.R. 44-4-103; 44-4-104; 44-4-106; 44-4-107; 44-4-108; 44-4-109; 44-5-101; 44-5-103; 44-5-107; 44-5-108; 44-5-109; 44-5-110; 44-5-113; 44-5-114; 44-7-102; 44-7-103; 44-7-105; 44-7-106; 44-7-107; 44-7-109; 44-7-112; 44-7-114; 44-7-115; 44-7-116; 44-8-110; 44-8-111; 44-8-112; 44-8-113; and 44-8-114.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed revocation of existing regulations.

All interested parties may submit written comments prior to the hearing to Linden G. Appel, Deputy Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed revocations.

(continued)

In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit 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 revocations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Linden Appel at (785) 296-4508 or TDD (785) 296-8157, or fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

The revocation of the existing regulations are proposed on a permanent basis. A summary of the proposed revocations and their economic impact follows:

**K.A.R. 44-4-103; 44-4-104; 44-4-106; 44-4-107; 44-4-108; 44-4-109.** The purpose of these revocations is to modernize departmental regulations by elimination of an obsolete regulation (K.A.R. 44-4-103, dealing with establishment of training centers in only three correctional facilities, plus one for training of parole officers), and to increase administrative flexibility in dealing with the topic of the methods and means of providing training for employees of the department, as well as methods of documentation of provision of training. In conjunction with these revocations, the contents of the existing regulations will be transferred into new or existing internal management policies and procedures of the Secretary of Corrections. This arrangement will permit quick and efficient changes to the training program of the department, while retaining the advantage of uniform, department-wide application.

No economic impact upon the Department of Corrections, offenders, other governmental units or private citizens is anticipated as a result of these revocations.

**K.A.R. 44-5-101; 44-5-103; 44-5-107; 44-5-108; 44-5-109; 44-5-110; 44-5-113; and 44-5-114.** The purpose of these revocations is to streamline and modernize policy of the Department of Corrections by elimination of two regulations deemed to be duplicative or obsolete (K.A.R. 44-5-109, dealing with special management inmates, is duplicative of another regulation, 44-5-104, as proposed for amendment; and K.A.R. 44-5-114, dealing with adjustment counseling, is obsolete), as well as to increase administrative flexibility in dealing with the topic of the methods, means and standards to be employed in management of prison inmates in custody of the department.

In conjunction with these revocations, the contents of all of the existing regulations affected (with exception of the two outright revocations of K.A.R. 44-5-109 and 44-5-114) will be transferred into new or existing internal management policies and procedures of the Secretary of Corrections. This arrangement will permit quick and efficient changes to management of inmates in custody of the department, while retaining the advantage of uniform, department-wide application.

No economic impact upon the Department of Corrections, offenders, other governmental units or private citizens is anticipated as a result of these revocations.

**K.A.R. 44-7-102; 44-7-103; 44-7-105; 44-7-106; 44-7-107; 44-7-109; 44-7-112; 44-7-114; 44-7-115; and 44-7-116.** The purpose of these revocations is two-fold. The first is to modernize departmental regulations by elimination of three obsolete regulations (K.A.R. 44-7-105, dealing with establishment of an educational release program for inmates, long in disuse; K.A.R. 44-7-109, dealing with custody supervision standards for inmates assigned to private nonprison employment off the premises of a correctional facility, not in keeping with current practice, as medium-custody inmates are not permitted to participate in such a program under current Departmental policy; and K.A.R. 44-7-112, dealing with promulgation of general orders by facility wardens on the subject of such off-premises private employment, also not in keeping with current practice).

A second purpose is to increase administrative flexibility in dealing with the topic of the methods and means of providing programs and activities for offenders, chiefly inmates. In conjunction with these revocations, the contents of all above-referenced existing regulations (with the exceptions of K.A.R. 44-7-105, 44-7-109 and 44-7-112) will be transferred into new or existing internal management policies and procedures of the Secretary of Corrections. This arrangement will permit quick and efficient changes to the inmate programs and activities operations of the department, while retaining the advantage of uniform, department-wide application.

No economic impact upon the Department of Corrections, offenders, other governmental units or private citizens is anticipated as a result of these revocations.

**K.A.R. 44-8-110; 44-8-111; 44-8-112; 44-8-113; and 44-8-114.** The purpose of these revocations is to modernize departmental regulations by elimination of an obsolete regulation (K.A.R. 44-8-113, dealing with establishment of contract work release centers, never put into practice), and to increase administrative flexibility in dealing with the topic of the methods and means of providing a work release program for inmates in custody of the department. In conjunction with these revocations, the contents of the existing regulations (with the exception of K.A.R. 44-8-113) will be transferred into new or existing internal management policies and procedures of the Secretary of Corrections. This arrangement will permit quick and efficient changes to the inmate work release program of the department, while retaining the advantage of uniform, department-wide application.

No economic impact upon the Department of Corrections, offenders, other governmental units or private citizens is anticipated as a result of these revocations.

Copies of the regulations and their economic impact statements may be obtained by contacting Linden G. Appel at the address and phone numbers given above, between 8 a.m. to 5 p.m. Monday through Friday.

Charles E. Simmons  
Secretary of Corrections

Doc. No. 027373

## State of Kansas

## State Corporation Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Monday, February 25, at the State Corporation Commission offices, 1500 S.W. Arrowhead Road, Topeka, to consider the adoption of proposed permanent regulations for the conservation of crude oil and natural gas.

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

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

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

All interested parties will be given a reasonable opportunity at the hearing to present their views orally or in writing in regard to the adoption of the proposed regulations. All written or oral comments submitted by interested parties on or before February 25 will be considered by the commission as a basis for making changes to these proposed permanent regulations.

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

**K.A.R. 82-3-400.** This regulation requires the operator to obtain agency authorization before injecting oil field fluids. This regulation also contains minor wording and sentence structure changes for clarification. Other items in the regulation have been deleted or relocated to another section within the underground injection control regulations.

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

**K.A.R. 82-3-401.** The regulation specifies what information the operator must provide with an injection application, and specifies when an application to modify injection authority is required. This amendment also contains minor wording and sentence structure changes for clarification. Other items in the regulation have been deleted or relocated to another section within the underground injection control regulations.

Economic Impact Statement: This amendment will have no direct economic impact on the agency, the industry or private citizen. However, all the amendments to the underground injection regulations taken together will streamline the permitting process, which will benefit both the agency and the industry.

**K.A.R. 82-3-401a.** The area notice for enhanced recovery projects has been substantially incorporated into a proposed amendment to K.A.R. 82-3-402(b) and (b)(1).

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public.

**K.A.R. 82-3-401b.** The area notice for enhanced recovery projects has been substantially incorporated into K.A.R. 82-3-402(b)(2).

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public.

**K.A.R. 82-3-402.** Notice requirements for an application for injection authority have been relocated to this regulation. Casing and cementing requirements have been removed from this regulation and substantially incorporated into K.A.R. 82-3-405. This regulation also contains minor wording and sentence structure changes for clarification.

Economic Impact Statement: This proposed amendment will have no direct economic impact on the agency, the industry or the public.

**K.A.R. 82-3-403.** This proposed regulation establishes the factors to be considered by the Conservation Division when issuing injection permits, establishes the conditions under which simultaneous injection may be permitted and establishes minimum injection depths. The amendment provides for approval of the design for a proposed injection well and requires a completion report to be furnished after the well is completed.

Generally, the amendment to this regulation takes various related provisions that were contained in a number of other regulations and consolidates them into this regulation. Minor wording and sentence structure changes have been made for clarification. Other items in the regulation have been deleted or relocated to another section within the underground injection control regulations.

Economic Impact Statement: This amendment will have no direct economic impact on the agency, the industry or the public. However, all the amendments to the underground injection regulations taken together will streamline the permitting process, which will benefit both the agency and the industry.

**K.A.R. 82-3-404.** The amendment to this regulation requires the applicant to notify the Conservation Division immediately of the commencement of injection operations. The amendment also requires that within 90 days after the permanent discontinuance of injection, the operator of the project will notify the Conservation Division of the date and reason(s) for discontinuance, and shall follow the provisions of K.A.R. 82-3-111. Tubing and packer requirements have been moved from this regulation and substantially relocated to K.A.R. 82-3-406. This amendment includes minor wording and sentence structure changes for clarification.

Economic Impact Statement: This particular regulation amendment will have no direct economic impact on the agency, the industry or the public. However, all the amendments to the underground injection regulations taken together will streamline the permitting process, which will benefit both the agency industry.

**K.A.R. 82-3-405.** This regulation substantially incorporates the casing and cementing requirements from

(continued)

K.A.R. 82-3-403. This regulation requires that the casing be cemented so that damage will not be caused to the fresh and usable water source. This particular regulation also requires that in order for an existing well to become an injection well, additional casing that is next to a bore hole need to be cemented by circulating cement to the surface from a point at least 50 feet below the base of the lowest point of the fresh and usable water resource. Mechanical integrity testing requirements have been removed from this regulation and substantially relocated to K.A.R. 82-3-407. This amendment includes minor wording and sentence structure changes for clarification.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public. However, all the amendments to the underground injection regulations taken together will streamline the process, which will benefit both the agency and the industry.

**K.A.R. 82-3-406.** The tubing and packer requirements from K.A.R. 82-3-404 have been substantially relocated to this regulation. Rules for duration of injection or disposal well orders, amendments and penalty have been substantially relocated to K.A.R. 82-3-408. This amendment includes minor wording and sentence structure changes for clarification. Other items in the regulation have been deleted or relocated to another section within the underground injection control regulations.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public. However, all the amendments to the underground injection regulation taken together will streamline the process, which will benefit both the agency and the industry.

**K.A.R. 82-3-407.** Mechanical integrity testing requirements have been substantially relocated to this regulation. Rules have been added for use of chemical sealants or mechanical repair devices. Record and reporting requirements have been substantially relocated to K.A.R. 82-3-409. This amendment includes minor wording and sentence structure changes for clarification. Other items in the regulations have been deleted or relocated to another section within the underground injection control regulations.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public. However, all the amendments to the underground injection regulations taken together will streamline the process for permitting and authorizing underground injection wells, which will benefit both the agency and the industry.

