

Kansas Register

Ron Thornburgh, Secretary of State

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In this issue . . .	Page
Kansas Sentencing Commission	
Notice of meeting.....	678
Department of Agriculture	
Notice of Governor's Agricultural Advisory Board meeting.....	678
Statewide Independent Living Council	
Notice of meeting.....	678
Heartland Works, Inc.	
Request for proposals for annual audit and financial compliance services	678
Kansas Commission on Veterans' Affairs	
Notice of meeting.....	679
Kansas State University	
Notice to bidders	679
Department of Agriculture—Division of Water Resources	
Notice of commencement of negotiations for field survey reconnaissance and hydraulic analysis.....	679
Department of Revenue	
Notice of hearing on proposed administrative regulations	679
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	680
Kansas Water Office	
Notice of hearings on the Kansas Water Plan.....	680
Office of the Governor	
Executive Order 02-02.....	681
Commission on Emergency Planning and Response	
Notice of meeting.....	682
Department of Commerce and Housing	
Request for applications for the Kansas Industrial Retraining Program.....	682
Information Network of Kansas	
Notice of meeting.....	682
Kansas Department of Health and Environment	
Requests for comments on proposed air quality permits.....	682, 683
Request for comments on proposed air quality construction approval.....	683
Notice concerning Kansas water pollution control permits	685
Pooled Money Investment Board	
Notice of investment rates.....	685
Wildlife and Parks Commission	
Notice of hearing on proposed administrative regulations	687
Department of Corrections	
Notice of hearing on proposed administrative regulations	687
Temporary Administrative Regulations	
Department of Agriculture—Division of Water Resources.....	690
Kansas Lottery	692
Permanent Administrative Regulations	
Board of Tax Appeals.....	703
Index to administrative regulations.....	710

State of Kansas
Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Wednesday, May 29, 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. 027877

State of Kansas
Department of Agriculture

Notice of Board Meeting

The Governor's Agricultural Advisory Board will meet at 10 a.m. Thursday, May 23, at the East Scout Building of the Kansas State Fair grounds, 2000 N. Poplar St., Hutchinson. A meeting agenda will be made available prior to May 23 by contacting Ginger Patterson at (785) 296-3902. This meeting is open to the public and will include time for public comment. If special accommodations are needed, individuals should contact the Department of Agriculture at least three business days prior to the meeting at (785) 296-3902.

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 027889

State of Kansas
Statewide Independent Living Council

Notice of Meeting

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, May 24, in the fourth floor conference room of the Topeka Independent Living Resource Center, 501 S.W. Jackson, Topeka. For more information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or 1-800-217-4525, or email at Marylouya@aol.com.

Shannon Jones
Executive Director

Doc. No. 027884

(Published in the Kansas Register May 9, 2002.)

Heartland Works, Inc.

Request for Proposals

Heartland Works, Inc. is accepting bids for the purchase of Annual Audit and A-133 Financial Compliance Services. To receive a Request for Proposal including all specifications, contact the Heartland Works office at 610 S.W. 10th, Suite 210, Topeka, 66612-1616, (785) 234-0500.

A pre-bid conference will be conducted at 1:30 p.m. May 22 at the Heartland Works office. Bids must be received not later than 3 p.m. Friday, June 7. Heartland Works welcomes all interested companies to bid.

Kris Kitchen
Executive Director

Doc. No. 027895

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State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, May 17, at the Timmerman Administration Building, Kansas Veterans' Home, 1220 WWII Memorial Drive, Winfield. The public is invited to attend. For further information, call (785) 296-3976.

Stoney Wages
Executive Director

Doc. No. 027902

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:

Friday, May 17, 2002
#40062
Golf Simulator

William H. Sesler
Director of Purchasing

Doc. No. 027887

State of Kansas

Department of Agriculture
Division of Water Resources

Notice of Commencement of Negotiations for
Field Survey Reconnaissance and Hydraulic Analysis

The Kansas Department of Agriculture's Division of Water Resources seeks to contract to perform a field survey reconnaissance and hydraulic analysis of the Stranger Creek Watershed in Atchison and Leavenworth counties. The field survey reconnaissance will use aerial photography work that was previously completed. The hydraulic analysis will use previously-completed hydrologic analysis that was conducted by the Corp of Engineers. This work will be used to generate Flood Insurance Study data and Flood Insurance Rate Maps (FIRMS) of the area.

For information regarding the scope of services, contact Julie Grauer, Floodplain Management section supervisor, Kansas Department of Agriculture, at (785) 296-5440. If interested, submit by 5 p.m. Friday, May 24, an original and three copies of your qualifications to Matt Scherer, Water Structures program manager, Kansas Department of Agriculture, 109 S.W. 9th, 2nd Floor, Topeka, 66612-1283. Submissions should contain information consistent with the type of work required.

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 027891

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. Wednesday, July 24, in Room 481 of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of regulations related to the special fuel 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 18.—SPECIAL FUEL TAX

Revocation of K.A.R. 92-18-1, 92-18-2, 92-18-3, 92-18-4, 92-18-5, 92-18-6 and 92-18-7. These regulations are being revoked as the statutes that support these regulations were repealed by the 1992 Session Laws of Kansas, Chapter 107, Sec. 33, which took effect July 1, 1993.

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. 027888

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Monday, May 20, 2002

04598

Kansas State University—Monitoring Well Sampling and Analysis

04911

Department of Health and Environment—Laboratory Equipment

04913

Hutchinson Correctional Facility—Drugs-of-Abuse Analyzer and Reagents

Tuesday, May 21, 2002

A-9440

Fort Hays State University—North Campus Drive Paving Improvements

04917

Kansas State University—Research Plot Combine, Hays

04919

Department of Transportation—Bituminous Mixture Mixer (3 Pt. Rotary Tiller), Various Locations

Wednesday, May 22, 2002

04921

Statewide—2003 Calendars

Tuesday, May 28, 2002

A-9291

Department of Transportation—Area Shop Renovation, Garnett

Thursday, May 30, 2002

A-9434

Kansas State University—A18 Parking Lot Reconstruction

Thursday, June 6, 2002

A-9201

University of Kansas Medical Center—Laboratory Renovation, Wahl Hall East 5th and 6th Floors

A-9447

Fort Hays State University—Campus Entrance Modifications, 8th and Elm

Request for Proposals

Tuesday, May 21, 2002

04891

Clerk of the Appellate Courts—Legal Services

Friday, May 31, 2002

04918

Rest Area Maintenance for the Department of Transportation, Russell

John T. Houlihan
Director of Purchases

Doc. No. 027903

State of Kansas

Kansas Water Office

Notice of Hearings on the Kansas Water Plan

The Kansas Water Office will conduct public hearings on the annual update of the Kansas Water Plan and on the Total Maximum Daily Loads (TMDLs) developed by the Kansas Department of Health and Environment for the Neosho, Verdigris and Walnut basins. Formal public comments will be accepted. Presentations by the Kansas Water Office will not be provided. A copy of the updated Kansas Water Plan is available for review on the agency's Web site (www.kwo.org), at all county clerk's offices or by calling the Kansas Water Office at 1-888-KAN-WATER. Listed below are the dates, times and locations of the hearings:

Date	Time	Location	Basin
May 15	7 p.m.	Liberal City Library 519 N. Kansas, Liberal	Cimarron
May 29	7 p.m.	Colby Community College Room 108, Student Union Colby	Upper Republican
May 30	7 p.m.	Hays Recreation Commission 1105 Canterbury, Hays	Smoky Hill- Saline
June 3 (TMDL Hearing)	3 p.m.	Coffey County Courthouse Basement Conference Rooms A & B 110 S. 6th St., Burlington	Neosho
June 3 (TMDL Hearing)	7 p.m.	Parsons Municipal Building Downstairs Conference Room 112 S. 17th St., Parsons	Neosho
June 4 (TMDL Hearing)	3 p.m.	Neodesha Housing Authority 118 S. 6th St., Neodesha	Verdigris
June 5 (TMDL Hearing)	6:30 p.m.	Spear's Restaurant 214 W. 7th Ave., Augusta	Walnut
June 7	10 a.m.	Topeka Public Library 1515 S.W. 10th Ave., Topeka	Kansas-Lower Republican

Persons unable to attend any of the public hearings may submit written comments to the Kansas Water Office, 901 S. Kansas Ave., Topeka, 66612-1249, e-mail mfast@kwo.ks.us. Comments on the Kansas Water Plan and the Total Maximum Daily Loads must be received not later than June 17.

Accommodations for persons with disabilities may be arranged by contacting the Kansas Water Office at (785) 296-3185 or toll free at 1-888-KAN WATER at least two days before the hearing.

Al LeDoux
Director

Doc. No. 027900

State of Kansas

Office of the Governor

Executive Order No. 02-02

Establishing the

Kansas Bioterrorism Coordinating Council
and the

Kansas Hospital Preparedness Planning Committee

WHEREAS, under the authority of Public Law 107-38, the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States and Public Law 107-117, the Defense Appropriations Act, the United States Congress has appropriated approximately \$10,985,143 to the State of Kansas for federal fiscal year 2002 for the Public Health Preparedness and Response Program for Bioterrorism (Cooperative Agreement U90/CCU716985-03-1), and approximately \$1,291,509 to the State of Kansas for federal fiscal year 2002 for the Bioterrorism Hospital Preparedness Program; and

WHEREAS, to meet requirements set out by the Centers for Disease Control and Prevention (CDC) and the Health Resources and Services Administration (HRSA) to receive these funds, the State of Kansas must establish planning committees for each program grant; and

WHEREAS, the State of Kansas is required to complete needs assessments, develop planning processes, and prepare plans for spending the remaining funds;

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Kansas Bioterrorism Coordinating Council and the Kansas Hospital Preparedness Planning Committee.

1. The Kansas Bioterrorism Coordinating Council shall include one representative from each of the following agencies, institutions, groups and others as necessary to carry out the duties of the committee as determined by federal law and the Governor:

- (i) Kansas Department of Health and Environment
- (ii) Kansas Board of Emergency Medical Services
- (iii) Division of Emergency Management, Kansas Adjutant General's Office
- (iv) Kansas Hospital Association
- (v) Veterans Affairs Hospitals
- (vi) Military hospitals
- (vii) Kansas Association for the Medically Underserved
- (viii) Office of Rural Health, Kansas Department of Health and Environment
- (ix) Kansas Medical Society
- (x) Kansas Association of Local Health Departments
- (xi) Kansas Law Enforcement Training Commission
- (xii) Kansas Highway Patrol
- (xiii) Kansas Fire Marshal
- (xiv) Kansas Advisory Committee on Trauma
- (xv) University of Kansas School of Medicine
- (xvi) Red Cross
- (xvii) Kansas State Nurses Association

The Kansas Bioterrorism Coordinating Council shall draw upon other resources as needed.

2. The executive director of the Kansas Bioterrorism Preparedness and Response Program shall be a senior management staff of the Kansas Department of Health

and Environment designated by the Governor. Such individual shall be the agency representative indicated in Section 1 (i).

3. The Kansas Bioterrorism Coordinating Council shall advise regarding bioterrorism public health needs during the planning and implementation process as referenced in the attached "Critical Benchmarks for Bioterrorism Preparedness Planning" items 3 through 16, specifically in the following areas:

- * Areas of preparedness planning and readiness assessment
- * Surveillance and epidemiology capacity
- * Laboratory capacity (biologic agents)
- * Laboratory capacity (chemical agents)
- * Health alert network/communications and information technology
- * Risk communication and health information dissemination
- * Education and training

4. The Kansas Bioterrorism Coordinating Council shall coordinate its activities with the Hospital Preparedness Planning Committee and Metropolitan Medical Response Teams, and other related programs that may follow, so that resources are used efficiently and effectively, avoiding conflict and unnecessary duplication of services.

5. The Kansas Hospital Preparedness Planning Committee shall include, but not be limited to one representative of the following agencies, institutions, groups and others:

- (i) Each of six regions defined by the Kansas Hospital Association
- (ii) Military hospitals
- (iii) Veterans Affairs hospitals
- (iv) Indian Health Services
- (v) University of Kansas Medical Center
- (vi) Division of Emergency Management, Kansas Adjutant General's Office
- (vii) Kansas Board of Emergency Medical Services
- (viii) Office of Rural Health, Kansas Department of Health and Environment
- (ix) Kansas Association for the Medically Underserved
- (x) Kansas Medical Society
- (xi) Kansas Association of Local Health Departments
- (xii) Kansas Department of Health and Environment

6. The coordinator of the state Bioterrorism Hospital Preparedness Program shall be a senior management staff of the Kansas Department of Health and Environment designated by the Governor. The executive director of the Kansas Bioterrorism Preparedness and Response Program may serve in this capacity.

7. The medical director of the state Bioterrorism Hospital Preparedness Program shall be a senior management staff of the Kansas Department of Health and Environment designated by the Secretary and approved by the Governor. Such individual shall be the agency representative indicated in Section 5 (viii).

8. The Kansas Hospital Preparedness Planning Committee shall provide guidance, direction and oversight to the state health department in planning for hospital bioterrorism response.

(continued)

9. Members of the Kansas Bioterrorism Coordinating Council and the Kansas Hospital Preparedness Planning Committee shall serve until August 31, 2003. Such appointments may be extended at the Governor's discretion should Federal programs change.

10. This order supersedes Executive Order No. 02-01. This document shall be filed with the Secretary of State as Executive Order No. 02-02 and is effective immediately.

Dated March 29, 2002.

Bill Graves
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 027885

State of Kansas
**Commission on Emergency Planning
and Response**

Notice of Meeting

The Commission on Emergency Planning and Response will meet at 9:30 a.m. Friday, May 17, at the State Defense Building, TAG Conference Room, 2800 S.W. Topeka Blvd., Topeka. An agenda may be obtained by contacting Sivi Murry, State Defense Building, Room 15, 2800 S.W. Topeka Blvd., Topeka, 66611-1287, (785) 274-1409.

Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Sivi Murray or the Kansas Relay Center, 1-800-766-3777.

Sivi Murray
Office Manager
Division of Emergency Management

Doc. No. 027896

State of Kansas
**Department of Commerce
and Housing**
**Request for Applications for the
Kansas Industrial Retraining Program**

The Kansas Department of Commerce and Housing is accepting applications from eligible Kansas companies to participate in the Kansas Industrial Retraining (KIR) Program. This program provides assistance to upgrade worker skills in existing Kansas businesses. Companies with workers who might be displaced without additional training because of changes in business process or company restructuring are encouraged to contact the Department of Commerce and Housing for information. The application deadline is June 1. For additional information, contact the department's workforce training staff at (785) 296-5298.

Gary Sherrer
Secretary of Commerce
and Housing

Doc. No. 027901

State of Kansas
Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 2 p.m. Thursday, May 16, in the offices of the Kansas Technology Enterprise Corporation, second floor conference room, 214 S.W. 6th, Topeka. The meeting is open to the public. For additional information, call (785) 296-1460.

Jim Hollingsworth
Executive Director

Doc. No. 027906

State of Kansas
**Department of Health
and Environment**
Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Tyson Foods, Inc./IBP, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace six internal combustion engines with six natural gas fired engines. Emissions of nitrogen oxides (NOx), carbon monoxide (CO) and volatile organic compounds (VOCs) were evaluated during the permit review process.