**K.A.R. 82-3-408.** Rules for the duration and amendment of injection authority have been substantially relocated to this regulation. Under this proposed regulation, a permit authorizing injection into a well is valid for the life of the well, unless revoked by the commission for just cause. Operators will not be required to file an application to modify any injection well permit, but shall file with the Conservation Division a notice of modification on a form furnished by the Conservation Division. Rules for transfer of injection authority have been substantially relocated to K.A.R. 82-3-410. This amendment contains wording and sentence structure changes for clarification. Other items in the regulation have been deleted or relocated to

another section within the underground injection control regulations.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public. However, the decrease in paperwork will benefit both the agency and industry.

**K.A.R. 82-3-409.** Record retention and annual reporting requirements have been substantially incorporated into this regulation. Authorization for existing injection or disposal wells have been removed from this regulation and substantially incorporated into K.A.R. 82-3-411. This amendment to the regulations contains wording and sentence structure changes for clarification.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public.

**K.A.R. 82-3-410.** This regulation prohibits the transfer of an injection well from one operator to another without the approval of the Conservation Division. The transferring operator must notify the Conservation Division in writing, on a form prescribed by the commission and in accordance with K.A.R. 82-3-136, of the intent to transfer authority to operate an injection well from one operator to the next. The written notice shall contain the following: general information about the operator, name and location of well being transferred, permit number, the zones, date of transfer, signatures and general information of new operator. This amendment contains wording and sentence structure changes for clarification. Provisions concerning assessment of costs have been relocated to K.A.R. 82-3-412.

Economic Impact Statement: There will be no economic impact on the agency, the industry or the public.

**K.A.R. 82-3-411.** Requirements for authorization of injection wells in existence on May 1, 1983, have been substantially incorporated into this regulation. This proposed regulation requires that injection shall be prohibited in any existing well unless the operator had filed, on or before May 1, 1983, an inventory of existing wells on the form prescribed by the commission.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public.

**K.A.R. 82-3-412.** Provisions for the assessment of certain fees concerning injection authority have been substantially incorporated into this regulation. The purpose of the assessments are to pay the cost incurred by the Conservation Division in reviewing, processing and approving each injection application.

Economic Impact Statement: There will be no direct economic impact on the agency, the industry or the public. Since the assessment requirements are not new, they have just been relocated within the regulations.

Jeffrey S. Wagaman  
Executive Director

Doc. No. 027370



## State of Kansas

## Real Estate Appraisal Board

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, February 22, in the lower level conference room at 1100 S.W. Wanamaker, Topeka, to consider the adoption of proposed amendments to Kansas Administrative Regulations 117-6-1 and 117-8-1.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, 1100 S.W. Wanamaker, Suite 104, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sally Pritchett at (785) 271-3373.

The proposed regulation amendments are for adoption on a permanent basis. A summary of the proposed amendments to the regulations and the economic impact follows:

**117-6-1. Continuing education; renewal requirements.** This regulation is being amended to (1) allow appraisers credit for attendance in an educational activity that was not accredited prior to completion; (2) allow appraiser board members to receive education credit for attendance at board meetings; and (3) require that it become the individual appraiser's responsibility to maintain records of their education credit. The economic impact for allowance of credit on courses not accredited prior to completion would be limited. There would be a small economic impact to course providers in allowing board members credit for attendance at board meetings. The third amendment to this regulation is a record keeping issue only and would, therefore, have no economic impact.

**117-8-1. Uniform standards of professional appraisal practice.** This regulation is being amended so that the board can adopt the current edition of Uniform Standards of Professional Appraisal Practice (USPAP) by reference. USPAP is updated on an annual basis. There will be no economic impact to appraisers, state agencies or the public.

Copies of the regulations and their economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board.

Sally Pritchett  
Executive Director

Doc. No. 027376

## State of Kansas

## Social and Rehabilitation Services

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, February 26, in the SRS board room, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of existing rules and regulations on a permanent basis effective April 1, 2002. Telephone conference will not be available.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulations. All interested parties may submit written comments prior to the hearing or during the public hearing to Hope Burns, Office of the Secretary for SRS, Rom 603-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, but it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Hope Burns at (785) 296-3969 or by calling the Kansas Relay Center at 1-800-766-3777.

The adoption of the regulations will take place at 11 a.m. Friday, March 1, in the SRS executive conference room, 603-N, Docking State Office Building. Telephone conference will not be available.

Copies of the regulations and the economic impact statement may be obtained by contacting Hope Burns. A summary of the proposed regulations and the economic impact follows:

**Article 4.—PUBLIC ASSISTANCE PROGRAM**

**30-4-96. Funeral Assistance (FA) Program.** This regulation is being revoked to eliminate the Funeral Assistance Program effective April 1, 2002.

**Economic Impact:** This change will result in a state general fund savings of \$131,234 in FY 2002 and \$509,386 in FY 2003 and eliminate coverage of 241 burials in FY 2003 and 935 burials in FY 2003.

**Bearer of Cost:** None.

**Affected Parties:**

1. This change will eliminate coverage of over 900 indigent burials on an annual basis and impact a number of families who may not be able to afford the cost of burial.
2. This change will impact funeral homes throughout the state who may have to provide burial services at no cost.
3. This change will also impact county governments who will have the responsibility to provide coverage in the absence of a state program under current statute.

**Other Methods:** The agency reviewed other methods of reducing budgetary expenses in light of shortage of esti-

(continued)

mated funding needed to provide current services in FY 2002 and FY 2003. This change is being made along with a number of other significant policy changes to address the allocation deficit. Agency decisions were made based upon its mission to protect children and promote adult self-sufficiency. The Funeral Assistance Program is not directly tied to this mission and in absence of this change, more significant cuts to direct services would need to be made.

#### Article 12.—SERVICES FOR THE BLIND

**30-12-16. Definitions.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-17. Scope of services.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-18. Advice and consultation services.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-19. Information and referral services.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-20. Medical care.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-21. Rehabilitation teacher.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-12-22. Vocational rehabilitation services.** This regulation is being revoked as the requirements are adequately addressed in federal and state law, federal regulations and the State Plan for Vocational Rehabilitation Services.

Economic Impact: This change is not expected to have any discernable economic impact.

#### Article 13.—VENDING FACILITIES OPERATED BY THE DIVISION OF SERVICES FOR THE BLIND

**30-13-17. Definitions.** This regulation is being revoked as the requirements are adequately addressed in federal law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-18. Operator license.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-19. Licensing requirements.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-20. Termination of license.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-21. Promotion of operators.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-22. Income from vending machines.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-23. Title to equipment and stock.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-24. Repair and maintenance of equipment.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-25. Assessment.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

**30-13-26. Operators income.** This regulation is being revoked as the requirements are adequately addressed in law/regulations and contracts.

Economic Impact: This change is not expected to have any discernable economic impact.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 027387

State of Kansas

Kansas State University

Notice to Bidders

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

Tuesday, January 8, 2002

#2101

Biacore 3000 Processing System

William H. Sesler
Director of Purchasing

Doc. No. 027394

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:

Thursday, January 3, 2002

04396

Department of Administration, Division of Facilities Management—Building Demolition, Perry/Feldman State Complex West

04399

Department of Administration, Division of Facilities Management—Interior Remodeling of 10th Floor of the Landon State Office Building

04402

Department of Revenue—Statewide—IBM Toner Cartridges and Usage Kits

04411

Kansas State University—Hydraulic Materials Testing Machine

04415

Kansas State University—Laboratory Equipment

Tuesday, January 8, 2002

04375

State Corporation Commission—Abandoned Well Plugging, Marvin Caylor Lease

Thursday, January 17, 2002

A-9313

Kansas State Historical Society—Rehabilitation of Shawnee Indian Mission, State Historic Site, Phase 1, Various Buildings and Garage

A-9343

Kansas State Fair—Meadowlark Building Renovation and Additions

A-9340

Kansas State Fair—Sunflower North Building, New Construction

A-9366

Wichita State University—21st Street Entrance for Perimeter Road

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Request for Proposals

Monday, January 14, 2002

04374

Food Safety Media Campaign for the Kansas Department of Health and Environment

Wednesday, January 16, 2002

04393

Mid-Course Review of Joint Needs Assessment for the Kansas Department of Health and Environment

Thursday, January 17, 2002

04190

Working Healthy Outreach Services for the Department of Social and Rehabilitation Services

John T. Houlihan
Director of Purchases

Doc. No. 027393

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" mechanical and electrical engineering services for the Kansas Department of Corrections. Services will include work on small projects for a one-year period, renewable for two additional years.

For information regarding the scope of services, contact Mike Gaito, Director of Capital Improvements, Department of Corrections, (785) 296-0883.

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

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. January 4.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 027374

## State of Kansas

**Wichita State University  
Office of Purchasing**

**Notice to Bidders**

Sealed bids for the following item will be received by the Wichita State University Office of Purchasing, Room 021, Morrison Hall, 1845 Fairmount, Wichita, 67260-0012, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (316) 978-3784 for additional information.

**Friday, January 11, 2002  
Bid Number 020081-4**

Computer Numerical Controlled (CNC) Vertical  
Machining Center (VMC) for National Institute for  
Aviation Research (N.I.A.R.) Research Machine Shop

Margaret A. Haddock  
Interim Director of Purchasing

Doc. No. 027372

## State of Kansas

**Kansas Insurance Department**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, February 21, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in two existing rules and regulations and the adoption of four new regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Rebecca Sanders, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Rebecca Sanders at (785) 296-7811.

Copies of the regulations and the economic impact statement may be obtained by contacting Rebecca Sanders. A summary of the proposed regulations and their economic impact follows:

**K.A.R. 40-4-37. Long-term care insurance; application; definition.** The purpose of the proposed amendments is to reflect newly adopted language from the National Association of Insurance Commissioners' model regulation governing long-term care insurance.

**K.A.R. 40-4-37k. Long-term care insurance; minimum loss ratios.** The amendments to this regulation eliminate initial loss ratios for policies purchased on or after the effective date of these proposed regulation

changes. This requirement is being eliminated because the proposed new regulations have requirements that will require insurers to set initial adequate rates that are sustainable over the life of the policy. Further policy rate increases will have to adhere to more stringent requirements.

**K.A.R. 40-4-37q. Initial filing requirements.** This regulation requires insurers filing a long term care policy in Kansas to furnish an actuarial certification that the initial premium structure is sufficient to cover anticipated costs under moderately adverse experience, and that the premium schedule is reasonably expected to be sustainable over the life of the form with no premium rate increases anticipated. A complete description of the basis for the contract reserves that are anticipated to be held under this form is to be submitted. These and other requirements are being put in place to try and ensure that initial premiums are adequate and to minimize the possibility of future premium rate increases.

**K.A.R. 40-4-37s. Long-term care insurance; required disclosure of rating practices.** This regulation requires long-term care insurers to explain to policyholders that premium rates may change for the particular policy that they are interested in purchasing. In addition, potential policyholders will be furnished with information regarding each premium rate increase for that or similar policy forms over the past 10 years in Kansas or any other state.

**K.A.R. 40-4-37t. Premium rate schedule increases.** Initial loss ratio requirements that are currently found in K.A.R. 40-4-37k are being eliminated for policies purchased on or after the effective date of these proposed regulations changes. In conjunction with K.A.R. 40-4-37q, insurers will be able to set a premium based on reasonable expectations of trends in the long-term care market without being subject to an initial loss ratio requirement. However, there will be a more stringent loss ratio requirement in the future if premium rate revisions are requested. Insurers will need to provide detailed information regarding reserves, incurred and projected claims, and other such information, to the Commissioner of Insurance prior to receiving a premium rate increase. These requirements, found in K.A.R. 40-4-37t, will again try to ensure that initial premium rates are adequate and the likelihood that future premium adjustments are needed is minimized.

**K.A.R. 40-4-37u. Contingent benefit upon lapse.** This regulation allows options in coverage for policyholders that cannot afford to pay a rate increase. For instance, they can take less coverage and not pay an increased rate, or they can accept a paid up policy with a shortened benefits period.

When determining and assessing economic impact on consumers, the regulators and the industry, these regulations are looked at as a group. The economic impact is not assessed by individual regulation because these regulations operate as a unit. The Kansas Insurance Department is amending two existing regulations K.A.R. 40-4-37 and K.A.R. 40-4-37k, and is proposing four new regulations governing long term care insurance. The language in both the amendments and the proposed new regulations adopts language from the National Association of Insurance Commissioners model regulation gov-

erning long term care insurance. The model language was adopted after long deliberations and conferences between the industry and regulators. These regulations reflect a national standard for long-term care insurance.

The long-term care insurance market has historically been a level premium market. However, in recent years a dramatic increase in the number of premium rate revisions have been filed with the Kansas Insurance Department. The National Association of Insurance Commissioner adopted a model regulation to address this problem. The proposed regulations and amended regulations incorporate the language from the model regulation. The proposed revisions and proposed regulations accomplish the following goals:

1. Long term care insurers will be required to explain to policyholders that premium rates may change for the particular policy that they are interested in purchasing. In addition, potential policyholders will be furnished with information regarding each premium rate increase for that or similar policy forms over the past 10 years in Kansas or any other state.

2. When initially filing a long term care policy form in Kansas, insurers will need to furnish an actuarial certification that the initial premium structure is sufficient to cover anticipated costs under moderately adverse experience and that the premium rate schedule is reasonably expected to be sustainable over the life of the form with no premium increases anticipated. A complete description of the basis for the contract reserves that are anticipated to be held under the form also must be submitted. These and other requirements are being put in place to try and ensure that initial premiums are adequate and to minimize the possibility of future premium rate increases.

3. Initial loss requirements are being eliminated for policies purchased on or after the effective date of these changes. Insurers will be able to set a premium based on the reasonable expectations of trends in the long-term care market without being subject to an initial loss ratio requirement. However, there will be a more stringent loss ratio requirement in the future if premium rate revisions are requested. Insurers will need to provide detailed information regarding reserves, incurred and projected claims, and other such information to the Commissioner of Insurance prior to receiving a premium rate increase. These requirements will again try to ensure that initial premium rates are adequate and the likelihood that future premium adjustments are needed is minimized.

The economic impact on consumers and the overall long-term care insurance market will be positive. These regulations will limit rate revisions and encourage companies to start with adequate rates and thus minimizing future premium rate revisions. The Kansas Insurance Department is able to handle any potential additional costs, of which the department believes are nonexistent, with existing staff and budget. There is no economic impact on local government jurisdictions or other governmental entities.

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 027395

## State of Kansas

### Agricultural Remediation Board

#### Permanent Administrative Regulations

#### Article 1.—KANSAS AGRICULTURE REMEDATION REIMBURSEMENT PROGRAM

**125-1-1. Definitions.** These terms shall have the following meanings: (a) "Administrator" means the administrator of the Kansas agricultural remediation board.

(b) "Board" means the Kansas agricultural remediation board.

(c) "Incident" means a rupture, leak, spill, emission, discharge, disposal, or any other event that releases an agricultural or specialty chemical accidentally or otherwise into the environment. This term shall not include a release resulting from the normal use of a product or practice in accordance with the law.

(d) "Person" means an individual, firm, corporation, partnership, association, trust, or any other private organization or entity.

(e) "Responsible party" means a person who at the time of the incident has custody of, has control of, or is responsible for the agricultural or specialty chemical.

(f) "Site" shall include all contiguous land that is owned, leased, or controlled by the eligible person when the release occurs, and any other area affected by the release. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-2. Application.** (a) Any eligible person who has incurred corrective action costs after July 1, 1997, may seek reimbursement of those corrective action costs from the board. The eligible person shall submit to the administrator a signed, written, complete application form. The application shall be on a form prescribed by the board. Information other than what is outlined on the form may be required by the board if the board determines that the information is necessary in order to make a decision regarding the application. Each application deemed to be incomplete by the board shall be returned to the applicant.

(b) Each claim for reimbursement of corrective action costs incurred before the effective date of this regulation shall be submitted within 24 months after September 1, 2001. Each claim for reimbursement of corrective action costs incurred after the effective date of this regulation shall be submitted within 24 months of incurring these costs. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-3. Application process.** (a) Each completed application shall be eligible for review and possible funding for 12 months following the administrator's receipt of the completed application.

(b) Completed applications shall be reviewed by the board on a quarterly basis.

(c)(1) Except as specified in paragraph (c)(2) all completed applications shall be ranked by the board according to the risk to human health and the environment presented by the contaminants at each eligible site. The ranking sys-

(continued)

tem developed by the board shall be used to rank each application in relation to other eligible applications to establish priorities and fund expenditures for reimbursement.

(2) Sites that are deemed by the board as requiring emergency action may be ranked. Emergency status may be established by the board under any of the following conditions:

(A) If a public water supply or one or more domestic wells are contaminated or are threatened with contamination levels above state or federal drinking water limits, and no alternative water source is readily available;

(B) if a surface water intake used for drinking water is contaminated above state or federal drinking water limits, and no alternative water source is readily available; or

(C) if a high probability exists for direct human exposure to or contact with highly contaminated waste, air, soil, or water.

(d) A letter shall be issued to the applicant by the board within 30 days following the board's decision, describing what costs have been approved or disapproved for reimbursement. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-4. Multiple eligible persons.** If more than one eligible person incurs eligible corrective action costs for a single incident or for a single corrective action and desires reimbursement, each eligible person shall apply separately to the board. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-5. Arbitration.** Any person whose application for reimbursement of corrective action costs has been denied, either in part or in full, may seek arbitration in accordance with the Kansas uniform arbitration act, excluding K.S.A. 5-409 and K.S.A. 5-411 through K.S.A. 5-418 and amendments thereto. The arbitrator and the parties shall use their best efforts to hold the arbitration hearing within 30 days after the commencement of the arbitration. At the next board meeting following the receipt of the arbitrator's award, the arbitrator's award shall be adopted, modified, or rejected by the board, and a final order shall be issued by the board. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-6. Eligible corrective action costs.** An eligible person may be reimbursed by the board for any of the following corrective action costs if the board deems the cost necessary and reasonable: (a) Costs for equipment owned by the eligible person and used during a corrective action for excavating, trucking, land spreading and other similar activities, if all of the following apply:

(1) The equipment is reasonably sized and designed to perform the corrective action;

(2) the hours or units of equipment use are reasonable and necessary for the task performed; and

(3) the equipment costs do not exceed reasonable rental costs for equivalent equipment, including any operator costs;

(b) any oversight costs that the eligible person has paid to the Kansas department of health and environment;

(c) contractor charges for meals, lodging, travel, mileage, and other expenses not to exceed the amounts allowed by K.S.A. 75-3223 and amendments thereto;

(d) costs for the land spreading of agricultural chemicals as approved by the Kansas department of agriculture, which shall be reimbursed at the custom rate as determined by the local farm service administration office, but not to exceed \$.50 per cubic yard per acre;

(e) normal employee wages, salaries, expenses, or fringe benefit allocations for time that the eligible party's employees actually spend on a corrective action;

(f) the cost of qualified professional services needed for the effective planning and implementation of corrective action, including engineering, hydrogeologic, field technician, hazardous waste disposal, and general contractor services;

(g) costs related to the investigation and source identification, including collecting and analyzing soil samples and groundwater. These costs may include costs for soil boring, installation of monitoring wells, sample collection, sample analysis, and related activities;

(h) costs to excavate contaminated soils and other contaminated media, including backfilling and grading to restore the contours or drainage characteristics of land altered by the corrective action. This subsection shall not authorize the reimbursement of costs incurred for the removal of buildings or other fixtures, except paving materials that are necessarily removed in the course of excavation;

(i) costs to collect, handle, transport, treat, and dispose of contaminated soils, groundwater, and other contaminated materials;

(j) costs associated with an emergency response that was necessary to abate acute risks to human health, safety, and the environment;

(k) costs to plant or till land on which the eligible person land spreads soils or water when the tilling or planting is required by the Kansas department of agriculture or the Kansas department of health and environment;

(l) costs associated with a corrective action that is required by the Kansas department of health and environment; or

(m) any other costs that the board deems necessary or reasonable. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-7. Ineligible costs.** The authority to make the determination as to what constitutes an ineligible cost shall be retained by the board. Ineligible costs shall include the following items: (a) Costs that are not eligible for reimbursement as set forth in regulations adopted by the board;

(b) indirect costs charged by a contractor, unless those costs are allocated in the contract according to a reasonable cost allocation formula that the contractor uses for other similar contracts;

(c) an eligible person's indirect costs;

(d) the cost for the time that the eligible person or any officer of the eligible person spends planning or implementing a corrective action. Reimbursement of normal employee wages, salaries, expenses, or fringe benefit allocation for time that any employee, other than officers, spends implementing a corrective action may be allowed by the board;