Tyson Foods, Inc./IBP, Inc., Dakota Dunes, South Dakota, owns and operates the stationary source located at West Hwy. 20, 3105 N. IBP Road, Holcomb, Kansas, at which the engines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Ralph E. Walden, (785) 296-1583, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ralph E. Walden, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 10.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 10 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 027893

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Duke Energy Field Services, LP has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace a compressor engine with a similar natural gas burning compressor engine. The source is major for PSD. The replacement of the engine will result in emissions that are below the permitting and approval threshold for NOx and CO; however, the contemporaneous decreases are required to be federally enforceable. Emissions of oxides of nitrogen (NOx), carbon monoxide (CO) and volatile organic compounds (VOCs) were evaluated during the permit review process.

Duke Energy Field Services, Denver, Colorado, owns and operates the stationary source located at Section 25, Township 20 South, Range 40 West, Greeley County, Kansas, at which the natural gas fueled engine is to be replaced.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Ralph E. Walden, (785) 296-1583, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ralph E. Walden, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 10.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business June 10 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health and Environment

Doc. No. 027894

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding several proposed air quality construction approvals. The air emission sources listed below applied for an air quality construction approval in accordance with K.A.R. 28-19-300(b)(4) because each owner or operator is seeking an approval with operational restrictions pursuant to K.A.R. 28-19-302(b). The restrictions will limit the individual hazardous air pollutant (HAP) potential-to-emit and combined hazardous air pollutants' (HAPs) potential-to-emit to below the thresholds that would cause the facility to be subject to 40 CFR Part 63, Subpart HH or HHH. This approval is available for public review to ensure that these reductions are federally enforceable.

The sources listed below have glycol dehydrators that will exhaust to control equipment or be subject to other limitations whenever operating.

A copy of the proposed approval, approval application, all supporting documentation and all information relied upon during review of the approval application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita; or at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed approval and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office; David Butler, (316) 337-6020, at the KDHE South Central District Office; or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed approval to Connie Carreno at the KDHE central office, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business June 10.

A person may request a public hearing be held on the proposed approval. 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 not later than the close of business June 10 in order for the Secretary of Health and Environment to consider the request.

- Company: OneOK Field Services
Compressor Station: Okmar Station
Source ID No.: 0070031
Location: S35, T32S, R12W, Barber County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita
Company: Northern Natural Gas
Compressor Station: Clark County #1 Station
Source ID No.: 0250016
Location: S29, T34S, R24W, Clark County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

(continued)

Company: Northern Natural Gas
Compressor Station: Holcomb Station
Source ID No.: 0550034
Location: S3, T24S, R35W, Finney County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Pioneer Natural Resources
Compressor Station: Ulysses Booster Station
Source ID No.: 0670010
Location: S10, T30S, R37W, Grant County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: BP America Production Company
Compressor Station: Ulysses Dehydration Station
Source ID No.: 0670099
Location: S5, T29S, R38W, Grant County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: OneOK Field Services
Compressor Station: Robbins Station
Source ID No.: 0970024
Location: S27, T30S, R16W, Kiowa County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Northern Natural Gas
Compressor Station: Cunningham Station
Source ID No.: 1510018
Location: S24, T27S, R11W, Pratt County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Northern Natural Gas
Compressor Station: Bushton Station
Source ID No.: 1590007
Location: S6, T18S, R9W, Rice County
KDHE District Rep.: Joan Ratzlaff
Rep. Location: North Central District Office, Salina

Company: Northern Natural Gas
Compressor Station: Hugoton Station
Source ID No.: 1890008
Location: S6, T33S, R35W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Hugoton Station
Source ID No.: 1890015
Location: S22, T33S, R37W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: McAtee Station
Source ID No.: 1890026
Location: S23, T34S, R39W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Hugoton Gathering Plant (HUGS)
Source ID No.: 1890051
Location: S2, T33S, R39W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: OneOK Field Services
Compressor Station: Medicine Lodge Station
Source ID No.: 0070048
Location: S25, T31S, R12W, Barber County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Northern Natural Gas
Compressor Station: Clark County #2 Station
Source ID No.: 0250015
Location: S34, T32S, R21W, Clark County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Northern Natural Gas
Compressor Station: Finney #3 Station
Source ID No.: 0550040
Location: S1, T23S, R32W, Finney County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Pioneer Natural Resources
Compressor Station: Satanta Gas Plant
Source ID No.: 0670049
Location: S8, T30S, R35W, Grant County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: OneOK Field Services
Compressor Station: Wellsford Station
Source ID No.: 0970019
Location: S25, T27S, R16W, Kiowa County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: South Rolla Booster Station
Source ID No.: 1290012
Location: S1, T35S, R40W, Morton County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: OneOK Field Services
Compressor Station: Kirkman Station
Source ID No.: 1510023
Location: S25, T28S, R12W, Pratt County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Cimarron River Station
Source ID No.: 1750037
Location: S23, T33S, R32W, Seward County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Breech Booster Station
Source ID No.: 1890014
Location: S23, T34S, R38W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Panoma Station
Source ID No.: 1890016
Location: S4, T32S, R38W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Company: Anadarko Gathering Co.
Compressor Station: Parsons Station
Source ID No.: 1890027
Location: S33, T31S, R37W, Stevens County
KDHE District Rep.: David Butler
Rep. Location: South Central District Office, Wichita

Clyde D. Graeber
 Secretary of Health
 and Environment

Doc. No. 027890

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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 5-6-02 through 5-12-02

Table with 2 columns: Term, Rate. Rows include 1-89 days (1.78%), 3 months (1.75%), 6 months (1.85%), 1 year (2.26%), 18 months (2.78%), 2 years (3.16%).

Derl S. Treff
Director of Investments

Doc. No. 027879

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

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

Public Notice No. KS-AG-02-118/119
Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row: Kansas Correctional Industries, P.O. Box 2, Lansing, KS 66043; NW/4 of Section 19, T9S, R23E, Leavenworth County; Missouri River Basin.

This is a permit renewal and reduction in swine head count and animal units of a current permit for an existing facility for 370 head (148 animal units) of swine greater than 55 pounds and for 300 head (150 animal units) of cattle 700 pounds or less, for a total of 298 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided

that meets or exceeds KDHE minimum requirements. The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row: Berk Inc. - East Site, Route 3, P.O. Box 40, Concordia, KS 66901; NE/4 of Section 29, T6S, R2W, Cloud County; Lower Republican River Basin.

Kansas Permit No. A-LRCD-H002 Federal Permit No. KS0093696
This is a permit renewal for an existing facility for a maximum of 3,600 head (1,440 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Public Notice No. KS-02-056/057

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row: Exxon Mobil Corporation, 1400 S. Harrison, P.O. Box 1974, Olathe, KS 66051-1974; Kansas River via Mill Creek; Process Wastewater.

Kansas Permit No. I-KS52-PO02 Federal Permit No. KS0082988
Legal: NW¼, S1, T14S, R23E, Johnson County

Facility Description: The proposed action is to issue a renewed permit for the discharge of process wastewater. This facility manufactures grease using refined base oils and commercially available fats, acids, amines, isocyanate and additives. Proposed improvements include a pond aerator and an acid chemical feed system for pH control. The proposed permit includes limits for total residual chlorine, oil and grease and pH. Monitoring for chloride, fecal coliform and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28- 16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row: Lafarge Corporation, P.O. Box 479, South Cement Road, Fredonia, KS 66736; Fall River via Clear Creek; Stormwater Runoff.

Kansas Permit No. I-VE18-PO01 Federal Permit No. KS0000884
Legal: SE¼ and NE¼ of S24, T29S, R14E and most of S19, T29S, R13E, Neosho County

Facility Name: Lafarge - Fredonia Co. - Processing Facility
Facility Description: The proposed action is to modified and reissue a permit for the discharge of contaminated stormwater runoff. This is a cement manufacturing plant with associated facilities such as rotary kilns; crushing, grinding and mixing equipment; heavy equipment operations; material storage piles; and support facilities. The proposed permit includes limits for total suspended solids, oil and grease and pH. Monitoring for metals and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-ND-02-009/012

Table with 3 columns: Name and Address of Applicant, Legal Location, Type of Discharge. Row: Agrium U.S., Inc., Friend Distribution Terminal, 401 W. Road 10, Scott City, KS 67871; N½, S36, T20S, R33W, Scott County; Nonoverflow

Kansas Permit No. I-UA44-NP01

(continued)

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily process wastewater. This facility is a storage distribution terminal for liquid anhydrous ammonia. About 5,300 gallons per day of wastewater is directed to an aboveground storage tank for final disposal by irrigation. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Legal Location	Type of Discharge
Fiberglass Engineering Inc. 1705 N. 8th Neodesha, KS 66757	W½, S17, T30S, R16E, Wilson County	Nonoverflow

Kansas Permit No. I-VE29-NC02

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily process wastewater. This is a fiberglass boat manufacturing operation. All molding, assembly and finishing operations are conducted in enclosed buildings without floor drains. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Legal Location	Type of Discharge
Holcomb Common Facilities, LLC Sunflower Electric Power Corporation P.O. Box 980 Hays, KS 676021	N¾, S31, T24S, R33W, and S1/6, S30, T24S, R33W, Finney County	Nonoverflow

Kansas Permit No. I-UA18-NP02

Facility Name: Holcomb Power Station

Facility Address: P.O. Box 430, Holcomb, KS 67851

Facility Description: The proposed action is to modify and reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily process wastewater. This facility generates electric power using a 380-megawatt coal-fired generating unit #1 and a new 660-megawatt coal-fired unit #2. Process wastewater is stored in eight lined basins and treated by a liquid waste treatment system for reuse. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Legal Location	Type of Discharge
Johns Manville International, Inc. (F.K.A. Schuller International, Inc.) P.O. Box 1287 1465 17th Ave. McPherson, KS 67460-1287	E½, S23, T19S, R3W, McPherson County	Nonoverflow

Kansas Permit No. I-LA11-NP01

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily process wastewater. This facility is engaged in fiberglass insulation manufacturing. The facility uses a closed-loop cooling system for the fiberglass production with a water filtering system to filter out solids. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process.

Comments or objections should be submitted to the attention of Glenda Newquist for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before June 8 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-118/119, KS-02-056/057, KS-ND-02-09/012) and name of applicant/application as listed when preparing comments.

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

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

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

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

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

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (620) 225-0596

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

Southeast District Office, 1500 W. 7th, Chanute, 66720,
(620) 431-2390

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

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

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

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 027898

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, June 13, at Cheney State Park, 16000 N.E. 50 St., Cheney, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. June 13 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. June 14 at the same location.

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 Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed exempt regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The exempt regulation that will be heard during the regulatory hearing portion of the meeting, in addition to other administrative regulations for which public notice has previously been published, is as follows:

K.A.R. 115-25-11. This exempt regulation establishes open seasons and bag limits for furbearers. In conjunction with proposed amendments to other regulations, these proposed amendments would set a statewide season ending date, which would increase the season in western Kansas by 15 days. Other amendments would set the season opener the Wednesday following the pheasant season opener (the current furbearer season opens on the third Wednesday in November).

Economic Impact Summary: The proposed amendments may allow some increased harvest of furbearers

and consequent sale of skins and pelts. Otherwise, the amendments are not anticipated to have an economic impact on the department, other agencies or the general public.

Copies of the complete text of the regulation and its economic impact statement may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 027882

State of Kansas

Department of Corrections

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, July 9, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed new Kansas Department of Corrections administrative regulations K.A.R. 44-6-114d, 44-6-114e, 44-6-115a, 44-6-115b and 44-6-115c.

At the same hearing, proposed amendments to the following Kansas Department of Corrections administrative regulations also will be considered:

K.A.R. 44-6-101, 44-6-106, 44-6-107, 44-6-108, 44-6-114c, 44-6-125, 44-6-126, 44-6-134, 44-6-136, 44-6-136a, 44-6-137, 44-6-138, 44-6-140, 44-6-140a, 44-6-141 and 44-6-143.

The proposed revocation of the following Kansas Department of Corrections administrative regulations also will be considered at the hearing:

K.A.R. 44-6-115, 44-6-117, 44-6-120, 44-6-124, 44-6-133, 44-6-142 and 44-6-146.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed new regulations, as well as the proposed amendments and revocations 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 regulations. 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 regulations, amendments, 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, TDD (785) 296-8157 or fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building,

(continued)

and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

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

K.A.R. 44-6-114d. Conditional release date. This regulation provides for computation of the conditional release date for an indeterminate sentence consisting of a term of years, e.g., 3 to 10 years, 5 to 20 years, etc. It collects a number of rules affecting such computation into a single rule and, in conjunction with the proposed revocation of K.A.R. 44-6-142, serves as the primary regulation on the subject.

There is no significant economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public due to promulgation of this regulation.

K.A.R. 44-6-114e. Guidelines release date. This regulation sets forth a number of provisions governing computation of the date for release from the prison portion of a sentencing guidelines (determinate) sentence as it relates to award of good time credits, and includes tables illustrating total good time available on varying lengths of prison sentences at both the 20 percent rate applicable to sentences for offenses committed on or after July 1, 1993 through April 19, 1995, and the 15 percent rate applicable to sentences for offenses committed on or after April 20, 1995, as well as a second set of tables showing the allocation of good time credits, again at both rates, over the length of sentence being served.

There is no significant impact anticipated due to promulgation of this regulation to offenders, the Department of Corrections, other state agencies, other governmental units or the general public.

K.A.R. 44-6-115a. Awarding and withholding good time on credits for incarcerated offenders. This regulation replaces both the current K.A.R. 44-6-124 and 44-6-146, now proposed for revocation. It combines rules for awarding and withholding of good time credits for both indeterminate and sentencing guidelines sentences for incarcerated offenders into one regulation.

There is no significant economic impact anticipated due to promulgation of this regulation to offenders, the Department of Corrections, other state agencies, other governmental units or the general public.

K.A.R. 44-6-115b. Awarding and withholding good time credits for offenders on supervised release. This regulation provides for award of good time credits to parolees toward computation of their conditional release date, but it is primarily devoted to statement of amounts of good time available and establishment of criteria for award and withholding of good time credits for offenders serving a term of postrelease supervision after release from the prison portion of a sentencing guidelines sentence.

There is no significant economic impact anticipated due to promulgation of this regulation to offenders, the Department of Corrections, other state agencies, other governmental units or the general public.

K.A.R. 44-6-115c. Service of postrelease supervision revocation penalty period; awarding, withholding, and

forfeiture of good time credits for offenders serving incarceration penalty period. This regulation distinguishes between three different classes of offenders in terms of eligibility for award of good time credits for the purpose of reducing the length of service of the incarceration penalty period upon revocation of postrelease supervision. It also provides that the class of offenders who are so eligible are subject to the disciplinary rules and regulations for ordinary inmates, for purposes of forfeiture, award, and withholding of good time credits, and establishes criteria for award and withholding of good time credits.

There is no significant economic impact anticipated due to promulgation of this regulation to offenders, the Department of Corrections, other state agencies, other governmental units or the general public.