(e) costs to construct, repair, replace, improve, relocate, or demolish any building or fixture, unless the cost is required or approved by the Kansas department of health and environment and is a part of a corrective action;

(f) loss or decrease of property values;

(g) loss or decrease of revenue or income;

(h) attorney fees or other legal costs;

(i) costs for relocating residents or business operations;

(j) costs of aesthetic or other improvements that are not essential to a corrective action, except for restorative grading and filling costs;

(k) costs that are reimbursed from another source. If after being reimbursed by the board for any cost, an eligible person is reimbursed for the same cost from another source, the eligible person shall promptly notify the board and repay to the board any duplicative reimbursement;

(l) the cost of replacing the released agricultural chemicals;

(m) liability claims or judgments;

(n) costs incurred by any federal, state, or local governmental entity;

(o) costs for a contractor's services that exceed the contractor's bid price for those services, except for those costs that have increased due to services approved or required by the Kansas department of health and environment;

(p) costs not supported by a cancelled check or other conclusive proof of payment by the eligible person who is applying for reimbursement of those costs;

(q) costs to investigate or repair environmental contamination involving substances that are not agricultural chemicals. If a corrective action involving agricultural chemicals is combined with the investigation or repair of environmental contamination involving substances that are not agricultural chemicals, a portion of the combined project costs may be reimbursed by the board based on the information submitted to the board. If, for any combined project, an eligible person also submits a reimbursement claim to another governmental agency, the cost allocation shall reflect that submission so that this may be taken into account by the board when determining eligibility of the costs;

(r) costs to analyze environmental substances that are not agricultural chemicals, except that costs for the analysis of environmental parameters may be reimbursed by the board if that analysis is needed for the design or implementation of a corrective action;

(s) costs to analyze environmental samples for agricultural chemicals that are not reasonably suspected of having been released at the discharge site;

(t) costs to prepare an application for reimbursement, to contest a decision by the board, or to consult with the board or administrator regarding the application;

(u) expense charges for meals, lodging, travel, or other personal expenses incurred by the eligible person or officer of the eligible person;

(v) supplementary charges for expedited services, including expedited laboratory analysis, mail service, and parcel delivery service, unless required by the Kansas department of health and environment;

(w) contractor charges that are not based on services provided by the contractor and that are not documented;

(x) interest expenses or other financing costs;

(y) costs for the rental or use of land on which the eligible person land spreads soil, water, or other media as ap-

proved by the Kansas department of agriculture or the Kansas department of health and environment;

(z) costs for subcontractor service charges or markups;

(aa) costs for environmental audits, assessments, evaluations, or appraisals, unless ordered or requested by the Kansas department of health and environment; and

(bb) any civil or criminal penalty assessed by a federal, state, county, or other governmental entity. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-8. Payment of corrective action costs.** (a) The eligible person may be reimbursed by the board for the reasonable and necessary costs associated with the corrective action incurred by the eligible person if the board determines the following conditions are met:

(1) The eligible person has submitted all the necessary information to ascertain that the costs have been incurred by the eligible person.

(2) The corrective action was taken in accordance with an order or approved by the Kansas department of health and environment.

(3) There are no pending or final administrative, civil, or criminal court cases involving the applicant or the applicant's representative or agent and the contaminated site.

(b) If the corrective action was taken due to an emergency situation, the eligible person may be reimbursed by the board for the reasonable and necessary costs associated with the corrective action incurred by the eligible person if the board determines the following conditions are met:

(1) The eligible person has submitted all the necessary information to ascertain that the costs have been incurred by the eligible person.

(2) There are no pending or final administrative, civil, or criminal court cases involving the applicant or the applicant's representative or agent and the contaminated site.

(c) If the board determines that any portion of the applicant's reimbursement claim contains clearly ineligible costs, the application shall be returned to the applicant. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

**125-1-9. Conflict of interest.** Each member of the board who meets any of the following conditions shall refrain from voting on any application relating to that condition and shall make that condition known to the rest of the board: (a) The board member is an officer or employee of an eligible person whose application is before the board.

(b) The board member has a direct financial or employment interest relating to the application before the board.

(c) The board member has a substantial interest in the eligible person whose application is before the board. (Authorized by and implementing K.S.A. 2000 Supp. 2-3710; effective, T-125-9-5-01, Sept. 5, 2001; effective Jan. 4, 2002.)

Mary Jane Stattelman  
Administrator

Doc. No. 027381

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 12-17-01 through 12-23-01

Term	Rate
1-89 days	1.86%
3 months	1.68%
6 months	1.80%
1 year	2.22%
18 months	2.73%
2 years	3.12%

Derl S. Treff  
Director of Investments

Doc. No. 027371

State of Kansas

Department of Education

Permanent Administrative  
Regulations

Article 1.—CERTIFICATE REGULATIONS

**91-1-70a.** The "professional standards for the accreditation of schools, colleges, and departments of education," as published by the national council on the accreditation of teacher education (NCATE) in January 2001, including the "glossary of NCATE terms," are adopted by reference. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 1997; amended Jan. 4, 2002.)

Dr. Andy Tompkins  
Commissioner of Education

Doc. No. 027385

State of Kansas

Kansas Turnpike Authority

Request for Proposals

The Kansas Turnpike Authority is requesting sealed proposals for operation of the Turnpike restaurant facilities at the Belle Plaine Service Area, Milepost 26, Sumner County, known as KTA Contract No. 4118, and the Lawrence Service Area, Milepost 209, Leavenworth County, known as KTA Contract No. 4119.

The Kansas Turnpike Authority's legal counsel advises that state law (K.S.A. 68-2009) requires that separate bids be submitted for each service area restaurant that a firm is interested in operating. Furthermore, if a bid for one location is "tied" to the bid for another location, the "tied" bids will be disqualified. For example, it is not permissible to qualify your bids by stating that you will operate the Lawrence facility only if you are the successful bidder for the Belle Plaine unit.

Proposals and specifications are on file and may be obtained at the office of Michael L. Johnston, President/CEO, Kansas Turnpike Authority, 9401 E. Kellogg, Wichita, 67207-1804, (316) 682-4537, ext. 2381. The documents also may be examined in the office of the Sedgwick County Clerk.

As part of this contract and at its expense, the operator will equip and furnish the restaurant facility. The term of the contract will be from October 1, 2002 until April 14, 2013 (approximately 10½ years).

The restaurant concept must be a nationally recognized, distinctive restaurant brand name that can either be company-owned or franchise. A breakfast menu must be offered.

Each operator's bid must specify what the restaurant concept will be as well as any additional restaurant concepts. It is not acceptable to list alternate restaurant concepts and indicate that the concepts to be used will be determined at a later date. As stated in the contract, all restaurant concepts must be approved in advance and in writing by the Authority.

A pre-proposal conference will be held at 11 a.m. Monday, January 14, at Kansas Turnpike Authority headquarters in Wichita. Request for proposal packets will be distributed to those in attendance and mailed to those unable to attend. Attendance is highly recommended.

An operator experience package must be received by the Authority not later than Friday, February 1. The rent proposal form(s), along with detailed operational and marketing plans, must be in the possession of the Kansas Turnpike Authority by 10 a.m. Friday, April 12.

Rent proposal forms will be read publicly at that time at Kansas Turnpike Authority Headquarters.

Proposals must be accompanied by a cashier's check in an amount equal to 10 percent of the first year's guaranteed minimum rent, and made payable to the Kansas Turnpike Authority as a guarantee that the bidder will enter into a contract and give a performance bond as required if awarded the contract. The Authority will evaluate the total proposal [rent, strength of brand, past performance on the Kansas Turnpike (if applicable), etc.] in determining that successful bidder. However, the Authority reserves the right to make the award upon the basis of any of the proposals received, setting the contract upon such proposals as may, in its sole judgment, be in the best interest of the Authority. The Authority reserves the right to reject any and all proposals and to waive technicalities, as it may deem best for the interest of the Authority. Proposals may be rejected if they show any alterations of form, conditional bids or alternate bids not invited, incomplete bids, or irregularities of any kind.

Sealed proposals should be mailed or delivered to KTA Headquarters at 9401 E. Kellogg, Wichita, 67207-1804.

Michael L. Johnston  
President/CEO

Doc. No. 027375



## State of Kansas

## Department on Aging

Temporary Administrative  
RegulationsArticle 11.—KANSAS SENIOR PHARMACY  
ASSISTANCE PROGRAM

**26-11-1. Eligibility.** There shall be hereby established a Kansas senior pharmacy assistance program.

(a) To be eligible to participate in the Kansas senior pharmacy assistance program, each individual shall meet the requirements of this regulation.

(b) Each individual shall meet the following requirements:

(1) The individual shall be a Kansas resident.

(2) The individual shall be at least 67 years of age on the final day of the application period.

(3) The individual shall be a participant in the qualified Medicare beneficiary program or low income Medicare beneficiary program as determined by the Kansas department of social and rehabilitation services.

(c) The individual shall not be eligible if the individual is enrolled in any other local, state, or federal prescription program, or in a private prescription reimbursement plan.

(d) The individual shall not be eligible if within the last six months the individual has voluntarily canceled enrollment in any of the programs described above in subsection (c).

(e) This regulation shall be effective on and after March 1, 2002. (Authorized by and implementing K.S.A. 2000 Supp. 75-5961; effective, T-26-9-5-01, Oct. 1, 2001; effective, T-26-12-11-01, Dec. 11, 2001.)

**26-11-2. Benefit limitations.** (a) The drug benefit shall be limited to 70% of the individual's costs incurred for the drugs specified in subsection (b) and shall be limited to a maximum of \$1,200 per eligible individual.

(b) The drug benefit shall be limited to the costs for only the following drugs:

(1) Any legend prescription drug used to treat a chronic illness, which shall mean any drug taken regularly to treat an illness that persists over a long period of time; and

(2) insulin and those diabetic supplies not covered by Medicare.

(c) The drug benefit shall not apply toward the cost of any of the following drugs:

(1) Over-the-counter drugs;

(2) lifestyle drugs, including Viagra; or

(3) prescription drugs for acute illnesses.

(d) This regulation shall be effective on and after March 1, 2002. (Authorized by and implementing K.S.A. 2000 Supp. 75-5961; effective, T-26-9-5-01, Oct. 1, 2001; effective, T-26-12-11-01, Dec. 11, 2001.)