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

K.A.R. 44-6-101. Definitions. Amendments to this regulation realign definitions dealing with various aspects of sentence computation into functional groupings, and also incorporate new definitions or modify old ones to account for passage of the Kansas Sentencing Guidelines Act and its establishment and implementation of determinate sentences. Certain citations in the statutory history are updated or otherwise modified.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-106. Authority to interpret court documents. Amendments to this regulation add the term "sentence computation specialists" to the list of those Department of Corrections staff authorized to analyze and interpret journal entries of sentencing and other documents pertinent to execution of sentences, in recognition of creation of specialized positions devoted solely to sentence computation, and also update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-107. Application of law as of date of crime; statutes repealed still applied. Amendments to this regulation reflect passage of the Kansas Sentencing Guidelines Act, effective July 1, 1993, as a new law system applicable to sentence computation, and also update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-108. Good time credits; earning, awarding, and applying. Amendments to this regulation update nomenclature, delete portions of the regulation dealing with award and application of good time credits to computation of the conditional release date on indeterminate sentences, in light of the proposed new regulation K.A.R. 44-6-114d, and also update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-114c. Parole eligibility computation. Amendments to this regulation reflect a number of statutory amendments altering rules governing parole eligibility that have been passed since this regulation was last amended in 1991—chiefly amendments to K.S.A. 22-3717, a statute that deals in part with parole eligibility. Also, certain citations in the statutory history were updated or otherwise modified.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-125. Good time forfeitures not restored; exceptions; limits; parole. Amendments to this regulation make stylistic changes, provide for forfeitures of good time credits to apply toward computation of a sentencing guidelines release date, and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-126. Meritorious good time. Amendments to this regulation specify the terminating dates for certain time periods of eligibility for consideration of award of meritorious good time credits and also update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-134. Jail credit time. Amendments to this regulation address treatment of jail credit time in the case of consecutive sentencing guidelines sentences imposed on different dates, as well as on the same date, and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-136. Delinquent time lost on postincarceration supervision (DTLOPIS). Amendments to this regulation reflect the fact that offenders are now supervised by the Department of Corrections on postrelease supervision under the Kansas Sentencing Guidelines Act, as well as on parole or conditional release under the indeterminate sentencing laws, but that both classes of offenders are subject to the statute concerning assessment of delinquent time in the event that the offender absconds from supervision. Further, the current practice of use of a document known as the transportation memo, in lieu of endorsement on the back of the condition violation warrant, to document the date when an offender apprehended out of state pursuant to a condition violation warrant is first made available for return to Kansas, also is recognized. Finally, updates or other modifications are made to certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-136a. Forfeited good time on postincarceration supervision release. Amendments to this regulation expand its application beyond parole status to encompass postrelease supervision status as well by use of the new term “postincarceration supervision,” make certain stylistic changes and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-137. Time lost on escape. Amendments to this regulation extend its provisions to computation of the guidelines release date and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-138. Sentence begins date. Amendments to this regulation extend its application to computation of the guidelines release date for determinate sentences, make stylistic changes, and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-140. Controlling minimum date; for concurrent sentences—merge and select longest incarceration; controlling guidelines release date. Amendments to this regulation extend its application to computation of the controlling guidelines release date for multiple concurrent determinate sentences and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-140a. Controlling minimum date, for consecutive sentences add terms; controlling guidelines release date. Amendments to this regulation extend its application to computation of the guidelines release date for consecutive determinate sentences and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-141. Controlling maximum date; controlling guidelines sentence discharge date. Amendments to this regulation clarify treatment of computation of the maximum sentence date in cases of conditional release violators returned to prison from release on multiple concurrent sentences, as well as extending its application to computation of the controlling guidelines release date in cases of multiple guidelines sentences. Also, certain cita-

(continued)

tions in the statutory history are updated or otherwise modified.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

K.A.R. 44-6-143. Computation of consecutive sentences. Amendments to this regulation extend its application to offenders on postrelease supervision under a determinate sentence, make stylistic changes and update or otherwise modify certain citations in the statutory history.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these amendments.

The following existing regulations are proposed for revocation:

K.A.R. 44-6-115, 44-6-117, 44-6-120, 44-6-124, 44-6-133, 44-6-142 and 44-6-146.

No economic impact to offenders, the Department of Corrections, other state agencies, other governmental units or the general public is anticipated due to these revocations of existing regulations.

A complete copy of the proposed new regulations, amendments and revocations of existing regulations, and complete economic impact statements may be obtained by contacting Linden G. Appel, at the address and phone numbers given above, from 8 a.m. to 5 p.m. Monday through Friday.

Charles E. Simmons
Secretary of Corrections

Doc. No. 027880

State of Kansas

Department of Agriculture
Division of Water Resources

Temporary Administrative
Regulations

Article 15.—MINIMUM DESIRABLE
STREAM FLOWS

5-15-1. Administration of minimum desirable streamflow. (a) Except as specified in subsection (d), if the streamflow at a minimum desirable streamflow (MDS) gaging station falls below the streamflow established in K.S.A. 82a-703c, and amendments thereto, for a period of seven consecutive days, a determination of whether the following conditions have been met shall be made by the chief engineer:

(1) The actual daily average streamflow at the gage has been less than the streamflow trigger value set by K.A.R. 5-15-4.

(2) If an alluvial aquifer has a significant effect on streamflow, the static groundwater level in the alluvial aquifer above the gage is insufficient to maintain MDS in the stream.

(b) Whenever the chief engineer determines that MDS administration should occur according to subsection (d)

or because the conditions specified in paragraphs (a)(1) and (2) have both been met, water rights and approvals of applications with a priority after April 12, 1984 shall be administered in order of priority as necessary to protect the appropriate minimum desirable streamflow specified in K.S.A. 82a-703c, and amendments thereto. Owners of record in the office of the chief engineer of water rights and approvals of applications that are being administered shall be notified by the chief engineer that water rights and approvals of applications are being administered to protect MDS. This notification shall be made by certified mail, personal notice, or other verifiable means.

(c) After administration to protect MDS has begun, no person that has received notice according to subsection (b) may divert water under the authority of a water right or approval of application with a priority after April 12, 1984, unless one of the following conditions is met:

(1) The owner of the water right or approval of application has entered into an annual MDS agreement with the chief engineer in accordance with the provisions of K.A.R. 5-15-2 and is diverting water in accordance with the terms of that MDS agreement.

(2) The chief engineer has determined, in accordance with the provisions of K.A.R. 5-15-3, that administration of water rights and approvals of applications with a priority after April 12, 1984 is no longer necessary to protect MDS and has notified the owners by certified mail, personal notice, or other verifiable means that diversions may continue in accordance with the terms, conditions, and limitations of the water right or approval of application.

(d) If the streamflow at an MDS gaging station falls below the level established in K.S.A. 82a-703c, and amendments thereto, for a period of seven consecutive days and no streamflow trigger value has been set for an MDS gaging station in K.A.R. 5-15-4, a determination of whether and when MDS administration will begin and how it should occur shall be made by the chief engineer, based on the following factors:

(1) The general hydrologic conditions affecting streamflow in the stream reach;

(2) the magnitude and duration of recent streamflows;

(3) the extent to which groundwater contributes to streamflow;

(4) the effects of drought on streamflow;

(5) the existence and effect of relevant water management agreements;

(6) the magnitude of the effect that the administration of water rights with priorities junior to the MDS values would have on the streamflow; and

(7) the effect of reservoir operations. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-703a, 82a-703b, and 82a-703c; effective, T-5-4-29-02, April 29, 2002.)

5-15-2. Minimum desirable streamflow agreements. (a) If hydrologic conditions permit, an annual minimum desirable streamflow (MDS) agreement according to K.A.R. 5-15-1(c)(1) may be entered into by the chief engineer to divert surface water. This agreement shall contain the following provisions:

(1) Whenever the chief engineer has determined that the administration of water rights and approvals of ap-

plications to divert surface water with a priority after April 12, 1984 is necessary to protect the minimum desirable streamflow set by K.S.A. 82a-703c, and amendments thereto, water shall not be diverted under the authority of these water rights or approvals of applications unless the owner has been notified by the chief engineer by certified mail, personal notice, or other verifiable means that either of the following conditions has been met:

(A) (i) The chief engineer has determined that the average daily streamflow has been, or is likely to be, at or above the temporary surface water diversion threshold for a period of time specified in K.A.R. 5-15-4 or set by the chief engineer according to K.A.R. 5-15-1(d); and

(ii) the chief engineer has determined that water is available to be diverted during that time period under the priority of water rights or approvals of applications with a priority after April 12, 1984 without impairing senior water rights or senior water reservation rights.

(B) The chief engineer has determined that it is no longer necessary to administer water rights and approvals of applications to protect the minimum desirable streamflow set by K.S.A. 82a-703c, and amendments thereto.

(2) The owner of the water right or approval of application shall properly install and maintain a water flowmeter on all points of diversion authorized by the water right or approval of application in accordance with regulations adopted by the chief engineer.

(3) The water right owner agrees that failure to abide by either of the following will result in the immediate suspension of the water right or approval of application for the remainder of the calendar year, and any other enforcement actions that may be authorized by law:

(A) The terms of the MDS agreement; or

(B) the terms, conditions, and limitations of the water right or approval of application.

(4) The water right owner agrees to comply with any other provisions that the chief engineer determines are necessary to prevent impairment, protect MDS values, and protect the public interest.

(b) If hydrologic conditions permit, an annual MDS agreement according to K.A.R. 5-15-1(c)(1) to divert groundwater may be entered into by the chief engineer. This agreement shall contain the following provisions:

(1) Whenever the chief engineer has determined that the administration of water rights and approvals of applications to divert groundwater with a priority after April 12, 1984 is necessary to protect minimum desirable streamflows set by K.S.A. 82a-703c, and amendments thereto, groundwater shall not be diverted under the authority of the water right or approval of application unless the owner has been notified by the chief engineer by certified mail, personal notice, or other verifiable means that one of the following conditions has been met:

(A) During MDS administration during that calendar year, the owner is authorized to divert, pursuant to the owner's water right or approval of application, a quantity of water not to exceed that quantity of water set forth in K.A.R. 5-15-4 as the well pumping allowance.

(B) The chief engineer has determined that it is no longer necessary to administer water rights and approv-

als of applications to protect the minimum desirable streamflows set by K.S.A. 82a-703c, and amendments thereto.

(2) The owner of the water right or approval of application shall properly install and maintain a water flowmeter on all points of diversion authorized by the water right or approval of application in accordance with regulations adopted by the chief engineer.

(3) The total quantity of water authorized to be diverted under the water right or approval of application during a calendar year shall not exceed the annual quantity of water authorized.

(4) The water right owner agrees that failure to abide by either of the following will result in the suspension of the water right or approval of application for the remainder of the calendar year, and any other enforcement actions that may be authorized by law:

(A) The terms of the MDS agreement; or

(B) the terms, conditions, and limitations of the water right or approval of application.

(5) The water right owner agrees to comply with any other provisions that the chief engineer determines are necessary to prevent impairment, protect MDS values, and protect the public interest. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-703a, 82a-703b, and 82a-703c; effective, T-5-4-29-02, April 29, 2002.)

5-15-3. Cessation of minimum desirable streamflow administration. (a) Except as specified in subsection (c), whenever the chief engineer determines that both of the conditions specified in subsection (b) have been met, the administration of water rights and approvals of applications with a priority after April 12, 1984 to protect minimum desirable streamflows pursuant to K.S.A. 82a-703c, and amendments thereto, shall be declared by the chief engineer to be no longer necessary. The owners of those water rights and approvals of applications shall be notified by the chief engineer by certified mail, personal notice, or other verifiable means that the owners may recommence diverting water in accordance with the terms, conditions, and limitations of their water rights or approvals of applications.

(b)(1) The streamflows at the minimum desirable streamflow (MDS) gage have exceeded the streamflows established by K.S.A. 82a-703c, and amendments thereto, for a period of 14 consecutive days.

(2) If a significant alluvial aquifer exists, the average static water level in the alluvial aquifer has recovered sufficiently to maintain MDS in the stream.

(c) Whenever the chief engineer determines that both of the following conditions are met, MDS administration may be declared by the chief engineer to be no longer necessary even if both of the conditions of subsection (b) have not been met:

(1) Hydrologic conditions indicate that MDS values have been met or exceeded and are likely to be maintained for the foreseeable future.

(2) It is in the public interest to discontinue MDS administration. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-703a, 82a-703b, and 82a-703c; effective, T-5-4-29-02, April 29, 2002.)

(continued)

5-15-4. Standards for minimum desirable streamflow. The streamflow trigger values, temporary surface water diversion thresholds, and well pumping allow-

ances set forth in the following table shall be used whenever appropriate in these regulations.

MDS gaging station	streamflow trigger value	temporary surface water diversion threshold	well pumping allowance
Republican River Concordia	150 percent of the daily average MDS value* for the 60 preceding days	115 percent of MDS value* for a period of at least five days	32 percent of the maximum annual quantity of water that has not been diverted under the authority of that water right or approval of application, at the time MDS administration begins
Republican River Clay Center	150 percent of the daily average MDS value* for the 60 preceding days	100 percent of MDS value* for a period of at least five days	32 percent of the maximum annual quantity of water that has not been diverted under the authority of that water right or approval of application, at the time MDS administration begins

* "MDS value" means the minimum desirable streamflow value established by K.S.A. 82a-703c, and amendments thereto. (Authorized by K.S.A. 82a-706a; implementing

K.S.A. 82a-703a, 82a-703b, and 82a-703c; effective, T-5-4-29-02, April 29, 2002.)

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 027886

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-138. Cresnet Oil dba Jump Start bonus retailer instant incentive. (a) During the period beginning April 1, 2002, and ending April 30, 2002, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Cresnet Oil dba Jump Start lottery retailers located in Kansas an opportunity to participate in a bonus retailer instant incentive promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in instant lottery ticket sales for the period from April 1, 2002, through April 30, 2002, over the base sales period will receive a credit for \$300 on the retailer's lottery account. The store with the second greatest percentage increase in instant lottery ticket sales over the base sales period will receive a credit for \$50 on the retailer's lottery account, and the store with the third greatest percentage increase in instant lottery ticket sales over the base sales period will receive a credit for \$25 on the retailer's lottery account. Promotional items chosen by the lottery will also be awarded to all retail locations which show an increase in instant sales over the base sales period. The base sales period for each store shall be the total instant lottery ticket sales from March 1, 2002, through March 30, 2002. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-4-17-02, March 13, 2002.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-1901. "Creepy Crawly Cash" instant ticket lottery game number 212. (a) The Kansas lottery shall

conduct an instant winner lottery game entitled "Creepy Crawly Cash" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1901.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$750\$	SVHNFTY
\$1500	FTNHUN
Symbol of a haunted house	DOUBLER

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

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of 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
FIV	=	\$5.00

TEN	=	\$10.00
TWY	=	\$20.00
FTY	=	\$50.00
FHN	=	\$500.00

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

(g) "Creepy Crawly Cash" is a match three of six prize amounts or a match two prize amounts plus a "HAUNTED HOUSE" symbol to win double the prize amount. The player will remove the latex covering the play area to reveal six prize amounts or five prize amounts and a "HAUNTED HOUSE" symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus a "HAUNTED HOUSE" symbol, the player wins double the prize amount.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free Tickets	Free Ticket	56,000	\$0
3 - \$1.00's	\$1	20,000	20,000
2 - \$1.00's & (D)	\$2	17,000	34,000
3 - \$2.00's	\$2	17,000	34,000
2 - \$2.00's & (D)	\$4	6,400	25,600
3 - \$4.00's	\$4	6,400	25,600
3 - \$5.00's	\$5	7,700	38,500
2 - \$5.00's & (D)	\$10	3,200	32,000
3 - \$10.00's	\$10	2,000	20,000
2 - \$10.00's & (D)	\$20	1,200	24,000
3 - \$20.00's	\$20	800	16,000
2 - \$25.00's & (D)	\$50	162	8,100
3 - \$50.00's	\$50	166	8,300
3 - \$500.00's	\$500	14	7,000
2 - \$250.00's & (D)	\$500	10	5,000
2 - \$750.00's & (D)	\$1,500	4	6,000
3 - \$1,500's	\$1,500	4	6,000
TOTAL		<u>138,060</u>	<u>\$310,100</u>

"D" denotes haunted house doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.35. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1902. "Dollars for Dad" instant ticket lottery game number 213. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Dollars for Dad" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1902.

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

Play Symbols	Play Symbol Captions
FREE \$1.00	TICKET ONE\$

\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
25.00	TWEN-FIV
50.00	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$1500	FTNHUN
\$3000	THRTHOU
DAD	
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

(c) For this game, a play symbol shall appear in each of 11 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
FIV	=	\$5.00
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) "Dollars for Dad" is a key number match game. The player will remove the scratch-off material to reveal one "LUCKY NUMBER" and five "YOUR NUMBERS," with a prize amount below each of the "YOUR NUMBERS." If any of the "YOUR NUMBERS" match the "LUCKY NUMBER," the player wins the prize directly below that matched number. If the "DAD" symbol is revealed, the player wins all five prizes shown.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes
(continued)

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	48,600	\$0
\$1	\$1	26,000	26,000
\$1+\$1	\$2	20,000	40,000
\$2	\$2	17,000	34,000
\$1+\$1+\$1+\$1+\$1	\$5	7,600	38,000
\$1+\$1+\$1+\$1+\$1(DAD)	\$5	6,000	30,000
\$1+\$2+\$2	\$5	4,200	21,000
\$5	\$5	2,300	11,500
\$10	\$10	1,250	12,500
\$1+\$2+\$2+\$5	\$10	1,250	12,500
\$5+\$5	\$10	1,200	12,000
\$2+\$2+\$2+\$2+\$2(DAD)	\$10	1,200	12,000
\$25	\$25	376	9,400
\$10+\$10+\$5	\$25	360	9,000
\$5+\$5+\$5+\$5+\$5(DAD)	\$25	360	9,000
\$50	\$50	140	7,000
\$25x2	\$50	140	7,000
\$20+\$20+\$20+\$20+\$20	\$100	16	1,600
\$20+\$20+\$20+\$20+\$20(DAD)	\$100	16	1,600
\$25x4	\$100	16	1,600
\$100	\$100	16	1,600
\$500	\$500	6	3,000
\$250x2	\$500	4	2,000
\$1,500x2	\$3,000	2	6,000
\$3,000	\$3,000	2	6,000
TOTAL		<u>138,054</u>	<u>\$314,300</u>

"DAD" denotes DAD symbol.

(k) The odds of winning a prize in this game are approximately one in 4.35. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1903. "Roses & Riches" instant ticket lottery game number 214. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Roses & Riches" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1903.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$3000	THRTHOU
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 rose

(c) For this game, a play symbol shall appear in each of 11 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
FIV	=	\$5.00
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) "Roses & Riches" is a key number match game. The player will remove the scratch-off material to reveal one "LUCKY ROSE NUMBER" and five "YOUR NUMBERS," with a prize amount below each of the "YOUR NUMBERS." If any of the "YOUR NUMBERS" match the "LUCKY ROSE NUMBER," the player wins the prize directly below that matched number. If the "ROSE" symbol is revealed, the player instantly wins the prize shown below the "ROSE" symbol.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	48,600	\$0
\$1	\$1	26,000	26,000
\$1+\$1	\$2	20,000	40,000
\$2(ROSE)	\$2	14,000	28,000
\$1+\$1+\$1+\$1+\$1	\$5	7,000	35,000
\$1+\$2+\$2	\$5	6,600	33,000
\$5(ROSE)	\$5	3,600	18,000
\$1+\$2+\$2+\$5	\$10	2,000	20,000
\$5+\$5(ROSE)	\$10	2,000	20,000
\$10	\$10	2,000	20,000
\$5+\$5(ROSE)+\$5+\$5+\$5	\$25	500	12,500
\$25	\$25	500	12,500
\$25+\$25(ROSE)	\$50	400	20,000

\$50	\$50	150	7,500
\$20+\$20+\$20(ROSE)+\$20+\$20	\$100	16	1,600
\$25x4	\$100	16	1,600
\$100	\$100	16	1,600
\$500	\$500	6	3,000
\$250x2	\$500	4	2,000
\$3,000(ROSE)	\$3,000	2	6,000
\$3,000	\$3,000	2	6,000
TOTAL		<u>133,412</u>	<u>\$314,300</u>

"ROSE" denotes ROSE symbol.

(k) The odds of winning a prize in this game are approximately one in 4.50. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1904. "Stars and Stripes Doubler" instant ticket lottery game number 215. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Stars and Stripes Doubler" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1904.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOUR\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
25.00	TWEN-FIV
50.00	FIFTY
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$1,776	ONETHSSX
Symbol of a firecracker	DOUBLER

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

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of 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
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FTY	=	\$50.00
FHN	=	\$500.00

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

(g) "Stars and Stripes Doubler" is a match three of six prize amounts or a match two prize amounts plus a "FIRECRACKER" symbol to win double the prize amount. The player will remove the latex covering the

play area to reveal six prize amounts or five prize amounts and a "FIRECRACKER" symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus a "FIRECRACKER" symbol, the player wins double the prize amount.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free Tickets	Free Ticket	56,000	\$0
3 - \$1.00's	\$1	20,000	20,000
2 - \$1.00's & (D)	\$2	17,000	34,000
3 - \$2.00's	\$2	17,000	34,000
2 - \$2.00's & (D)	\$4	6,400	25,600
3 - \$4.00's	\$4	6,400	25,600
3 - \$5.00's	\$5	7,280	36,400
2 - \$5.00's & (D)	\$10	3,200	32,000
3 - \$10.00's	\$10	2,000	20,000
2 - \$10.00's & (D)	\$20	1,200	24,000
3 - \$20.00's	\$20	800	16,000
2 - \$25.00's & (D)	\$50	162	8,100
3 - \$50.00's	\$50	162	8,100
3 - \$500.00's	\$500	14	7,000
2 - \$250.00's & (D)	\$500	10	5,000
3 - \$1,776.00's	\$1,776	8	14,208
TOTAL		<u>137,636</u>	<u>\$310,008</u>

(D) - Denotes "FIRECRACKER" doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.36. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1905. "Bingo" instant ticket lottery game number 216. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bingo" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1905.

(b) The "play symbols" for the bingo "CARD" play areas for this game are as follows:

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE				

In the "CALLER'S CARD" play area, a letter/number combination game symbol appears in each of the 24 play spots. In the "BONUS NUMBERS" play area, a letter/combination game symbol appears in each of the six play spots. In the "EXTRA GAME," a letter/number combination game symbol appears in each of the four play spots. "Play symbols" for the "CALLER'S CARD," the

(continued)

“BONUS NUMBERS,” and the “EXTRA GAME” symbols for this instant game are the following:

- B01 B02 B03 B04 B05 B06 B07 B08 B09 B10
- B11 B12 B13 B14 B15 I16 I17 I18 I19 I20
- I21 I22 I23 I24 I25 I26 I27 I28 I29 I30
- N31 N32 N33 N34 N35 N36 N37 N38 N39 N40
- N41 N42 N43 N44 N45 G46 G47 G48 G49 G50
- G51 G52 G53 G54 G55 G56 G57 G58 G59 G60
- O61 O62 O63 O64 O65 O66 O67 O68 O69 O70
- O71 O72 O73 O74 O75

(c) There are no “play symbol captions” for this game.

(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:

TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
STN	=	\$17.00
NTN	=	\$19.00
TWY	=	\$20.00
FTY	=	\$50.00
HUN	=	\$100.00
HFY	=	\$150.00
THN	=	\$200.00
THY	=	\$250.00
FHN	=	\$500.00

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

(g) “Bingo” is a three-part game. The first part consists of the “CALLER’S CARD” and the “BONUS NUMBERS.” The “CALLER’S CARD” contains 24 draw numbers covered by opaque latex. The “BONUS NUMBERS” consist of six draw numbers covered by opaque latex. The second part consists of four “GAME CARDS” each containing 24 numbers and a “FREE” space in the center of each “GAME CARD,” for a total of 25 play spots. The columns of each “GAME CARD” shall be designated from left to right as “B,” “I,” “N,” “G,” and “O.” The “GAME CARDS” are each covered by translucent scratch-off. The third part consists of the “EXTRA GAME” play area. The “EXTRA GAME” consists of four “Bingo” numbers covered with translucent blue scratch-off. The player removes the scratch-off material from the areas on the ticket indicated by the words “CALLER’S CARD” and “BONUS NUMBERS” to reveal a total of 30 “Bingo” letter/number combinations. A player can win by matching the draw numbers to the numbers on the four “GAME CARDS.” If a diagonal, vertical, or horizontal straight line consisting of either five letter/number combinations or four letter/number combinations and the “FREE” play spot, or four corners of the grid, or an X pattern consisting of two diagonal lines of four letter/number combinations in each line plus the “FREE” play spot are revealed, the player wins a prize according to the prize legend beside the respective “GAME CARD” as indicated by the stylized arrow. Another way in which a player can win is by matching the draw numbers to the “Bingo” numbers in the “EXTRA GAME.” If the player matches three “Bingo” numbers, the player wins \$5 instantly. If the player matches all four “Bingo” numbers, the player wins \$10 instantly.

(h) Each ticket in this game may win up to four times. Only the highest prize won on each card and in the “EXTRA GAME” will be awarded.

(i) Approximately 900,000 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:

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Line - Card 1	\$2	63,000	\$126,000
Line - Card 2	\$2	60,000	120,000
Line - Card 1 & Card 2	\$4	52,500	210,000
Line - Card 3	\$5	18,000	90,000
Extra Game (3 matches)	\$5	19,500	97,500
Line - Card 4	\$10	6,000	60,000
Extra Game (4 matches)	\$10	9,000	90,000
Line - Card 1 & 3 & Extra Game (4 matches)	\$17	915	15,555
Line - Card 1 & 4 & Extra Game (3 matches)	\$17	915	15,555
Line - Card 1 & 2 & 3 & 4	\$19	450	8,550
Extra Game (4 matches) + Line - Card 1, 2, 3	\$19	1,200	22,800
4 Corners - Card 1	\$20	960	19,200
Extra Game (4 matches) + Line - Card 4	\$20	960	19,200
4 Corners - Card 2	\$50	585	29,250
X - Card 1	\$100	90	9,000
4 Corners - Card 3	\$100	60	6,000
4 Corners - Card 4	\$100	60	6,000
4 Corners - Card 2 & 4	\$150	66	9,900
4 Corners - Card 3 & 4	\$200	42	8,400
4 Corners s- Card 2 & 3 & 4	\$250	42	10,500
X - Card 2	\$500	21	10,500
X - Card 3	\$1,000	18	18,000
X - Card 4	\$10,000	6	60,000
TOTAL		<u>234,390</u>	<u>\$1,061,910</u>

(k) The odds of winning a prize in this game are approximately one in 3.84. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1906. “Doubling Red 7s” instant ticket lottery game number 217. (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Doubling Red 7s” commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1906.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
40. ⁰⁰	FORTY

50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$7777	7-THOUSEV
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
7	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
18	EGHTN
19	NINTN
20	TWENTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFR
25	TWYFIV

(c) For this game, a play symbol shall appear in each of 22 play spots within the play area or areas.

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of 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
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Doubling Red 7s" is a key number match game. A player will remove the scratch-off material to reveal two "LUCKY NUMBERS" and 10 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If either of the "LUCKY NUMBERS" match any of the "YOUR NUMBERS," the player wins the prize directly below the matched "YOUR NUMBER." If a "RED 7" is revealed, the player wins double the prize instantly.

(h) Each ticket in this game may win up to 10 times.

(i) Approximately 900,000 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:

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free	Free Ticket	60,000	\$0
\$2	\$2	27,000	54,000
\$2(\$1 x 2)	\$2	30,000	60,000
\$2(\$1 DBL)	\$2	30,000	60,000
\$4	\$4	9,000	36,000
\$4(\$2 DBL)	\$4	10,200	40,800
\$4 (\$2 x 2)	\$4	11,700	46,800
\$4 (\$1 x 4)	\$4	11,700	46,800
\$5	\$5	3,000	15,000
\$5 (\$3 + \$2)	\$5	6,600	33,000
\$5 (\$5 x 1)	\$5	6,600	33,000
\$10	\$10	3,180	31,800
\$10 (\$5 DBL)	\$10	3,180	31,800
\$10 (\$5 x 2)	\$10	3,150	31,500
\$10 (\$2 x 5)	\$10	3,135	31,350
\$10 (\$1 x 10)	\$10	3,120	31,200
\$20	\$20	1,140	22,800
\$20 (\$10 DBL)	\$20	1,125	22,500
\$20 (\$10 x 2)	\$20	1,425	28,500
\$20 (\$5 DBL x 2)	\$20	1,500	30,000
\$20 (\$2 x 10)	\$20	1,500	30,000
\$40	\$40	585	23,400
\$40 (\$20 DBL)	\$40	720	28,800
\$40 (\$20 x 2)	\$40	600	24,000
\$40 (\$5 DBL x 4)	\$40	600	24,000
\$40 (\$4 x 10)	\$40	600	24,000
\$50	\$50	300	15,000
\$50 (\$25 DBL)	\$50	300	15,000
\$50 (\$10 x 5)	\$50	300	15,000
\$50 (\$5 DBL x 5)	\$50	300	15,000
\$100	\$100	75	7,500
\$100 (\$50 DBL)	\$100	75	7,500
\$100 (\$10 x 10)	\$100	75	7,500
\$1,000	\$1,000	9	9,000
\$1,000 (\$100 x 10)	\$1,000	12	12,000
\$7,777	\$7,777	6	46,662
TOTAL		<u>232,812</u>	<u>\$991,212</u>

DBL - Denotes "Red 7" doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 3.87. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-4-1907. "Bonus Crossword" instant ticket lottery game number 218. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1907.

(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

(continued)

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:

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. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

KANSAS THUNDER DRAWING

111-4-1908. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Kansas Thunder Drawing," and will accept entries on and after the day Kansas lottery "Kansas Thunder" instant tickets are first offered for sale to the general public and ending on Sunday, September 15, 2002, as specified in K.A.R. 111-4-1911. The drawing will be held soon after 6:00 p.m. on Sunday, September 15, 2002, at the Kansas state fair lottery building, Hutchinson, Kansas. Rules applicable to the "Kansas Thunder Drawing" are contained in K.A.R. 111-4-1908 through 111-4-1914 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1909. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas Thunder Drawing" means the act of drawing prizes conducted by the Kansas Lottery at the 2002 Kansas state fair in Hutchinson, Kansas, at the time described in K.A.R. 111-4-1911, in which participants are selected to win various prizes as described in K.A.R. 111-4-1910.

(c) "Non-winning ticket" means any valid Kansas "Kansas Thunder" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Thunder" instant game, and for purposes of this drawing only, tickets entitled to a free admission prize at the 2002 Kansas state fair shall also be considered "non-winning tickets."

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Kansas Thunder Drawing" entries are drawn. 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 no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1910. Prize. (a) The winner of the grand prize at the "Kansas Thunder Drawing," which will be

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - words	FREE TICKET	300,000	\$0

conducted on September 15, 2002, shall receive a 2002 Ford Thunderbird automobile.

(b) There will be three additional winners selected at the drawing and they shall each receive a \$5,000, \$3,000, or a \$2,000 cash prize.

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

(d) The winner of the grand prize 2002 Ford Thunderbird automobile shall return to the lottery a completed claim form as provided by the lottery within 10 days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (f) of K.A.R. 111-4-1913 shall be declared the winner.