**26-11-3. Priority of funding.** (a) Not all requests for a drug benefit may be paid due to a lack of program funding.

(b) Drug benefit requests shall be prioritized according to the eligible individual's income level, and benefit payments shall be made until program funds are exhausted.

(c) Once program funds are exhausted, no eligible individual shall receive a benefit.

(d) This regulation shall be effective on and after March 1, 2002. (Authorized by and implementing K.S.A. 2000 Supp. 75-5961; effective, T-26-9-5-01, Oct. 1, 2001; effective, T-26-12-11-01, Dec. 11, 2001.)

Connie Hubbell  
Secretary of Aging

Doc. No. 027382

## State of Kansas

## Department of Revenue

Permanent Administrative  
Regulations

## Article 24.—LIQUOR DRINK TAX

**92-24-23. Bond.** (a) Each applicant or licensee making application for a new license or for renewal of an existing license shall post or have posted with the department of revenue a bond in an amount equal to three months' average liquor drink tax liability or \$1000, whichever is greater, at the time of the application. New applicants who have no previous tax experience may estimate their expected liquor drink tax liability projected over a 12-month period and submit a bond in an amount equal to 25% of the projected tax liability or \$1000, whichever is greater. A certificate of liquor drink tax registration shall not be issued until the bond requirement is satisfied.

(b) Bond requirements may be satisfied through surety bonds purchased from a corporate surety, escrow bond agreements, or posting of cash bonds.

(c) At any time an additional bond may be required by the secretary of revenue if the existing bond is not sufficient to satisfy the three months' average liability of the licensee.

(d) The existing liquor drink tax bond requirement for any licensee may be waived by the secretary of revenue if the relief is requested in writing at the time of renewal and the licensee has remained compliant with K.S.A. 79-41a01 *et seq.* and amendments thereto, for a minimum of 24 consecutive months before the application for renewal. If, after the bond is released, the licensee becomes delinquent in filing and remitting the liquor drink tax, a bond shall be required for any subsequent renewal of the license. (Authorized by and implementing K.S.A. 79-41a03, as amended by L. 2001, Ch. 167, § 14; effective, T-83-30, Oct. 25, 1982; effective May 1, 1983; amended, T-88-85-58, Dec. 16, 1987; amended May 1, 1988; amended Jan 4, 2002.)

## Article 51.—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; revoked Jan. 4, 2002.)

Stephen S. Richards  
Secretary or Revenue

Doc. No. 027386

## State of Kansas

## Kansas Insurance Department

Temporary Administrative  
Regulations

## Article 1.—GENERAL

**40-1-43. Reinsurance trust instruments; letters of credit.** (a) Sections 10 and 11 of the national association of insurance commissioners' "credit for reinsurance model regulation," January 1997 edition, with amended pages 5 through 22 dated July 2001, are adopted by reference, subject to the following exceptions:

(1) In sections 10(B)(1), delete "Section [insert citation to state law equivalent to Section 4B of the Credit for Reinsurance Model Law]," and replace it with "K.S.A. 40-221a and amendments thereto."

(2) In section 10(B)(11)(c), delete "Section [insert citation to state law equivalent of Section 4B of the Credit Reinsurance Model Law]," and replace it with "K.S.A. 40-221a and amendments thereto."

(3) In section 10(D)(4), the clause "[insert date]" appears twice. In the first instance, delete this clause and replace it with effective date of this amended regulation. In the second instance, delete this clause and replace it with March 31, 2002.

(4) In section 11(A), delete "Section [insert citation to state law equivalent of Section 4A of the Credit for Reinsurance Model Law]," and replace it with "K.S.A. 40-221a and amendments thereto."

(5) In section 11(G), delete "Section [insert citation to state law equivalent to 4A of the Credit for Reinsurance Model Law]," and replace it with "K.S.A. 40-221a and amendments thereto."

(b) Each trust that is used by an insurer, organized under the laws of this state, to demonstrate compliance with K.S.A. 40-221a (b)(1) and (3), and amendments thereto, shall be established in a form approved by the commissioner. The trust instrument shall include all of the following provisions:

(1) Entry of the final order of any court of competent jurisdiction in the United States will make contested claims valid and enforceable.

(2) Legal title to the assets of the trust will be vested in the trustee for the benefit of the grantor's United States ceding insurers, their assigns, and successors in interest.

(3) The commissioner will have the power to examine the trust.

(4) The trust will remain in effect for as long as the assuming group or insurer has outstanding obligations under reinsurance agreements subject to the trust.

(5) On or before February 28 of each year, a written report prepared by the trustees will be sent to the commissioner of insurance containing the following:

(A) The balance in the trust;

(B) a listing of the trust's investments at the end of the preceding year; and

(C) a certification of the termination date of the trust, or a certification that the trust will not expire before the following December 31.

(c) Each amendment to the trust shall be reviewed and approved by the commissioner before that amendment becomes effective. (Authorized by K.S.A. 40-221a and K.S.A. 40-103; implementing K.S.A. 40-221a; effective Jan. 24, 1997; amended May 25, 2001; amended, T-40-12-11-01, Dec. 11, 2001.)

Kathleen Sebelius  
Kansas Insurance Commissioner

Doc. No. 027383

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas - Department of Air Quality (DAQ) are soliciting comments regarding a proposed modification to an air quality operating permit. Harcros Chemicals Inc. has applied for a Class II operating permit modification in accordance with the provisions of K.A.R. 28-19-544. Emissions of volatile organic compounds (VOCs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Harcros Chemicals Inc., Kansas City, Kansas, owns and operates a surface active agent manufacturing facility located at 5200 Speaker Road, Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, and at the DAQ, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or William P. Stevenson, (913) 573-6700, at the DAQ. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William P. Stevenson, Unified Government of Wyandotte County/Kansas City, Kansas - Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 21.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, KDHE, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366, not later than the close of business January 21 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 027390

## State of Kansas

## Behavioral Sciences Regulatory Board

Permanent Administrative  
Regulations

## Article 1.—CERTIFICATION OF PSYCHOLOGISTS

**102-1-1. Definitions.** (a) "Academically eligible" means having a doctoral degree in psychology from an institution of higher education that meets the standards identified in K.A.R. 102-1-12.

(b) "Client" or "patient" means a person who meets either of the following criteria:

(1) Is a recipient of direct psychological services within a relationship that is initiated either by mutual consent of the person and a psychologist or according to law; or

(2) is a recipient of a psychological assessment or diagnosis for a third party.

(c) "Clinical psychological services" means the application by persons trained in psychology of established principles of learning, motivation, perception, thinking, and emotional relationships to problems of behavior adjustment, group relations, and behavior modification when those principles are applied through either or both of the following activities:

(1) Providing psychological assessment and therapeutic treatment to individuals or groups with the intent of modifying attitudes, emotions, and behaviors that are intellectually, physically, socially, or emotionally maladaptive; or

(2) performing any other clinical applications of psychological principles as approved by the board.

(d) "Consultation" means providing professional guidance, information, or advice without administrative or professional authority over or responsibility for the professional functioning of the recipient.

(e) "Continuing education" means programs or activities designed to enhance the psychologist's level of knowledge, skill, and ability to practice psychology. These programs shall have content clearly related to the enhancement of psychology practice, values, and knowledge. Continuing education credits shall not be used as a substitute for basic professional education preparation as defined in K.A.R. 102-1-12.

(f) "Harmful dual relationship" means a professional relationship between a psychologist and a client, patient, student, or supervisee in which the objectivity or competency of the psychologist is impaired or compromised because of any of the following present or previous relationships:

- (1) Familial;
- (2) sexual;
- (3) social;
- (4) emotional;
- (5) financial;
- (6) supervisory; or
- (7) administrative.

(g) "Intern" or "resident" means a person who is actively enrolled in a program as defined by K.A.R. 102-1-12 and who is attaining the predoctoral supervised experience necessary for licensure as a psychologist.

(h) "Nonclinical, general psychological services" means the application by persons trained in psychology of established principles of learning, motivation, perception, thinking, and emotional relationships to problems of behavior adjustment, group relations, and behavior modification when those principles are applied through the following activities:

(1) Conducting applied research on problems relating to human behavior or program evaluation;

(2) providing consultation or psychological supervision;

(3) providing instruction in areas of psychology pertinent to the clinical practice of psychology;

(4) measuring and testing personality, intelligence, aptitudes, public opinion, attitudes, and skills; and

(5) other applications of nonclinical, general psychological principles as approved by the board.

(i) "Psychological assessment" means the use, in any manner, of established psychological tests, procedures, and techniques with the intent of diagnosing adjustment, functional, mental, vocational, or emotional problems or recommending treatment methods for persons having these problems.

(j) "Quarter credit hour" means two-thirds of a semester hour. Quarter credit hours shall be rounded as follows:

(1) One quarter credit hour equals .7 semester hours.

(2) Two quarter credit hours equal 1.3 semester hours.

(3) Three quarter credit hours equal 2.0 semester hours.

(4) Four quarter credit hours equal 2.7 semester hours.

(5) Five quarter credit hours equal 3.3 semester hours.

(k) "Supervision" means the formal relationship between the supervisor and supervisee that promotes the development of responsibility, skill, knowledge, appropriate attitudes, and ethical standards in the practice of psychology. Supervision shall include both general training supervision and individual clinical supervision.

(l) "General training supervision" means supervision of any of the following areas of practice:

(A) Consultation;

(B) psychological supervision of other mental health service providers;

(C) applied research or program evaluation;

(D) instruction in areas of psychology pertinent to the clinical practice of psychology; or

(E) other applications of psychological principles as approved by the board.

(2) "Individual clinical supervision" means supervision of the following areas of practice:

(A) Psychological assessment; and

(B) therapeutic treatment for individuals or groups with the intent of modifying attitudes, emotions, and behaviors that are intellectually, physically, socially, or emotionally maladaptive.

(m) "Termination," for purposes of unprofessional conduct, means the end of the professional psychologist-client relationship or treatment for any of the following reasons:

(1) The mutual consent of the psychologist and the client or clients;

(continued)

- (2) the completion of treatment;
  - (3) dismissal of the psychologist or discontinuation of the relationship by the client or clients;
  - (4) dismissal of the client or clients by the psychologist;
- or
- (5) the referral or transfer of the client to another professional with belief that treatment will continue.
- (n) "Trimester credit hour" means a unit of academic credit received under an academic year consisting of three terms. A trimester credit hour is equivalent to a semester credit hour.

(o) "Undue influence" means misusing one's professional position of confidence, trust, or authority over a client or supervisee, or taking advantage of a client's vulnerability, weakness, infirmity, or distress, for either of the following purposes:

- (1) To improperly influence or change a client's or supervisee's actions or decisions; or
- (2) to exploit a client or supervisee for the financial gain, personal gratification, or advantage of the psychologist or a third party.

(p) "Unlicensed assistant" means a person who is employed by a person, association, partnership, or corporation furnishing psychological services to assist a licensed psychologist in providing psychological services and who is under the licensed psychologist's direct supervision.

(q) "Year of supervised experience" means a minimum of 1,800 clock hours of supervised experience that meets the requirements of K.A.R. 102-1-5. (Authorized by K.S.A. 2000 Supp. 74-507 and K.S.A. 74-5314; implementing K.S.A. 2000 Supp. 74-5302, K.S.A. 2000 Supp. 74-5310, K.S.A. 74-5314, K.S.A. 2000 Supp. 74-5316, K.S.A. 2000 Supp. 74-5344, and K.S.A. 2000 Supp. 74-7507; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Aug. 4, 1995; amended Dec. 18, 1998; amended Jan. 4, 2002.)

**102-1-10.** (Authorized by K.S.A. 74-7507; implementing K.S.A. 74-7507 and K.S.A. 74-5342; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 10, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Aug. 4, 1995; revoked Jan. 4, 2002.)

**102-1-10a. Unprofessional conduct.** The following shall be considered unprofessional conduct:

- (a) Practicing psychology in an incompetent manner, which shall include the following acts:
  - (1) Misrepresenting professional competency by offering to perform services that are inconsistent with the licensee's education, training, or experience;
  - (2) performing professional services that are inconsistent with the licensee's education, training, or experience; and
  - (3) without just cause, failing to provide psychological services that the licensee is required to provide under the terms of a contract;
- (b) practicing with impaired judgment or objectivity, which shall include the following acts:
  - (1) Using alcohol or other substances to the extent that it impairs the psychologist's ability to competently engage in the practice of psychology; and

- (2) failing to recognize, seek intervention, and make arrangements for the care of clients if one's own personal problems, emotional distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

(c) engaging in harmful dual relationships, which shall include the following acts:

- (1) Making sexual advances toward or engaging in physical intimacies or sexual activities with any of the following persons:

- (A) Any person who is a client;
- (B) any person who, within the past 24 months, has been a client; or

(C) any person that the licensee knows who has a significant relationship with the client, supervisee, or student;

- (2) failing to inform the client or patient of any financial interests that might accrue to the licensed psychologist for referral to any other service or for the sale, promotion, or use of any tests, books, electronic media, or apparatus; and

(3) exercising undue influence over any client or any person who within the past 24 months has been the client of that licensee;

(d) failing to obtain informed consent, which shall include the following acts:

- (1) Failing to obtain and document, in a timely manner, informed consent from the client or legally authorized representative for clinical psychological services before the provision of any of these services except in an emergency situation. This informed consent shall include a description of the possible effects of treatment or procedures when there are known risks to the client or patient;

(2) failing to provide clients or patients with a description of what the client or patient may expect in the way of tests, consultation, reports, fees, billing, and collection; and

(3) failing to inform clients or patients when a proposed treatment or procedure is experimental;

(e) ignoring client welfare, which shall include the following acts:

- (1) Failing to provide copies of reports or records to a licensed healthcare provider authorized by the client following the licensee's receipt of a formal written request, unless the release of that information is restricted or exempted by law or by these regulations, or the disclosure of the information would be injurious to the welfare of the client;

(2) failing to inform the client or patient that the client or patient is entitled to the same services from a public agency if the licensed psychologist is employed by that public agency and also offers services privately;

(3) engaging in behavior that is abusive or demeaning to a client, student, or supervisee;

(4) soliciting or agreeing to provide services to prospective clients or patients who are already receiving mental health services elsewhere without openly discussing issues of disruption of continuity of care with the prospective client or patient, or with other legally authorized persons who represent the client or patient, and when

appropriate, consulting with the other service provider about the likely effect of a change of providers on the client's general welfare;

(5) failing to take each of the following steps before termination for whatever reason, unless precluded by the patient's or client's relocation or noncompliance with the treatment regimen:

(A) Discuss the patient's or client's views and needs;

(B) provide appropriate pretermination counseling;

(C) suggest alternative service providers, as appropriate; and

(D) take other reasonable steps to facilitate transfer of responsibility to another provider if the patient or client needs one immediately;

(6) failing to arrange for another psychologist or other appropriately trained mental health professional to be available to handle clinical emergencies if the psychologist anticipates being unavailable for a significant amount of time;

(7) failing to be available for the timely handling of clinical emergencies after having agreed to provide coverage for another psychologist;

(8) failing to terminate a professional relationship if it becomes reasonably clear that the patient or client no longer needs the service, is not benefiting, or is being harmed by continued service;

(9) failing to delegate to employees, supervisees, and research assistants only those responsibilities that these persons can reasonably be expected to perform competently on the basis of their education, training, or experience, either independently or with the level of supervision being provided;

(10) failing to provide training and supervision to employees or supervisees and to take reasonable steps to see that these persons perform services responsibly, competently, and ethically; and

(11) continuing to use or order tests, procedures, or treatment, or to use treatment facilities or services not warranted by the client's or patient's condition;

(f) failing to protect confidentiality, which shall include the following acts:

(1) Failing to inform each client, supervisee, or student of the limits of client confidentiality, the purposes for which the information may be obtained, and the manner in which it may be used;

(2) revealing any information regarding a client or failing to protect information contained in a client's records, unless at least one of these conditions is met:

(A) Disclosure is required or permitted by law;

(B) failure to disclose the information presents a clear and present danger to the health and safety of an individual or the public;

(C) the psychologist is a party to a civil, criminal, or disciplinary investigation or action arising from the practice of psychology, in which case disclosure shall be limited to that action; or

(D) the patient has signed a written release that authorizes the psychologist to release information to a specific person or persons identified in the release; and

(3) failing to obtain written, informed consent from each client or the client's legal representative or represen-

tatives or from any other participant before performing either of the following actions:

(A) Electronically recording sessions with the client, or other participants, including audio and video recordings; or

(B) permitting third-party observation of the activities of the client or participant;

(g) misrepresenting the services offered or provided, which shall include the following acts:

(1) Failing to inform a client if services are provided or delivered under supervision;

(2) making claims of professional superiority that cannot be substantiated;

(3) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(4) knowingly engaging in fraudulent or misleading advertising; and

(5) taking credit for work not personally performed;

(h) engaging in improprieties with respect to fees and billing statements, which shall include the following acts:

(1) Exploiting clients or payers with respect to fees;

(2) misrepresenting one's fees;

(3) failing to inform a patient or client who fails to pay for services as agreed that collection procedures may be implemented, including the possibility that a collection agency may be used or legal measures may be taken; and

(4) filing claims for services that were not rendered;

(i) improperly using assessment procedures, which shall include the following acts:

(1) Basing assessment, intervention, or recommendations on test results and instruments that are inappropriate to the current purpose or to the patient characteristics;

(2) failing to identify situations in which particular assessment techniques or norms may not be applicable or failing to make adjustments in administration or interpretation because of relevant factors, including gender, age, race and other pertinent factors;

(3) failing to indicate significant limitations to the accuracy of the assessment findings;

(4) failing to inform individuals or groups at the outset of an assessment that the psychologist is precluded by law or by organizational role from providing information about results and conclusions of the assessment;

(5) endorsing, filing, or submitting psychological assessments, recommendations, reports, or diagnostic statements on the basis of information and techniques that are insufficient to substantiate those findings;

(6) releasing raw test results or raw data either to persons who are not qualified by virtue of education, training, or supervision to use that information or in a manner that is inappropriate to the needs of the patient or client; and

(7) allowing, endorsing, or supporting persons who are not qualified by virtue of education, training, or supervision to administer or interpret psychological assessment techniques;

(j) violating applicable law, which shall include the following acts:

(1) Impersonating another person holding a license issued by this or any other board;

*(continued)*

(2) claiming or using any method of treatment or diagnostic technique that the licensed psychologist refuses to divulge to the board;

(3) refusing to cooperate in a timely manner with the board's investigation of complaints lodged against an applicant or a psychologist licensed by the board. Any psychologist taking longer than 30 days to provide requested information shall have the burden of demonstrating that the psychologist has acted in a timely manner; and

(4) being convicted of a crime resulting from or relating to the licensee's professional practice of psychology;

(k) aiding an illegal practice, which shall include the following acts:

(1) knowingly allowing another person to use one's license;

(2) knowingly aiding or abetting anyone who is not credentialed by the board to represent that individual as a person credentialed by the board;

(3) furthering the licensure or registration application of another person who is known or reasonably believed to be unqualified in respect to character, education, or other relevant eligibility requirements;

(4) making a materially false statement or failing to disclose a material fact in an application for licensure or renewal of licensure; and

(5) failing to notify the board, within a reasonable period of time, that any of the following conditions apply to the psychologist or that the psychologist has knowledge, not obtained in the context of confidentiality, that any of the following conditions apply to another professional regulated by the board:

(A) A licensee has had a license, certificate, permit, registration, or other certificate, registration or license in psychology or in the field of behavioral sciences, granted by any state or jurisdiction, that has been limited, restricted, suspended or revoked;

(B) a licensee has been subject to disciplinary action by a licensing or certifying authority or professional association;

(C) a licensee has been terminated or suspended from employment for some form of misfeasance, malfeasance, or nonfeasance;

(D) a licensee has been convicted of a felony; or

(E) a licensee has practiced in violation of the laws or regulations regulating the profession;

A psychologist taking longer than 30 days to notify the board shall have the burden of demonstrating that the psychologist acted within a reasonable period of time;

(l) failing to maintain and retain records as outlined in K.A.R. 102-1-20;

(m) improperly engaging in research with human subjects, which shall include the following acts:

(1) Failing to consider carefully the possible consequences for human beings participating in the research;

(2) failing to protect each participant from unwarranted physical and mental harm;

(3) failing to ascertain that the consent of the participant is voluntary and informed; and

(4) failing to preserve the privacy and protect the anonymity of the subjects within the terms of informed consent;

(n) engaging in improprieties with respect to forensic practice, which shall include the following acts:

(1) When conducting a forensic examination, failing to inform the examinee of the purpose of the examination and the difference between a forensic examination and a therapeutic relationship

(2) in the course of giving expert testimony in a legal proceeding, performing a psychological assessment in a biased, nonobjective, or unfair manner or without adequate substantiation of the findings;

(3) failing to conduct forensic examinations in conformance with established scientific and professional standards; and

(4) if a prior professional relationship with a party to legal proceeding precludes objectivity, failing to report this prior relationship and to clarify in both written report and actual testimony the possible impact of this prior relationship on the resulting conclusions and recommendations; and

(o) engaging in improprieties with respect to supervision, which shall include the following acts:

(1) Failing to provide supervision in compliance with subsection (d) of K.A.R. 102-1-5a;

(2) failing to provide supervision to a person working towards licensure as a clinical psychotherapist in compliance with KAR 102-4-7a and amendments thereto; and

(3) failing to provide regular, periodic, written supervisory feedback to the supervisee. (Authorized by and implementing K.S.A. 2000 Supp. 74-7507 and K.S.A. 74-5324; effective Jan. 4, 2002.)