(e) The three additional winners of the \$5,000, \$3,000, or \$2,000 cash prizes shall return to the lottery a completed claim form as provided by the lottery within 45 days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (f) of K.A.R. 111-4-1913 shall be declared the winner. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1911. Method of entry. (a) Entry into the "Kansas Thunder Drawing" to be conducted on September 15, 2002, shall be accomplished as follows:

(1) Obtain a valid "Kansas Thunder" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Thunder" game rules. If the ticket is a winning ticket, it is not eligible for the "Kansas Thunder Drawing" and shall be redeemed in accordance with the instant game rules, except that any ticket winning a free admission to the 2002 Kansas state fair may instead be used to enter the drawing, and if so utilized, shall be considered a "non-winning ticket" for purposes of entry into the drawing.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Kansas Thunder Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery building at the Kansas state fair between September 8, 2000, and 6:00 p.m. September 15, 2002.

(6) Players may also deposit entries for the "Kansas Thunder Drawing" at the Kansas lottery location at the Kansas Speedway, Kansas City, Kansas, during selling hours on May 31, June 1, July 5, 6, and 7, 2002.

(7) Entries other than those entered at the Kansas state fair or Kansas Speedway shall be mailed with proper postage to "Kansas Thunder Drawing," c/o Kansas lottery, P. O. Box 7777, Lawrence, Kansas 66044-7777. Mailed entries must be received by morning mail pickup on Tuesday, September 10, 2002. More than one entry may be mailed in one envelope.

(8) The holder of the ticket is not required to personally attend the "Kansas Thunder Drawing" or be present at the time of the drawing to be determined a winner.

(9) The drawing will be conducted soon after 6:00 p.m. on Sunday, September 15, 2002.

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

(c) Only valid non-winning "Kansas Thunder" tickets which are mailed to the "Kansas Thunder Drawing," c/o Kansas lottery, P. O. Box 7777, Lawrence, Kansas 66044-7777 with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, September 10, 2002, and non-winning "Kansas Thunder" tickets entered at the Kansas Speedway or the Kansas state fair lottery building as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Kansas Thunder Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1912. Certification of drawing. (a) The "Kansas Thunder 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 winners. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1913. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Thunder Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Thunder Drawing" tickets at the United States Post Office in Lawrence, Kansas, with the final pickup at the Topeka post office in the morning mail pickup on Tuesday, September 10, 2002. Following the morning mail pickup on Tuesday, September 10, 2002, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall then be placed in a secure receptacle, transported to the state fair, and placed in the drawing receptacle or drum with all entries deposited at the state fair and the Kansas Speedway.

(b) The drawing shall be held at the Kansas state fair lottery building and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

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(c) At the final drawing on Sunday, September 15, 2002, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove a single entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the grand prize identified in K.A.R. 111-4-1910, subject to validation by the lottery as set forth in these rules.

(e) After a single entry has been drawn on September 15, 2002, and the entry has been verified as valid, nine more entries will be drawn, one at a time. The first three valid entries of these nine entries drawn will receive in the order drawn a secondary prize of \$5,000, \$3,000, or \$2,000, respectively. The last six entries drawn will serve as alternate entries for the grand prize and secondary prizes. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A and 6A. The alternate entries will be used if the grand prize winner cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the tenth day following the drawing. The alternate entries will also be used if in the order drawn one or more of the original secondary prize winners cannot be located or is declared ineligible, or fails to present a fully executed claim form to lottery headquarters by 5:00 p.m. of the forty-fifth day following the drawing. The alternates will be used, if necessary, in the order drawn and first used as alternates for the grand prize and any remaining tickets shall be used as alternates for the secondary prizes. If an alternate winner for the grand prize or a secondary prize cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters as required herein, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Kansas Thunder Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The grand prize winner shall be given or sent a prize claim form to be completed and returned to the lottery within 10 days of the drawing. Each secondary prize winner shall be given or sent a prize claim form to be completed and returned to the lottery within 45 days of the drawing.

(g) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(h) Only non-winning "Kansas Thunder" instant tickets are eligible for the drawing.

(i) All "Kansas Thunder" tickets remaining in the drum or receptacle on September 15, 2002, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1914. Rights of participants. Any Kansas "Kansas Thunder" instant ticket entered into the "Kansas Thunder Drawing" is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

KANSAS SPEEDWAY 2002 DRAWING

111-4-1915. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Kansas Speedway 2002 Drawing," and will accept entries on and after the day Kansas lottery "Kansas Speedway 2002" instant tickets are first offered for sale to the general public and ending on Tuesday, August 13, 2002, as specified in K.A.R. 111-4-1918. The drawing will be held at 10:00 a.m. on Friday, August 16, 2002, at Kansas lottery headquarters in Topeka, Kansas. Rules applicable to the "Kansas Speedway 2002 Drawing" are contained in K.A.R. 111-4-1915 through 111-4-1921 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1916. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas Speedway 2002 Drawing" means the act of drawing prizes conducted by the Kansas lottery at lottery headquarters in Topeka, Kansas, at the time described in K.A.R. 111-4-1918, in which participants are selected to win various prizes as described in K.A.R. 111-4-1917.

(c) "Non-winning ticket" means any valid Kansas "Kansas Speedway 2002" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Speedway 2002" instant game.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Kansas Speedway 2002 Drawing" entries are drawn. 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 no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1917. Prize. (a) The winner of a grand prize at the "Kansas Speedway 2002 Drawing," which will be

conducted on August 16, 2002, shall receive a racing weekend package for two persons. The racing weekend package for two persons shall consist of two tickets for each day of the September 28 and 29, 2002, races conducted at Kansas Speedway in Kansas City, Kansas, one double occupancy hotel room and room taxes for the evenings of September 27, 2002, and September 28, 2002, standard hotel parking, round-trip transportation between Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at Kansas Speedway, and \$300 cash. The following restrictions shall apply to this prize:

(1) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(2) Prize packages are transferable one time and cannot be redeemed for cash.

(3) The lottery shall choose and reserve all hotel rooms.

(4) The lottery shall provide transportation to and from Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(5) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(6) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(7) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge, and standard parking fees for one vehicle for each prize package.

(b) There will be 48 (forty-eight) winners selected at the drawing.

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

(d) The winner of a prize shall return to the lottery a completed claim form as provided by the lottery within 14 days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-1920 shall be declared the winner. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1918. Method of entry. (a) Entry into the "Kansas Speedway 2002 Drawing" to be conducted on August 16, 2002, shall be accomplished as follows:

(1) Obtain a valid "Kansas Speedway 2002" Kansas instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Speedway 2002" game rules. If the ticket is a winning ticket, it is not eligible for the drawing and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the drawing.

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery location at Kansas Speedway, Kansas City, Kansas, during selling hours on May 31, June 1, July 5, 6, and 7, 2002. All entries so deposited shall be transported to lottery headquarters and secured until the time of the drawing.

(6) Entries may also be mailed with proper postage to "Kansas Speedway 2002 Drawing" c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561. Mailed entries must be received by morning mail pickup on Tuesday, August 13, 2002. More than one entry may be mailed in one envelope.

(7) 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;

(8) The drawing will be conducted at 10:00 a.m. on Friday, August 16, 2002.

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

(c) Only valid non-winning "Kansas Speedway 2002" tickets which are mailed to the "Kansas Speedway 2002 Drawing" c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561 with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, August 13, 2002, and non-winning "Kansas Speedway 2002" tickets entered at the Kansas lottery location at Kansas Speedway, Kansas City, Kansas, during selling hours on May 31, June 1, July 5, 6, and 7, 2002, shall be eligible for the drawing.

(d) Eligible entrants in the "Kansas Speedway 2002 Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1919. Certification of drawing. (a) The "Kansas Speedway 2002 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 (hereinafter "event manager").

(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 winners. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1920. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Speedway 2002 Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Speedway 2002 Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pickup at the Topeka post office in the morning mail

(continued)

pickup on Tuesday, August 13, 2002. Following the morning mail pickup on Tuesday, August 13, 2002, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries and entries retained from the Kansas lottery selling location at Kansas Speedway, Kansas City, Kansas, during selling hours on May 31, June 1, July 5, 6, and 7, 2002, shall then be placed in the drawing receptacle or drum.

(b) The drawing shall be held at Kansas lottery headquarters and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Friday, August 16, 2002, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be mixed with a shovel or by other means for at least three minutes prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove 48 entries from the receptacle or drum, one at a time. The person whose name appears on each entry shall be the winner of one of the prize packages identified in K.A.R. 111-4-1917, subject to validation by the lottery as set forth in these rules. Each valid entry shall be numbered from one through 48.

(e) After 48 entries have been drawn, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the prize packages. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth day following the drawing. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth day following the claim form being given or sent to the alternate winner, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Kansas Speedway 2002 Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 days of the drawing.

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

(h) Only non-winning "Kansas Speedway 2002" instant tickets as defined by these rules are eligible for the drawing.

(i) All "Kansas Speedway 2002" tickets remaining in the drum or receptacle on August 16, 2002, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

111-4-1921. Rights of participants. Any Kansas "Kansas Speedway 2002" instant ticket entered into the "Kansas Speedway 2002 Drawing" is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-4-17-02, March 13, 2002.)

Article 9.—PULL-TAB GAMES

111-9-115. "\$1,000 Jackpot" pull tab ticket lottery game number 220. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "\$1,000 Jackpot" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-115.

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

(c) Approximately 1,500,000 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:

- Symbol with word "Jackpot"
- Symbol of an anchor
- Symbol of a slot machine
- Symbol of a crown
- Symbol of a bell
- Symbol of lucky 7s

(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
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
HUN	=	\$100.00

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 lucky 7s	\$1	282,500	\$282,500
3 bells	\$5	75,250	376,250
3 crowns	\$10	17,000	170,000
3 slot machines	\$25	3,750	93,750
3 anchors	\$100	725	72,500
3 jackpots	\$1,000	25	25,000
TOTAL		<u>379,250</u>	<u>\$1,020,000</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 3.96. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

111-9-116. "Hot Slots" pull tab ticket lottery game number 221. (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Hot Slots" commencing on or after March 27, 2002. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-116.

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

(c) Approximately 1,500,000 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:

- Symbol of a thermometer
- Symbol of a hot pepper
- Symbol of a bowl of chili
- Symbol of a volcano
- Symbol of a bottle of hot sauce
- Symbol of fire

(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
FHN	=	\$500.00

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 fires	\$1	271,750	\$271,750
3 bottles of hot sauce	\$2	111,250	222,500
3 volcanos	\$10	30,000	300,000
3 bowls of chili	\$20	6,000	120,000
3 hot peppers	\$50	1,615	80,750
3 thermometers	\$500	50	25,000
TOTAL		<u>420,665</u>	<u>\$1,020,000</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 3.57. (Authorized by K.S.A. 2001 Supp. 74-8710; implementing K.S.A. 2001 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-4-17-02, March 13, 2002.)

Ed Van Petten
Executive Director

Doc. No. 027849

State of Kansas
Board of Tax Appeals
Permanent Administrative
Regulations

Article 2.—PROCEEDINGS BEFORE BOARD

94-2-1. Definitions. (a) "Board" means the Kansas board of tax appeals.

(b) "Chairperson" means the chairperson of the Kansas board of tax appeals, appointed as provided in K.S.A. 74-2433, and amendments thereto.

(c) "Counsel" means legal counsel.

(d) "Entry of appearance" means a pleading listing the following information:

(1) The name, address, and telephone number of the attorney entering an appearance;

(2) the Kansas supreme court registration number, or its equivalent, of the attorney entering an appearance; and

(3) the name of the party represented by the attorney.

The entry of appearance shall be signed by the attorney entering an appearance on behalf of the party. This signature shall constitute a certificate as prescribed in K.S.A. 60-211, and amendments thereto.

(e) "Executive director" means the individual appointed pursuant to K.S.A. 74-2433, and amendments thereto.

(f) "Party" means any of the following:

(1) Any taxpayer or applicant bringing the action, a governmental unit bringing or defending the action, or both;

(2) any intervenor permitted to intervene by the board; and

(3) any person joined as a contingently necessary party.

(g) "Pleadings" means any of the following:

(1) Notice of appeal;

(2) application;

(continued)

- (3) motion;
- (4) brief;
- (5) proposed findings of fact and conclusions of law; or
- (6) any other similar document formally filed with the board.

(h) "Presiding officer" means any of the following:

- (1) A panel of board members;
- (2) the board member assigned pursuant to K.S.A. 77-514, and amendments thereto, to conduct the status conference, prehearing, oral arguments, hearing, or similar proceedings; or
- (3) a board staff attorney in a status or prehearing conference to which a board staff attorney has been assigned according to K.A.R. 94-2-6.

(i) "Secretary" means the secretary of the board of tax appeals. (Authorized by and implementing K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-2. Information, hearings, and assistance. (a) To the extent that the Kansas administrative procedure act or other statutes or regulations do not apply, the rules of civil procedure, and particularly articles 1, 2, and 4 of chapter 60 of the Kansas statutes annotated, shall be followed by the board. However, the rules of evidence may be modified by the presiding officer in accordance with the Kansas administrative procedure act if it will be in the public interest and will aid in ascertaining the facts.

(b) Hearings before the board shall be open to the public at all times except at those proceedings specified in K.A.R. 94-2-14. Hearings may be held in the board's hearing room or at other places throughout the state of Kansas whenever the public interest may be better served. Reasonable written notice shall be given to all parties pursuant to K.S.A. 77-518, and amendments thereto.

(c) Upon request, the staff attorneys for the board shall advise any party concerning the form of the notice of appeal or other application to be filed with the board, or concerning the procedure to be followed in initiating a proceeding before the board.

(d) All communications to the board shall be addressed to the offices of the board in Topeka and shall comply with the procedural requirements described in these regulations. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2437, K.S.A. 12-110a, K.S.A. 77-523, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 79-1413a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2000 Supp. 79-1609, K.S.A. 2000 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2000 Supp. 79-2005, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-3. Form of pleadings. (a) Each pleading, except any pleading described in subsection (b), shall contain the following:

- (1) The heading "BEFORE THE BOARD OF TAX APPEALS OF THE STATE OF KANSAS," centered at the top of the page;
- (2) the name of the case, which shall consist of a brief description of the nature of the action and shall contain a citation to the particular statute under which the appeal

or application is authorized, placed immediately below the heading at the left margin of the page;

(3) the docket number, if one has been assigned, which shall appear to the right of the name at the right margin of the page;

(4) the title of the pleading, which shall identify the document being filed, shall be placed immediately below the name and centered on the page;

(5) the pertinent allegations of fact and law in simple, concise, and direct terms, which shall be in numbered paragraphs, with each paragraph containing a statement of a single set of circumstances or separate transaction or series of events;

(6) following each numbered paragraph, a concise and complete statement of all relief sought by the pleader; and

(7) the signature of the party filing the pleading or the party's attorney. The addresses and telephone numbers of the party and the party's attorney of record shall appear following the signature or elsewhere in the pleading. All pleadings shall be verified, unless the pleading is signed by either of the following:

(A) Counsel regularly admitted to practice before the supreme court of the state of Kansas; or

(B) counsel duly licensed and admitted to practice before the supreme court of another state if the counsel licensed from another state is associated with local counsel and the local counsel also signs the pleading, as required by Kansas supreme court rule 116 relating to district courts.