**102-1-20. Unprofessional conduct regarding recordkeeping.** (a) Failure of a psychologist to comply with the recordkeeping requirements established in this regulation shall constitute unprofessional conduct.

(b) Content of psychological records. Each licensed psychologist shall maintain a record for each client or patient that accurately reflects the licensee's contact with the client or patient and the results of the psychological service provided. Each licensee shall have ultimate responsibility for the content of the licensee's records and the records of those persons under the licensee's supervision. The record may be maintained in a variety of media, if reasonable steps are taken to maintain confidentiality, accessibility, and durability. Each record shall be completed in a timely manner and shall include the following information for each client or patient who is a recipient of clinical psychological services:

(1) Adequate identifying data;

(2) the date or dates of services the licensee or the licensee's supervisee provided;

(3) the type or types of services the licensee or the licensee's supervisee provided;

(4) initial assessment, conclusions, and recommendations;

(5) a plan for service delivery or case disposition;

(6) clinical notes of each session; and

(7) sufficient detail to permit planning for continuity that would enable another psychologist to take over the delivery of services.

(c) Retention of records. If a licensee is the owner or custodian of client or patient records, the licensee shall

retain a complete record for the following time periods, unless otherwise provided by law:

(1) At least five years after the date of termination of one or more contacts with an adult; and

(2) for a client or patient who is a minor on the date of termination of the contact or contacts, at least until the later of the following two dates:

(A) Two years past the age of majority; or

(B) five years after the date of termination of the contact or contacts with the minor. (Authorized by and implementing K.S.A. 74-5324 and K.S.A. 2000 Supp. 74-7507; effective Jan. 4, 2002.)

Phyllis Gilmore  
Executive Director

Doc. No. 027384

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 2.—LOTTERY RETAILERS

**111-2-132. Sav-A-Trip winner awareness “Starburst” promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a “Starburst” promotion to enhance winner awareness at all Sav-A-Trip corporate locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Tuesday, January 1, 2002, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, January 31, 2002.

(c) Beginning January 1, 2002, and concluding January 31, 2002, the lottery will conduct a “Starburst” promotion at all the Sav-A-Trip corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery’s choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is a \$300 credit on the retailer’s lottery account. Second prize is a \$50 credit on the retailer’s lottery account, and third prize is a \$25 credit on the retailer’s lottery account. Each retail location is eligible to win only one of the three credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery’s Great Bend regional office on February 8, 2002. Lottery security will approve drawing procedures to be used for the drawing. (Authorized

by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-2-133. January winner awareness “Starburst” promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a “Starburst” promotion to enhance winner awareness at the following corporate locations: All Walthers Oil, Town Pump, and Welcome Smokers corporate stores.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Tuesday, January 1, 2002, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, January 31, 2002.

(c) Beginning January 1, 2002, and concluding January 31, 2002, the lottery will conduct a “Starburst” promotion at all the above-listed corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery’s choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is a \$300 credit on the retailer’s lottery account. Second prize is a \$50 credit on the retailer’s lottery account, and third prize is a \$25 credit on the retailer’s lottery account. Each retail location is eligible to win only one of the three credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery’s Great Bend regional office on February 8, 2002. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-2-134. Conoco promotion.** (a) During the period beginning December 1, 2001, and ending December 31, 2001, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Conoco stores located in Kansas an opportunity to participate in a bonus retailer incentive promotion of lottery tickets.

(b) At the end of the promotion, the store with the greatest percentage increase in total lottery ticket sales for the period from December 1, 2001, through December 31, 2001, over the base sales period will win a television set. Promotional items will also be awarded to all stores that showed a percentage increase in total lottery sales over the base sales period. The lottery shall select all prizes awarded. The base sales period for each store shall be

(continued)

total lottery ticket sales from December 1, 2000, through December 31, 2000. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

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

**111-4-1877. “Bonus Crossword” instant ticket lottery game number 184.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Bonus Crossword” commencing on or after October 31, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1877.

(b) The “play symbols” for this game are as follows: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z. There are no “play symbol captions” in this game.

(c) For this game, a play symbol shall appear in each of 18 play spots within the “YOUR NUMBERS” play area, in each of two play spots within the “BONUS” play area, and a variable number of times within the crossword puzzle grid.

(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 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
TWY	=	\$20.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) “Bonus Crossword” consists of three play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces (height) by 11 spaces (width) covered by transparent latex. In the “YOUR LETTERS” play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the “YOUR LETTERS” play area is the “BONUS” play area in which there are two letters covered by opaque latex. Imaged around each of the 18 “YOUR LETTERS” and two “BONUS” letters there will be a four-sided box composed of solid lines. A player will remove the latex from the “YOUR LETTERS” and “BONUS” play areas one letter at a time, and then for each matching letter in the crossword puzzle grid scratch off the transparent latex. Each letter revealed in the “YOUR LETTERS” and “BONUS” play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals at least three complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed.

(h) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
  - (2) cannot be formed diagonally, run right to left or from bottom to top;
  - (3) must appear in an unbroken horizontal or vertical string of letters in the “crossword” puzzle;
  - (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
  - (5) every single letter in the unbroken string must be revealed in “YOUR LETTERS,” or “BONUS” areas and be included to form a word; and
  - (6) the three small letters outside the squares in the “YOUR LETTERS” area are for validation purposes and cannot be used to play “Bonus Crossword.”
- (i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 1,800,000 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:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - words	FREE TICKET	300,000	\$0
4 - words	\$5	72,000	360,000
5 - words	\$10	38,400	384,000
6 - words	\$20	13,800	276,000
7 - words	\$100	1,800	180,000
8 - words	\$500	276	138,000
9 - words	\$2,000	66	132,000
10 - words	\$20,000	12	240,000
TOTAL		<u>426,354</u>	<u>\$1,710,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.22. (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-111-11-6-01, Oct. 17, 2001; amended, T-111-12-10-01, Nov. 14, 2001.)

**111-4-1878. “Nines In A Line Doubler” instant ticket lottery game number 185.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Nines In A Line Doubler” commencing on or after November 26, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1878.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$6. <sup>00</sup>	SIX\$
\$9. <sup>00</sup>	NINES\$
18. <sup>00</sup>	EGTEEN
35. <sup>00</sup>	THTY-FIV
45. <sup>00</sup>	FORTY-FIV
90. <sup>00</sup>	NINETY
\$150\$	ONENFTY



\$300\$	THR-HUN
\$999\$	NINTYNIN
9	NINE
X	XXXX
Symbol of a stack of dollar bills	DOUBLER

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

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
THR	=	\$3.00
SIX	=	\$6.00
NIN	=	\$9.00
EGN	=	\$18.00
THF	=	\$35.00
NTY	=	\$90.00
THH	=	\$300.00

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

(g) In "Nines In A Line Doubler," a player will remove the scratch-off material covering the game play area to reveal nine play symbols and one "PRIZE BOX." If a player reveals three "9" symbols in any horizontal row, vertical column, or diagonal straight line, the player wins the amount shown in the "PRIZE BOX." If a player reveals two "9" symbols plus a doubler symbol, which in this game is a symbol of a stack of dollar bills, in any horizontal row, vertical column, or diagonal straight line, the player wins double the amount 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:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - 9s	FREE TICKET	200,000	\$0
3 - 9s	\$2	40,000	80,000
2 - 9s + D	\$2	40,000	80,000
3 - 9s	\$3	20,000	60,000
3 - 9s	\$6	10,000	60,000
2 - 9s + D	\$6	10,000	60,000
3 - 9s	\$9	6,700	60,300
3 - 9s	\$18	3,000	54,000
2 - 9s + D	\$18	2,375	42,750
3 - 9s	\$35	2,500	87,500
3 - 9s	\$90	450	40,500
2 - 9s + D	\$90	450	40,500
3 - 9s	\$300	75	22,500
2 - 9s + D	\$300	75	22,500
3 - 9s	\$999	30	29,970
TOTAL		<u>335,655</u>	<u>\$740,520</u>

D - Denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.47. (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-111-12-10-01, Nov. 14, 2001.)

**111-4-1879. "Double Your Luck" instant ticket lottery game number 186.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Your Luck" commencing on or after November 26, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1879.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
20. <sup>00</sup>	TWENTY
25. <sup>00</sup>	TWEN-FIV
40. <sup>00</sup>	FORTY
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$2000	TWOTHOU
\$4000	FOURTHOU
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	FOURTN
15	FIFTN
Symbol of a shamrock	SHAMRCK
Symbol of a bunch of cherries	CHERRIES
Symbol of a rainbow	RAINBOW
Symbol of a treasure chest	TRSURE
Symbol of a crown	CROWN
Symbol of a star	STAR

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00

(continued)

TWO	=	\$2.00
FOR	=	\$4.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Double Your Luck" is a key number match game. A player will remove the scratch-off material to reveal one "WINNING NUMBER," four "YOUR NUMBERS" with prize amounts shown below each of the "YOUR NUMBERS," and one "BONUS" play area symbol. If the "WINNING NUMBER" matches any of the "YOUR NUMBERS," the player wins the prize shown below the matched number. If a player uncovers a shamrock symbol in the "BONUS" area, the player wins double the winning prize instantly.