(b) Notice of appeals or applications filed pursuant to the statutory procedures enumerated in K.S.A. 74-2439, K.S.A. 79-1609, and K.S.A. 79-213, and amendments thereto, shall be prepared on forms approved by the board. Each taxpayer or applicant shall provide all information and supporting documentation requested on the forms or by the board. If any information requested is not provided, the appeal or application may be rejected by the board or may be returned to the taxpayer or applicant for correction.

(c) Each pleading, except a pleading described in subsection (b) above, shall be typed on 8½ x 11 inch white paper and shall be double-spaced, except that single-spacing may be used for subparagraphs, legal descriptions of real estate, itemizations, quotations, and similar subsidiary portions of the document. Typing shall appear on only one side of the paper, and the margins shall be at least one inch at the top of the page and ¾ of an inch at the sides and bottom of the page. Taxpayers not represented by counsel shall not be held in strict compliance with this regulation. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2437, K.S.A. 2001 Supp. 74-2438, K.S.A. 74-2439, K.S.A. 2001 Supp. 79-213, and K.S.A. 2001 Supp. 79-1609; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-4. Filing procedure and time limits. (a) A party filing any action with the board shall file the original application or appeal with the board. Each document filed in this manner shall be deemed to have been filed when actually received and file stamped by the secretary or the secretary's designee, and the action shall commence on that date if the document is in the form prescribed by these regulations or by statute.

(b) In computing any period of time prescribed by statute or these regulations for any appeal or application, the computation shall be made pursuant to K.S.A. 60-206, and amendments thereto, unless the method of computation is otherwise specified in these regulations or by statute. A legal holiday shall be each day designated in K.A.R. 1-9-2.

(c) When by these regulations or by notice given by the board, an act is required to be completed within a specified time, the time for completing the act may be extended by the board, if a motion is filed by a party before the expiration of the specified time. A motion for extension of time filed after the time limit has expired may be granted by the board only if the failure to act within the time limit was the result of excusable neglect.

(d) Any individual or entity may file documents at the board office between the hours of 8:00 a.m. and 5:00 p.m. on any business day. Each document, whether mailed, hand-delivered, or sent via facsimile machine or electronic mail, shall be received by 5:00 p.m. to be file-stamped and considered filed on that date. The time of receipt shall be that time shown by the board's time clock, the time printed by the board's facsimile machine on the final page of the facsimile-received document, or the time shown as received by the board's electronic mail system. (Authorized by K.S.A. 74-2437; implementing K.S.A. 12-110a, K.S.A. 19-431, K.S.A. 2001 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 79-1413a, K.S.A. 79-1478a, K.S.A. 79-1479, K.S.A. 79-1481, K.S.A. 2001 Supp. 79-1609, K.S.A. 2001 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2001 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective May 1, 1981; amended May 1, 1987; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-5. Service. (a) Each party filing any pleading or other document with the board shall serve the pleading or other document on all other parties in person or by mail, facsimile, or electronic mail, except when a statute requires a specific manner of service. Postage or costs of service shall be paid by the person serving the pleading.

(b) Service on an attorney of record shall be deemed to be service upon the party represented by that attorney, although nothing in these regulations shall prohibit service on the interested party also. Service by mail shall be considered to be complete upon mailing.

(c) The party responsible for effecting service shall endorse a certificate of mailing or service, or both, upon the pleading showing compliance with these regulations. In the absence of this proof of service or the equivalent, any pleading may be disregarded and deemed null and void. (Authorized by and implementing K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-6. Prehearing conference procedure. The parties or the attorneys for the parties may be required to appear before a presiding officer for a prehearing conference. The conduct of the prehearing conference shall be in accordance with K.S.A. 77-516 and K.S.A. 77-517, and amendments thereto. (Authorized by and implementing

K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-7. Intervention and joinder. Each petition to intervene shall be handled pursuant to K.S.A. 77-521, and amendments thereto, and each joinder of any party needed for just adjudication shall be handled pursuant to K.S.A. 60-219, and amendments thereto. (Authorized by and implementing K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-8. Discovery procedure. (a) Each party before the board may use the discovery procedures provided under the code of civil procedure of this state, the procedures authorized under the provisions of the Kansas administrative procedures act, K.S.A. 77-522 and amendments thereto, or both. Unless otherwise expressly approved by the board or presiding officer, a party shall have completed all discovery procedures by 20 calendar days before the date set for the hearing.

(b) The admissibility of any evidence obtained during this discovery process shall be governed by one or more of the following:

(1) The code of civil procedure, K.S.A. 60-101 et seq., and amendments thereto;

(2) the Kansas administrative procedures act, K.S.A. 77-501 et seq., and amendments thereto; or

(3) case law of this state.

(c) Each motion for summary judgment shall be filed with the board in accordance with K.S.A. 60-256, and amendments thereto, and Kansas supreme court rule 141 relating to district courts. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2437, 74-2437a, and 74-2437b; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-9. Subpoenas. (a) Any party may request that the board issue a subpoena or subpoena duces tecum by filing a request for the same with the board at least 10 business days before the date on which the hearing commences or the deposition is scheduled. The request shall state the following information:

(1) The name of the witness;

(2) the address, including street address, city, and county where the witness can be served;

(3) the date, time, and location the witness is expected to appear;

(4) the matter in which the witness is expected to testify; and

(5) if a subpoena duces tecum, the material, listed in detail, to be brought by the witness to the hearing or deposition.

(b) A request for a subpoena or subpoena duces tecum shall not be granted by the board if filed fewer than 10 business days before the date on which the hearing commences or the deposition is scheduled, except by approval of the board upon a showing of good cause.

(c) Except as provided in subsection (b), upon receipt of a properly filed request, the appropriate subpoena shall be issued by the board or the board's designee, who shall also arrange for its service pursuant to K.S.A. 77-522, and amendments thereto.

(continued)

(d) Witness fees and mileage shall be allowed pursuant to K.S.A. 28-125, and amendments thereto. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2437 and 74-2437a; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-10. Hearing procedure. (a) Any party may appear at any hearing or other proceeding before the board and be heard in person or may be represented by an attorney who is regularly admitted to practice before the supreme court of the state of Kansas and who has filed an entry of appearance in the proceeding with the board. Any party may be represented by out-of-state counsel if that counsel has complied with Kansas supreme court rule 116 relating to the admission of an attorney from another state. Out-of-state counsel shall then be considered for purposes of these regulations to be an attorney regularly admitted to practice before the supreme court of Kansas for the purpose of the proceeding before the board. An elected or appointed official or the official's designee of a county, city, or other taxing district or a corporation's officer or employee may appear and testify on behalf of the county, city, taxing district, or corporation and, except as otherwise provided in these regulations, may fully participate as a party.

(1) The county, city, or other taxing district or corporation may be required by the board to be represented by an attorney regularly admitted to practice before the supreme court of the state of Kansas. As provided in this subsection, only the party or an attorney regularly admitted to practice before the supreme court of the state of Kansas may perform any of the following:

- (A) Make a legal argument;
- (B) object to the admission of evidence;
- (C) conduct direct examination or cross-examination of witnesses;
- (D) introduce evidence;
- (E) sign any pleading as defined in K.A.R. 94-2-1; or
- (F) perform any other activity construed as the practice of law by the Kansas supreme court.

(2) Each individual who is not a party or an attorney authorized to practice in the supreme court of the state of Kansas shall be limited to one or both of the following types of participation in a hearing:

- (A) Testifying; or
 - (B) providing nonlegal advice to a party or an attorney.
- (b) On the date and at the place and time stated in the notice of hearing, the docket shall be made to be called by the chairperson or the presiding officer. A statement may be made by the chairperson or presiding officer as to the scope and purpose of the hearing at the opening of the hearing. Each party or witness who is to testify shall be sworn by the reporter or any member of the board.

(c) If a party does not appear for the scheduled hearing, either or both of the following may occur:

- (1) The opposing party or parties may go on the record to introduce evidence.
- (2) A default order may be issued by the board in favor of the opposing party or parties.
- (d) If a party or attorney objects to the admissibility of any evidence or to the validity of any proceeding before the board, the presiding officer may rule upon the objec-

tion immediately or may admit the evidence or permit the procedure subject to a later ruling by the board. The presiding officer may rule upon the admissibility of any evidence and may order the discontinuation of the presentation of cumulative evidence.

(e) Each party shall examine each witness orally and under oath, in the order determined by that party. Each opposing party may cross-examine each witness.

(f) To facilitate the orderly and expeditious conduct of hearings, one of the board's staff attorneys may be appointed by the presiding officer to assist procedurally any individual taxpayer not represented by counsel. Assistance shall not extend to assisting the taxpayer in presenting the taxpayer's case or advising the taxpayer about the substantive nature of the case, but shall be confined to procedural assistance.

(g) (1) Each hearing shall be recorded by either of the following means:

(A) A certified shorthand reporter retained by the board for that purpose; or

(B) any other recording device.

This record shall be the only official record of any proceeding before the board.

(2) A person may obtain a transcript of any tape-recorded hearing before the board by making a request to the board and advancing the costs of providing the transcript. A person may obtain a transcript of any hearing recorded by a certified shorthand reporter by making a request to the reporter and advancing to the reporter the costs of providing the transcript.

(h) The use of recording, photographic, or television devices during any hearing before the board shall be authorized, pursuant to K.S.A. 75-4318, and amendments thereto. To insure orderly hearings before the board, cameras, photographic lights, and recording devices shall be permitted during the sworn testimony of witnesses only if the use of these devices is not disruptive to the witnesses and the hearing.

(i) Official notice shall be taken in accordance with K.S.A. 77-524, and amendments thereto.

(j) The submission of briefs and proposed findings of fact and conclusions of law may be required by the board at the conclusion of any hearing, and any party desiring to submit the same may do so upon approval by the board. The deadline for filing these documents and any reply briefs shall be fixed by the board in a prehearing order or by the presiding officer at the hearing. The filing party shall file the originals of these documents with the board and shall serve copies on each party. Proof of service shall be filed as required in these regulations. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2436, K.S.A. 74-2437a, K.S.A. 74-2437b, K.S.A. 12-110a, K.S.A. 19-431, K.S.A. 2001 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 79-1413a, K.S.A. 79-1478a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2001 Supp. 79-1609, K.S.A. 2001 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2001 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective May 1, 1981; amended May 1, 1987; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-11. Petitions for reconsideration; deadline for responses. Each petition for reconsideration of a final or-

der of the board shall be made pursuant to K.S.A. 77-529, and amendments thereto. Each response to a petition for reconsideration shall be filed with the board within 11 calendar days after the petition for reconsideration is filed with the board. (Authorized by K.S.A. 74-2437; implementing K.S.A. 2000 Supp. 74-2426 and K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-12. Orders of the board. (a) Each order of the board shall be sent by U.S. mail or, for state agencies located in Topeka, by building mail or hand delivery, unless otherwise provided by law. The order shall be mailed or hand-delivered to each party and the party's attorney at the addresses of record set forth in the pleadings.

(b) If clear evidence of the date of receipt of any board order is not available, it shall be presumed that a party received the order on the third day following the date the board mailed the order to that party at the party's address of record as set forth in the pleadings filed by the party or the party's attorney. (Authorized by K.S.A. 74-2437; implementing K.S.A. 2000 Supp. 74-2426 and K.S.A. 74-2437; effective May 1, 1981; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-2-13. Exchange of evidence and witness lists.

(a) At least 10 calendar days before a scheduled hearing involving single-family residential property, each party shall have exchanged copies of each document, photograph, or other physical evidence that the party intends to present to the board at the hearing.

(b) At least 20 calendar days before a scheduled hearing, except a single-family residential property hearing as specified in subsection (a), each party shall have exchanged copies of each document, photograph, or other physical evidence that the party intends to present to the board at the hearing and a list of witnesses to be called at the hearing. At least 10 calendar days before the scheduled hearing, each party shall have exchanged copies of any evidence developed in response to the evidence that was exchanged 20 calendar days before the scheduled hearing.

(c) Each attorney who is representing a party at any proceeding before the board shall file an entry of appearance with the board and shall serve copies on each party.

(d) In computing any time periods specified in subsections (a) and (b) above, the day of the scheduled hearing shall not be included. If the 10th or 20th calendar day before the hearing falls on a Saturday, Sunday, or legal holiday, the last business day before the Saturday, Sunday, or legal holiday shall be the deadline for the exchange of evidence.

(e) If the parties fail to exchange evidence and witness lists in compliance with this regulation, the evidence may be excluded from the proceedings, and the witnesses not listed may be excluded from testifying. The time periods specified in subsections (a) and (b) may be shortened or extended by the board or presiding officer upon a showing of good cause. (Authorized by K.S.A. 74-2437; implementing K.S.A. 12-110a, K.S.A. 19-431, K.S.A. 77-522, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 2000 Supp. 79-1413a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2000 Supp. 79-1609, K.S.A. 79-1602, K.S.A.

2000 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2000 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-14. Procedure to keep business records confidential. (a)(1) Each party who has confidential financial or trade secret records that are to be admitted into evidence in a board proceeding but who desires to keep the records confidential shall file a motion for a protective order with the board and serve the motion on each party. The party may make the motion orally at the hearing. This motion shall address the following:

(A) Identification of the record to be kept confidential;
(B) the extent to which the information is known outside the business;

(C) the extent to which the information is known to those inside the business, including the employees;

(D) the precautions taken by the holder of the trade secret or confidential commercial information to guard the secrecy of the information;

(E) the savings effected and the value to the holder in keeping the information from competitors;

(F) the amount of effort or money expended in obtaining and developing the information; and

(G) the amount of time and expense it would take for others to acquire and duplicate the information.

(2) In ruling on the motion, the following criteria shall be considered by the board:

(A) What risk of financial or competitive harm the party seeking to prevent disclosure faces;

(B) whether or not disclosure will aid the board in its duties;

(C) whether or not disclosure serves or might harm the public interests; and

(D) whether or not alternatives to full disclosure exist.

(b) If the board grants the motion for protective order, the following procedure shall be followed by the board at the hearing in which the records are considered and admitted:

(1) A formal motion shall be made by a board member to move into executive session to consider either of the following:

(A) Confidential data relating to financial affairs; or

(B) confidential trade secrets of corporations, partnerships, trusts, or individual proprietorships.

(2) The motion shall contain a statement of justification for closure, the subject to be discussed, and the time and the place the board will resume its open meeting.

(3) The motion shall be made, seconded, and carried by a majority of the board present and hearing the case.

(c) Other procedures to keep business records confidential may be implemented in board proceedings if those procedures are agreed to by all parties, are approved by the board, and are not inconsistent with or contrary to current Kansas law. (Authorized by K.S.A. 74-2437; implementing K.S.A. 12-110a, K.S.A. 2000 Supp. 60-226, K.S.A. 77-522, K.S.A. 77-523, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 2000 Supp. 79-1413a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2000 Supp. 79-1609, K.S.A. 2000 Supp. 79-1702, K.S.A. 79-

(continued)

1964a, K.S.A. 79-1964b, K.S.A. 2000 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-15. Continuances. (a) A request for a continuance may be made by motion or in the form specified by the board or presiding officer.

(b) Each party filing a motion for continuance shall file the motion in writing with the board, with service of this motion on each party in accordance with K.A.R. 94-2-5. The motion shall be filed no fewer than 30 days before the date of the scheduled hearing. The motion shall set forth the reason or reasons for the motion.

(c) The 30-day time period may be shortened by the board, upon a showing of good cause. (Authorized by K.S.A. 74-2437; implementing K.S.A. 12-110a, K.S.A. 19-431, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 2000 Supp. 79-1413a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2000 Supp. 79-1609, K.S.A. 2000 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2000 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-16. Dismissals. Any action pending before the board may be dismissed by the party that filed the action at any time before or during the hearing and, at the board's discretion, at any time after the hearing, but before the board issues the order. (Authorized by K.S.A. 74-2437; implementing K.S.A. 12-110a, K.S.A. 19-431, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 2000 Supp. 79-1413a, K.S.A. 79-1489, K.S.A. 79-1481, K.S.A. 2000 Supp. 79-1609, K.S.A. 2000 Supp. 79-1702, K.S.A. 79-1964a, K.S.A. 79-1964b, K.S.A. 2000 Supp. 79-2005, K.S.A. 79-2938, K.S.A. 79-2939, K.S.A. 79-2941, K.S.A. 79-2951; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-17. Waivers. If all parties agree to waive the right to a hearing and to submit stipulated facts, the hearing may be waived.

If a hearing is scheduled, each party shall enter an appearance at the hearing. Failure to appear at the hearing may result in the issuance of a default order. (Authorized by K.S.A. 74-2437; implementing K.S.A. 74-2437, K.S.A. 2000 Supp. 79-213, K.S.A. 79-213a, K.S.A. 79-1409, K.S.A. 2000 Supp. 79-1609, K.S.A. 2000 Supp. 79-1702, K.S.A. 2000 Supp. 79-2005; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-18. Stipulations. An order either accepting or rejecting a stipulation may be entered upon submission of a stipulation signed by each party or each party's attorney of record. (Authorized by K.S.A. 74-2437; implementing K.S.A. 79-1426, K.S.A. 79-1409; effective Aug. 15, 1997; amended May 24, 2002.)

94-2-19. Facsimile filing. (a) The board's facsimile machine shall be available on a 24-hour basis, seven days per week. However, this provision shall not prevent the board from sending documents by fax or providing for normal repairs and maintenance of the facsimile machine. Each complete facsimile filing received in the board's office at or before 5:00 p.m. on a regular workday shall be

deemed filed on that day. Each filing received after 5:00 p.m. shall be filed as if received on the next regular board workday. The time of receipt shall be the time printed by the board's facsimile machine on the final page of the facsimile-received document. Each filing received on a Saturday, Sunday, or legal holiday shall be filed as if received on the next regular board workday.

(b) Each pleading or other paper filed by facsimile transmission shall have the same effect as that of any document filed with the board by any other means. A facsimile signature shall have the same effect as that of an original signature. Only one copy of the pleading or other paper shall be transmitted.

(c) Each certificate of service shall state the date of service and the facsimile telephone numbers of both the sender and the receiver.

(d) The sender may petition the board for an order filing the document *nunc pro tunc* if a facsimile filing is not filed with the board because of either of the following:

(1) An error in the transmission of the document, the occurrence of which was unknown to the sender; or

(2) a failure to process the facsimile filing when received by the board.

The motion shall be accompanied by the transmission record, a copy of the document transmitted, and an affidavit of transmission by fax as set forth in Kansas supreme court rule 119 relating to district courts, appendix B. (Authorized by and implementing K.S.A. 74-2437; effective May 24, 2002.)

94-2-20. Electronic mail filing. (a) Electronic mail shall be sent to the board's central electronic mail address in order to be considered filed with the board. The format for documents shall be as specified in K.A.R. 94-2-3. Electronic mail sent to any individual board member's or to any board staff's personal electronic mail address shall not be considered to be filed with the board.

(b) Electronic mail shall have a return electronic mail address along with the name of the individual sending the electronic mail and a telephone number where that individual can be contacted.

(c) Each pleading or other document filed by electronic mail shall have the same effect as that of any document filed with the board by any other means. Only one copy of the pleading or document shall be transmitted. An electronic signature or the symbol "/s/" on the signature line in place of a signature shall have the same effect as that of an original signature.

(d) Electronic mail received in the board's office at the central electronic mail address on or before 5:00 p.m. shall be deemed filed on that day. Electronic mail received after 5:00 p.m. shall be deemed to be filed as if received on the next regular workday of the board. The time of receipt shall be the time shown by the board's electronic mail system. Electronic mail received on a Saturday, Sunday, or legal holiday shall be deemed to be filed as if received on the next regular workday of the board.

(e) Electronic mail shall be printed by the board and a copy placed in the appropriate file or files. A copy of any associated transmission acknowledgment shall also be placed in the file or files.

(f) If an electronic mail message indicates that there is an attachment but the attachment is not sent or the at-

tachment cannot be opened, the party that sent the message shall be apprised of this fact by the board. If the attachment is then sent and the board is able to open the attachment, the file date and time shall be the date and time the opened attachment was actually received by the board. Each attachment shall be sent in a format specified by the board.

(g) The sender may petition the board for an order filing the document *nunc pro tunc* if an electronic mail document is not filed with the board because of either of the following:

(1) An error in the transmission of the document, the occurrence of which was unknown to the sender; or

(2) a failure to process the electronic mail document when received by the board.

The motion shall be accompanied by the transmission record, a copy of the document transmitted, and an affidavit of transmission by electronic mail in the form as set forth in Kansas supreme court rule 119, appendix B relating to facsimile filings.

(h) Each party who files a document by electronic mail shall retain a copy of that document in the party's possession or control during the pendency of the action and shall produce the document upon request pursuant to K.S.A. 60-234, and amendments thereto, by the board or any party to the action. Failure to produce the document may result in the document being stricken from the record and may result in sanctions pursuant to K.S.A. 60-211, and amendments thereto.

(i) Each party utilizing electronic mail shall comply with K.S.A. 77-525, and amendments thereto, and K.A.R. 94-2-5, which require that a copy of any correspondence with the board be exchanged with all parties. A certificate of service shall be included on pleadings. For letters, there shall be an indication on the letter that a copy was sent to all parties. (Authorized by and implementing K.S.A. 74-2437; effective May 24, 2002.)

Article 3.—ECONOMIC DEVELOPMENT REVENUE BONDS

94-3-1. Definition of terms. As used in this article, the following meanings shall apply, to the extent that they are not inconsistent with K.S.A. 12-1744a through K.S.A. 12-1744d, and amendments thereto, or unless the context clearly indicates otherwise. (a) "The act" means K.S.A. 12-1740 et seq., and amendments thereto, which relate to the issuance of certain revenue bonds for the promotion of economic development by cities or counties and which prescribe certain powers and impose certain duties upon the chairperson of the board of tax appeals.

(b) "Bonds" means economic development revenue bonds issued by any city, county, or qualified improvement district under the authority of K.S.A. 12-1740 et seq., and amendments thereto.

(c) "Chairperson" means the chairperson of the board of tax appeals appointed pursuant to K.S.A. 74-2433, and amendments thereto.

(d) "Informational statement" means the form, including all amendments, papers, documents, and exhibits incidental to the form, prescribed by the chairperson for the filing of notice pursuant to the act. (Authorized by K.S.A.

12-1744b; implementing K.S.A. 12-1744b, K.S.A. 12-1744c; effective May 1, 1983; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

94-3-2. Filing, fees, and form. Each informational statement required to be filed pursuant to the act shall be governed by the following procedures: (a) Filing procedures.

(1) The informational statement, together with the fees required in paragraph (b)(1) of this regulation, shall be deemed filed and the requisite seven-day filing period shall commence upon the date the informational statement and fees are received in the office of the board. Each applicant shall address or deliver all communications, documents, information, and inquiries to the office of the secretary, board of tax appeals.

(2) Each applicant shall file one informational statement for each proposed issuance of bonds.

(3) If the informational statement is not complete as originally filed, the applicant shall be notified of the incomplete filing. The applicant shall correct the deficiency in writing.

(4) If the chairperson finds, following a review of the informational statement, that all information and documents required to be filed are complete and, based upon the proposed date of issuance of the bonds, that the statement has been filed in a timely manner, an order or letter indicating that finding shall be rendered by the chairperson to the appropriate government officials and bond counsel.

(5) The following disclaimer shall appear in boldface type upon the second page of each preliminary offering document:

"THE CHAIRPERSON OF THE KANSAS BOARD OF TAX APPEALS HAS NOT REVIEWED ANY INFORMATION OR DOCUMENT FILED PURSUANT TO THIS INFORMATIONAL FILING FOR THE ADEQUACY OR ACCURACY OF THE DISCLOSURE THEREIN. THIS INFORMATIONAL FILING DOES NOT CONSTITUTE A RECOMMENDATION OR AN ENDORSEMENT BY THE CHAIRPERSON OR THE BOARD."

Evidence that this disclaimer appears in boldface type upon the second page of each preliminary offering document shall be filed contemporaneously with the certificate of issuance required by K.S.A. 12-1744c, and amendments thereto.

(6) The certificate of issuance required to be filed by K.S.A. 12-1744c, and amendments thereto, shall include the board of tax appeals' filing number.

(b) Fees.

(1) Each informational statement shall be accompanied by a filing fee of \$250.00. All fees shall accompany the application and shall be paid by check or money order made payable to the board of tax appeals. A cash remittance shall not be accepted. If the chairperson receives notice of refusal of payment of the check or money order presented in payment of these fees, the application shall be deemed to be incomplete and not timely filed as required by the act.

(2) Copies of documents filed and recorded in the office of the board of tax appeals shall be available upon re-

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quest. Postage and copy fees shall be paid in advance, and in conformity with K.S.A. 45-204, and amendments thereto.

(c) Forms. The informational statement shall be submitted on forms approved by the chairperson. (Authorized by K.S.A. 12-1744a and K.S.A. 12-1744b; implementing K.S.A. 12-1744a; effective May 1, 1983; amended, T-85-38, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002.)

Article 4.—BOARD MEMBER CONTINUED EDUCATION

94-4-1. Board member continued education. (a) Each member of the board shall complete the education and training courses required by K.S.A. 74-2433, and amendments thereto, within either of the following, whichever is shorter:

(1) 24 months immediately following the date of the member's confirmation of appointment to the board; or (2) the term to which the member is appointed.

(b) The time period specified above in paragraph (a)(1) may be extended by the executive director depending on the availability of the required courses and the workload of the board. (Authorized by and implementing K.S.A. 2000 Supp. 74-2433; effective May 24, 2002.)

94-4-2. Administration of board member continued education. The board member education and training program shall be administered by the executive director. All records of completed courses shall be maintained in the personnel office of the board of tax appeals and shall be open for inspection at any time during normal business hours. (Authorized by and implementing K.S.A. 2000 Supp. 74-2433; effective May 24, 2002.)

Tony R. Folsom Executive Director

Doc. No. 027881

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.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 1-5-8 through 1-45-7a.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-3-47 through 4-25-18.

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulation 5-25-4.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-17-1 through 7-19-7.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 7-24-2 through 7-41-13.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 9-7-19 through 9-29-15.

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations 10-12-1 through 10-21-6.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 16-7-1 through 16-7-9.

AGENCY 17: STATE BANK COMMISSIONER

Table with 3 columns: Reg. No., Action, Register. Lists regulations 17-11-14 through 17-23-15.

Table with 3 columns: Reg. No., Action, Register. Lists regulations 17-24-2 and 17-24-3.

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD

Table with 3 columns: Reg. No., Action, Register. Lists regulations 20-8-1 through 20-13-3.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations 22-24-1 through 22-24-18.

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Table with 3 columns: Reg. No., Action, Register. Lists regulations 23-1-11 and 23-8-27.

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT (By Department of Agriculture)

Table with 3 columns: Reg. No., Action, Register. Lists regulations 25-1-3 through 25-5-1.

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-11-1	New (T)	V. 20, p. 1895
26-11-2	New (T)	V. 20, p. 1895
26-11-3	New (T)	V. 20, p. 1895

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-269	Amended (T)	V. 21, p. 497
28-4-331	Amended (T)	V. 21, p. 498
28-4-351	Amended (T)	V. 21, p. 500
28-4-576		
through		
28-4-596	New (T)	V. 21, p. 597-616
28-10-15		
through		
28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322
28-10-75		
through		
28-10-88	Revoked	V. 20, p. 322
28-10-100		
through		
28-10-108	Revoked	V. 20, p. 322
28-15-35	Amended	V. 20, p. 725
28-15-36	Amended	V. 20, p. 728
28-15-36a	Amended	V. 20, p. 728
28-15-37	Amended	V. 20, p. 729
28-16-28b		
through		
28-16-28e	Amended	V. 20, p. 1264-1270
28-16-30		
through		
28-16-36	Amended	V. 20, p. 1277-1279
28-16-57	Revoked	V. 20, p. 322
28-16-58	Amended	V. 20, p. 1279
28-16-60	Amended	V. 20, p. 1280
28-16-76		
through		
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-6	Amended	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
28-29-18	Revoked	V. 21, p. 310
28-29-29	Amended	V. 21, p. 310
28-29-2201	New	V. 21, p. 310
28-34-1a	Amended	V. 20, p. 1755
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32b	Amended	V. 20, p. 107
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75		
through		
28-34-93	Revoked	V. 20, p. 323

28-34-94a	Revoked	V. 20, p. 323
28-36-30	Amended (T)	V. 20, p. 1122
28-36-30	Amended	V. 20, p. 1675
28-36-60	New (T)	V. 20, p. 1122
28-36-60	New	V. 20, p. 1675
28-36-120	New (T)	V. 20, p. 1122
28-36-120	New	V. 20, p. 1675
28-39-144	Amended	V. 20, p. 1756
28-39-155	Amended	V. 20, p. 1758
28-39-410	Revoked	V. 20, p. 323
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-59-1		
through		
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1		
through		
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-64	Amended	V. 20, p. 490
30-5-58	Amended	V. 20, p. 1023
30-5-64	Amended	V. 20, p. 1393
30-5-76	Amended	V. 20, p. 1846
30-5-92	Amended	V. 20, p. 1029
30-5-94	Amended	V. 20, p. 1030
30-5-100	Amended	V. 20, p. 1846
30-5-108	Amended	V. 20, p. 491
30-6-89	New	V. 20, p. 1394
30-6-94	Amended	V. 21, p. 506
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508
30-10-7	Amended	V. 21, p. 509
30-12-16		
through		
30-12-22	Revoked	V. 21, p. 331
30-13-17		
through		
30-13-26	Revoked	V. 21, p. 331
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-30	Amended	V. 21, p. 81
30-64-31	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-8	Revoked	V. 20, p. 946
40-1-13	Revoked	V. 20, p. 946
40-1-30	Revoked	V. 20, p. 723
40-1-37	Amended	V. 20, p. 1343
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 21, p. 451
40-1-43	Amended (T)	V. 20, p. 1896
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	New	V. 20, p. 1868
40-2-22	Revoked	V. 21, p. 589
40-3-29	Revoked	V. 20, p. 946
40-4-35	Amended	V. 20, p. 1307
40-4-41	Amended	V. 20, p. 946
40-4-41b		
through		
40-4-41g	Amended	V. 20, p. 949-953
40-4-41h	New	V. 20, p. 953
40-4-41i	New	V. 20, p. 954
40-4-41j	New	V. 20, p. 954
40-5-106	Revoked	V. 20, p. 1161
40-5-111	Revoked	V. 20, p. 1161
40-7-6	Revoked	V. 20, p. 1161
40-9-100	Amended	V. 20, p. 954
40-12-1	Revoked	V. 20, p. 723

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106		
through		
44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309
44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309
44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309
44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110		
through		
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336
44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201		
through		
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120
44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123
44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124

(continued)

44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506	through	
44-13-509	Amended	V. 21, p. 158, 159
44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159