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

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	FREE TICKET	120,000	\$0
\$1	\$1	65,000	65,000
\$1 + \$1	\$2	50,000	100,000
\$1 D	\$2	21,500	43,000
\$2	\$2	21,500	43,000
\$1 + \$1 + \$1 + \$1	\$4	17,500	70,000
\$2 + \$2	\$4	16,500	66,000
\$2 D	\$4	11,000	44,000
\$5 + \$4 + \$1	\$10	5,500	55,000
\$10	\$10	5,500	55,000
\$5 D	\$10	5,250	52,500
\$10 + \$5 + \$5 + \$5	\$25	1,250	31,250
\$25	\$25	1,250	31,250
\$25 + \$25	\$50	400	20,000
\$50	\$50	400	20,000
\$250 D	\$50	400	20,000
\$40 + \$20 + \$20 + \$20	\$100	35	3,500
\$25 x 4	\$100	35	3,500
\$100	\$100	30	3,000
\$50 D	\$100	30	3,000
\$500	\$500	15	7,500
\$250 x 2	\$500	10	5,000
\$250 D	\$500	10	5,000
\$4,000	\$4,000	5	20,000
\$2,000 D	\$4,000	5	20,000
TOTAL		<u>343,125</u>	<u>\$786,500</u>

D - Denotes shamrock doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.37. (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-111-12-10-01, Nov. 14, 2001.)

**111-4-1880. "Knock Knock" instant ticket lottery game number 187.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Knock Knock" commencing on or after November 26, 2001. The rules for

this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1880.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$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
80. <sup>00</sup>	EIGHTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$500	FIVETHOU

(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 299.

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
TEN	=	\$10.00
TWY	=	\$20.00
TRY	=	\$30.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Knock Knock" is a match three of six game with four games on each ticket. A player will remove the scratch-off material to reveal six prize amounts per game. If three of the six prize amounts in any one game match, the player wins the amount shown.

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

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	215,000	\$0
3 - \$1's	\$1	50,000	50,000
3 - \$2's	\$2	30,000	60,000
3 - \$1's + 3 - \$1's	\$2	20,000	40,000
3 - \$4's	\$4	15,000	60,000
3 - \$2's + 3 - \$2's	\$4	15,000	60,000
3 - \$1's + 3 - \$1's + 3 - \$1's + 3 - \$1's	\$4	10,000	40,000

3 - 10's	\$10	5,000	50,000
3 - \$5's + 3 - \$5's	\$10	5,000	50,000
3 - \$4's + 3 - \$4's + 3 - \$2's	\$10	5,000	50,000
3 - \$20's	\$20	950	19,000
3 - \$10's + 3 - \$10's	\$20	800	16,000
3 - \$5's + 3 - \$5's + 3 - \$5's + 3 - \$5's	\$20	750	15,000
3 - \$30's	\$30	1,625	48,750
3 - \$15's + 3 - \$15's	\$30	1,625	48,750
3 - \$10's + 3 - \$10's + 3 - \$10's	\$30	1,550	46,500
3 - \$100's	\$100	40	4,000
3 - \$80's + 3 - \$20's	\$100	40	4,000
3 - \$25's + 3 - \$25's + 3 - \$25's + 3 - \$25's	\$100	40	4,000
3 - \$40's + 3 - \$40's + 3 - \$10's + 3 - \$10's	\$100	40	4,000
3 - \$500's	\$500	10	5,000
3 - \$250's + 3 - \$250's	\$500	15	7,500
3 - \$5,000's	\$5,000	10	50,000
TOTAL		<u>377,495</u>	<u>\$732,500</u>

(k) The odds of winning a prize in this game are approximately one in 3.97. (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-111-12-10-01, Nov. 14, 2001.)

**WESTRIDGE MALL HOLIDAY SALES DRAWING**

**111-4-1881. Name, time, and place of drawing.** (a)

The Kansas lottery shall conduct an instant ticket drawing entitled "Westridge Mall Holiday Sale Drawing." The date of the drawing shall be December 9, 2001.

(b) The draw receptacle shall be open during lottery selling hours at the Westridge Mall Sidewalk Sale from December 7, 2001, through and including December 9, 2001, at 7:00 p.m. This drawing shall take place at the lottery selling booth at the Westridge Mall in Topeka, Kansas, at approximately 7:00 p.m. on December 9, 2001.

(c) Rules applicable to the "Westridge Mall Holiday Sale Drawing" are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1881 through 111-4-1885. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-4-1882. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and amendments thereto and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Westridge Mall Holiday Sale Drawings" means the acts of drawing prizes conducted by the Kansas lottery at the Westridge Mall Holiday Sale in Topeka, Kansas, in which participants are selected to win various prizes as described in K.A.R. 111-4-1884.

(c) "Non-winning ticket" means any valid Kansas instant game lottery ticket not eligible to win a prize under any instant game rules.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Westridge Mall Holiday Sale Drawings" are made. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a non-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing.

(f) "Westridge Mall Holiday Sale Drawing" means the drawings which will occur at the times described at K.A.R. 111-4-1881. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-4-1883. Entry into drawing.** Entry into the "Westridge Mall Holiday Sale Drawing" ("drawing") is accomplished as follows:

(a) Obtain a valid Kansas instant \$1.00 lottery ticket purchased from the lottery selling location at the Westridge Mall Holiday Sale or the Street Corner News retail location at the Westridge Mall from December 7, 2001, through December 9, 2001, at 7:00 p.m.;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the drawing and shall be re-deemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning the drawing and the holder of the ticket may enter the drawing;

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

(e) The holder of the non-winning ticket must take the non-winning ticket with the completed information form to the location of the drawing and place it in the receptacle or drum provided;

(f) The receptacle or drum shall be available and entries may be made at the times stated in K.A.R. 111-4-1881. Entries shall be allowed until the actual winner selection process begins;

(g) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner;

(h) There is no limit to the number of entries an entrant may make, but each entrant may only win one prize;

(i) All eligible entrants must be at least 18 years of age. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-4-1884. Determination of "Westridge Mall Holiday Sale Drawing" winners and prizes.** (a)

At least five minutes before the drawing, a lottery drawing official designated by the executive director shall announce to the audience that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) The drawing official shall announce that entries into the drawing are closed. No further entries will be accepted.

(c) The receptacle or drum shall be sealed and capable of being mixed with a shovel or by other means for two minutes or rotated a minimum of 10 times to ensure random selection.

(d) The drawing official shall designate one individual of his or her choice to participate in the selection process.

(e) The selection of drawing winners shall be accomplished by the individual designated by the drawing official, using a bare arm technique, removing one ticket

(continued)

from the drawing receptacle or drum, at approximately 7:00 p.m. A designated drawing official and a person representing Kansas lottery security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the ticket is determined to be valid and eligible to win and the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until three valid winners have been selected. Each valid entry drawn shall be marked in the order drawn, 1, 2, and 3.

(f) After the tickets have been drawn and each entry has been verified as valid by lottery security, three more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A. 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 as required herein. The alternates will be used, if necessary, in the order drawn.

(g) The first valid winner selected shall be awarded a prize of a \$500 gift certificate to Westridge Mall, Topeka, Kansas. The second valid winner selected shall be awarded a prize of a \$300 gift certificate to Westridge Mall, Topeka, Kansas. The third valid winner selected shall be awarded a prize of a \$200 gift certificate to Westridge Mall, Topeka, Kansas.

(h) The named persons are not required to be present in order to win the drawing prizes. The security representative conducting the drawing shall be responsible for the final determination concerning the eligibility of any ticket drawn. The first prize winning ticket drawn for each entrant invalidates all other entries for the drawing for that entrant.

(i) Each winner of a prize as a result of the drawing shall return to lottery headquarters a completed claim form as provided by the lottery no later than 5:00 p.m. on the forty-fifth day following the drawing 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 (f) herein shall be declared the winner of that prize. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**111-4-1885. Certification of drawing.** (a) The "Westridge Mall Holiday Sale Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-12-10-01, Nov. 14, 2001.)

**Article 9.—PULL-TAB GAMES**

**111-9-113. "Kansas Casino" pull tab ticket lottery game number 192.** (a) The Kansas lottery shall conduct a

pull tab lottery game entitled "Kansas Casino" commencing on or after December 11, 2001. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-113.

(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:

- circle bars
- dice
- roulette wheels
- cards
- roulette chips
- cherries

(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 validation codes for this game and their meanings are as follows:

- ONE = \$1.00
- TWO = \$2.00
- TEN = \$10.00
- TWY = \$20.00
- FTY = \$50.00
- HFY = \$150.00

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

Get or Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - circle bars	\$1	432,950	\$432,950
3 - dice	\$2	182,000	364,000
3 - roulette wheels	\$10	31,500	315,000
3 - cards	\$20	8,400	168,000
3 - roulette chips	\$50	2,310	115,500
3 - cherries	\$150	217	32,550
TOTAL		<u>657,377</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 3.19. (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-111-12-10-01, Nov. 20, 2001.)

Ed Van Petten  
Executive Director

Doc. No. 027380

**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 and 2001 Supplement to the *Kansas Administrative Regulations*.

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1-5-8	Amended	V. 20, p. 730
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended	V. 20, p. 731
1-18-1a	Amended	V. 20, p. 1602
1-45-1	Amended	V. 20, p. 1602
1-45-7	Amended	V. 20, p. 1603
1-45-7a	New	V. 20, p. 1603

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

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4-3-49	Amended	V. 20, p. 861
4-3-51	New	V. 20, p. 861
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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**AGENCY 7: SECRETARY OF STATE**

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7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
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7-29-2	Amended	V. 20, p. 325
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7-39-1	Amended	V. 20, p. 1566
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9-10-33	New	V. 20, p. 1393
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**AGENCY 17: STATE BANK COMMISSIONER**

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**AGENCY 22: STATE FIRE MARSHAL**

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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
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28-15-36a	Amended	V. 20, p. 728
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28-16-30 through 28-16-36	Amended	V. 20, p. 1277-1279
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28-16-58	Amended	V. 20, p. 1279
28-16-60	Amended	V. 20, p. 1280
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28-17-6	Amended	V. 20, p. 1523
28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-719	New	V. 20, p. 492
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28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
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28-36-60	New (T)	V. 20, p. 1122
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28-39-144	Amended	V. 20, p. 1756
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40-1-30	Revoked	V. 20, p. 723
40-1-37	Amended	V. 20, p. 1343
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