44-13-701	through	
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83
44-14-301	through	
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

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

50-3-1	through	
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 20, p. 1755

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-111	Amended	V. 20, p. 1522
60-4-101	Amended	V. 20, p. 449
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449

60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-116	Amended	V. 21, p. 316
60-11-119	Amended	V. 20, p. 451
60-12-106	Amended	V. 20, p. 1522
60-13-101	Amended	V. 20, p. 451
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-13-112	Amended	V. 20, p. 1523
60-16-104	Amended	V. 20, p. 451

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183
65-8-5	New	V. 20, p. 944

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1	through	
63-7-8	New	V. 21, p. 660-662

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 20, p. 1647
66-6-4	Amended	V. 20, p. 1647
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 1648
66-10-13	Amended	V. 20, p. 1648
66-14-5	Amended	V. 20 pp. 1649
66-14-10	Amended	V. 20, p. 104

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1e	Revoked	V. 21, p. 308
68-1-3	Revoked	V. 21, p. 308
68-2-5	Amended	V. 21, p. 308
68-9-1	Amended	V. 21, p. 308
68-9-2	New	V. 20, p. 1020

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-3a	Amended	V. 20, p. 1650
74-4-4	Amended	V. 20, p. 1650
74-4-8	Amended	V. 20, p. 1650
74-5-2	Amended	V. 20, p. 1651
74-5-202	Amended	V. 20, p. 1652
74-5-205	Amended	V. 20, p. 1652
74-5-302	Amended	V. 20, p. 1652
74-5-404a	Amended	V. 20, p. 1652
74-7-3	New	V. 20, p. 1652
74-11-6	Amended	V. 20, p. 1653
74-11-7	Amended	V. 20, p. 1653
74-11-8	through	
74-11-14	Revoked	V. 20, p. 1653
74-11-15	New	V. 20, p. 1653
74-12-1	Amended	V. 20, p. 1654

74-12-1	Amended	V. 20, p. 1654
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AGENCY 75: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
75-6-32	New	V. 20, p. 175

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-5-19	through	
80-5-22	New	V. 20, p. 1649, 1650
80-9-1	New	V. 20, p. 1650
80-9-2	New	V. 20, p. 1650

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-1	Amended	V. 20, p. 1604
81-3-2	Amended	V. 20, p. 1606
81-3-3	Revoked	V. 20, p. 1606

81-3-5	New	V. 20, p. 1606
81-4-3	Revoked	V. 20, p. 1607
81-5-7	Amended	V. 20, p. 1607
81-14-1	through	
81-14-8	New	V. 20, p. 1607-1617

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-250	New	V. 20, p. 1094
82-3-111	Amended	V. 21, p. 43
82-3-120	Amended	V. 21, p. 44
82-3-120a	Revoked	V. 21, p. 45
82-3-123	Amended	V. 21, p. 45
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-304	Amended	V. 21, p. 45
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402	through	
82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-4-3	Amended (T)	V. 20, p. 1723
82-4-3	Amended	V. 20, p. 1868
82-4-26a	New (T)	V. 20, p. 1723
82-4-26a	New	V. 20, p. 1869

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 20, p. 1825

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1b	New (T)	V. 21, p. 501

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-70a	Amended	V. 20, p. 1894
91-1-146a	through	
91-1-146e	Revoked	V. 21, p. 178
91-1-206	Amended	V. 21, p. 178
91-1-215	through	
91-1-219	New	V. 21, p. 178-180
91-5-14	Amended	V. 20, p. 108
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-2	Amended	V. 20, p. 541
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-27	Amended	V. 20, p. 544
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1	through	
91-41-4	New	V. 20, p. 546, 547

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332
92-1-3	Revoked	V. 21, p. 332

92-5-4	Revoked	V. 21, p. 312
92-5-5		
through		
92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332
92-9-8	Revoked	V. 20, p. 1124
92-11-1		
through		
92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586
92-12-47	Amended	V. 21, p. 586
92-12-56	Revoked	V. 21, p. 587
92-12-58	Amended	V. 21, p. 587
92-12-66	Revoked	V. 20, p. 1124
92-12-66a	New	V. 20, p. 1124
92-12-67	Amended	V. 21, p. 587
92-12-68	Revoked	V. 21, p. 587
92-12-105	Amended	V. 21, p. 587
92-12-106	Amended	V. 21, p. 587
92-12a-1		
through		
92-12a-23	Revoked	V. 21, p. 333, 334
92-14-4		
through		
92-14-9	Amended	V. 21, p. 334, 335
92-15-3	Amended	V. 21, p. 335
92-15-4	Amended	V. 21, p. 335
92-15-6	Amended	V. 20, p. 1126
92-15-8	Amended	V. 21, p. 335
92-17-1		
through		
92-17-6	Amended	V. 21, p. 313, 314
92-19-4a	Revoked	V. 20, p. 1126
92-19-4b	New	V. 20, p. 1126
92-19-16a	New	V. 20, p. 1128
92-19-24	Amended	V. 20, p. 1129
92-19-33	Amended	V. 20, p. 1129
92-19-64	Revoked	V. 20, p. 1129
92-19-64a	New	V. 20, p. 1129
92-19-73	Amended	V. 20, p. 1130
92-19-75	Revoked	V. 20, p. 1130
92-22-4	Amended	V. 21, p. 450
92-22-19	Revoked	V. 21, p. 450
92-22-22	Revoked	V. 21, p. 450
92-22-23	Amended	V. 21, p. 450
92-22-24	Revoked	V. 21, p. 450
92-22-25	Amended	V. 21, p. 450
92-22-33	New	V. 21, p. 450
92-22-34	New	V. 21, p. 450
92-23-10	Amended	V. 21, p. 180
92-23-15	Amended	V. 21, p. 180
92-23-16	Amended	V. 21, p. 180
92-23-17		
through		
92-23-23	New	V. 21, p. 181
92-23-25	New	V. 21, p. 181
92-23-30	New	V. 21, p. 181
92-23-31	New	V. 21, p. 182
92-23-38	Amended	V. 21, p. 182
92-23-38a	Amended	V. 21, p. 182
92-23-40	Amended	V. 21, p. 182
92-24-9		
through		
92-24-15	Amended	V. 21, p. 314, 315
92-24-18	Amended	V. 21, p. 315
92-24-22	Amended	V. 21, p. 316
92-24-23	Amended	V. 20, p. 1895
92-24-24	Amended	V. 21, p. 316
92-25-1	Amended	V. 20, p. 1130
92-51-33	Revoked	V. 20, p. 1130
92-51-40	Revoked (T)	V. 20, p. 1580
92-51-40	Revoked	V. 20, p. 1895
92-51-50	Revoked	V. 20, p. 1130
92-51-51	Revoked	V. 20, p. 1130
92-51-52	Revoked	V. 20, p. 1130

92-51-54	Revoked	V. 20, p. 1130
92-51-55	Revoked	V. 20, p. 1131
92-52-9	Amended	V. 20, p. 1603
92-52-9a	Amended	V. 20, p. 1604
92-53-1		
through		
92-53-7	Revoked	V. 20, p. 1131
92-54-1		
through		
92-54-5	Revoked	V. 20, p. 1131
AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION		
Reg. No.	Action	Register
93-1-1		
through		
93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1		
through		
93-6-4	Amended	V. 20, p. 452, 453
AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES		
Reg. No.	Action	Register
99-8-8	Revoked	V. 21, p. 12
99-8-9	Revoked	V. 21, p. 12
99-9-1	Revoked	V. 21, p. 12
99-10-1	Revoked	V. 21, p. 12
99-25-1	Amended	V. 21, p. 12
99-25-3	Amended	V. 21, p. 13
99-25-4	Amended	V. 21, p. 13
99-25-6	Amended	V. 21, p. 13
99-25-7	Amended	V. 21, p. 13
99-25-9	Amended	V. 21, p. 14
99-26-1	Amended	V. 21, p. 14
99-27-2		
through		
99-27-5	Amended	V. 21, p. 14, 15
99-30-2		
through		
99-30-6	Amended	V. 21, p. 15, 16
99-31-2		
through		
99-31-6	Amended	V. 21, p. 16
99-40-1	Revoked	V. 21, p. 16
99-40-3	Amended	V. 21, p. 17
99-40-21		
through		
99-40-47	Revoked	V. 21, p. 17
99-40-100	Revoked	V. 21, p. 17
99-40-101	Revoked	V. 21, p. 18
99-40-104	Revoked	V. 21, p. 18
99-40-105	Revoked	V. 21, p. 18
AGENCY 100: BOARD OF HEALING ARTS		
Reg. No.	Action	Register
100-15-1	Amended	V. 20, p. 1093
100-27-1	Amended	V. 21, p. 307
100-28a-1		
through		
100-28a-16	New	V. 20, p. 774-778
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked	V. 20, p. 779
100-60-8		
through		
100-60-15	Revoked	V. 20, p. 779
AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD		
Reg. No.	Action	Register
102-1-1	Amended	V. 20, p. 1897
102-1-10	Revoked	V. 20, p. 1898
102-1-10a	New	V. 20, p. 1898
102-1-19	New	V. 20, p. 572
102-1-20	New	V. 20, p. 1900
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-2-15	New	V. 20, p. 572
102-3-16	New	V. 20, p. 572

102-4-16	New	V. 20, p. 572
102-5-15	New	V. 20, p. 572
AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES		
Reg. No.	Action	Register
109-9-1	Amended	V. 20, p. 1675
109-9-4	Amended	V. 20, p. 1677
109-10-1	Amended	V. 20, p. 1677
109-11-10	New	V. 20, p. 1679
AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING		
Reg. No.	Action	Register
110-4-1	Amended	V. 20, p. 1392
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180
110-7-1		
through		
110-7-4	Revoked	V. 20, p. 1426
110-7-5	New	V. 20, p. 1426
110-7-6	New	V. 20, p. 1426
110-7-8	New	V. 20, p. 1426
110-7-9	New	V. 20, p. 1426
110-7-10	New	V. 20, p. 1426
AGENCY 111: KANSAS LOTTERY		
A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.		
Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119		
through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825		
through		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347

(continued)

111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-4-1864	Amended	V. 20, p. 1569
111-4-1866	Amended	V. 20, p. 1570
111-4-1867	Amended	V. 20, p. 1601
111-4-1869	Amended	V. 20, p. 1601
111-4-1871	New	V. 20, p. 1571
111-4-1872	New	V. 20, p. 1572
111-4-1873	New	V. 20, p. 1572
111-4-1874		
through		
111-4-1877	New	V. 20, p. 1779-1781
111-4-1877	Amended	V. 20, p. 1902
111-4-1878		
through		
111-4-1885	New	V. 20, p. 1902-1906
111-4-1886		
through		
111-4-1889	New	V. 21, p. 183-185
111-4-1890		
through		
111-4-1893	New	V. 21, p. 591-593
111-4-1894		
through		
111-4-1900	New	V. 21, p. 649-655
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-119		
through		
111-7-127	Amended	V. 21, p. 594-597
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657

111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-10-3	Amended	V. 20, p. 1728
112-10-6	Amended	V. 20, p. 1728
112-11-20	Amended	V. 20, p. 945
112-17-4	Amended	V. 20, p. 1729
112-18-11	Amended	V. 20, p. 1922

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 20, p. 1499
115-2-4	Amended	V. 20, p. 1499
115-2-6	Amended	V. 21, p. 451
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	Amended	V. 21, p. 452
115-4-5	Revoked	V. 20, p. 769
115-4-7		
through		
115-4-10	Revoked	V. 20, p. 769
115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-8-1	Amended	V. 20, p. 1061
115-8-4	Amended	V. 20, p. 1500
115-8-5	Revoked	V. 20, p. 1061
115-8-8	Amended	V. 20, p. 1061
115-8-12	Amended	V. 20, p. 1062
115-8-16	Revoked	V. 20, p. 1062
115-8-18	Revoked	V. 20, p. 1062
115-8-20	Amended	V. 20, p. 1062
115-8-21	Amended	V. 20, p. 1062
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177

115-11-2	Amended	V. 21, p. 177
115-13-1	Amended	V. 20, p. 1500
115-13-2	Amended	V. 20, p. 1500
115-13-5	Amended	V. 20, p. 1501
115-14-2	Amended	V. 20, p. 1501
115-14-3	Amended	V. 20, p. 1502
115-14-5	Amended	V. 20, p. 1502
115-14-6	Amended	V. 20, p. 1502
115-14-7	Revoked	V. 20, p. 1502
115-14-9	Amended	V. 20, p. 1502
115-14-10	Amended	V. 20, p. 1503
115-18-5	Revoked	V. 20, p. 1504
115-18-7	Amended	V. 21, p. 453
115-18-8	Amended	V. 20, p. 1504
115-18-9	Amended	V. 20, p. 1504
115-18-14	Amended	V. 20, p. 1504
115-18-17	New	V. 20, p. 1062
115-20-1	Amended	V. 20, p. 1063
115-20-2	Amended	V. 20, p. 1063
115-21-1	Amended	V. 20, p. 1803
115-21-2	Amended	V. 20, p. 1804
115-21-3	Revoked	V. 20, p. 1804
115-21-4	New	V. 20, p. 1804
115-22-1	New	V. 20, p. 1804

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 21, p. 659

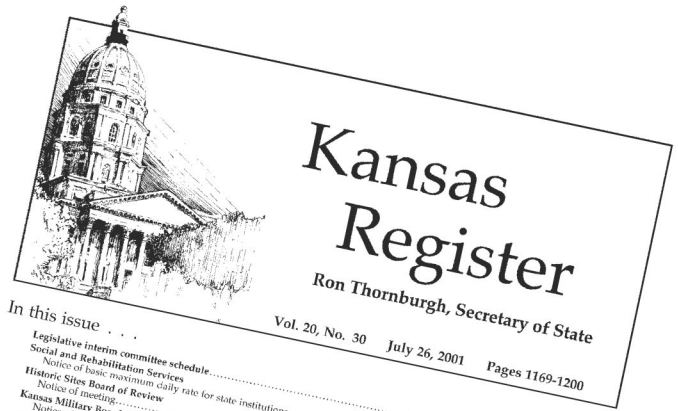
AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-1		
through		
118-5-10	New (T)	V. 20, p. 1492-1495

AGENCY 125: AGRICULTURAL REMEDIATION BOARD

Reg. No.	Action	Register
125-1-1		
through		
125-1-9	New (T)	V. 20, p. 1496-1498
125-1-1		
through		
125-1-9	New	V. 20, p. 1891-1893

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In this issue	Page
Legislative interim committee schedule	1170
Social and Rehabilitation Services Notice of basic minimum daily rate for state institutions	1171
Historic Sites Board of Review Notice of meeting	1171
Kansas Military Board Notice of meeting	1171
Secretary of State Notice of hearing on proposed administrative regulations	1171
Department of Administration—Division of Facilities Management Notice of hearing on proposed administrative regulations	1171
State Conservation Commission Notices to contractors	1171
Kansas Department of Transportation Notices to consulting engineers	1171
Department of Administration—Division of Accounts and Reports Notice of hearing on proposed administrative regulations	1172
Kansas Department of Health and Environment Request for comments on proposed ICRA post-closure plan modification	1173, 1174
Notice concerning Kansas water pollution control permits	1173, 1174
State Corporation Commission Notice of motor carrier tariff filing/rate increase	1175
Notice of hearing	1176
Notice of motor carrier applications	1176
Notice of hearing	1179
Notice of hearing	1179
Notice of hearing	1179
Notice of hearing	1180

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