



# Kansas Register

Ron Thornburgh, Secretary of State

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In this issue . . .	Page
<b>Legislative bills and resolutions introduced February 24-March 2</b> .....	286
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	287
<b>Department of Administration—Division of Facilities Management</b>	
Notices of commencement of negotiations for architectural services .....	287
<b>Kansas Water Office</b>	
Notice of EPA watershed grants.....	288
<b>Department of Revenue</b>	
Notice of available publications.....	288
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases.....	288
<b>Kansas Commission on Veterans' Affairs</b>	
Notice of meeting.....	289
<b>City of Wichita</b>	
Notice to bidders.....	289
<b>Department of Health and Environment</b>	
Request for bids on the Kansas Childhood Lead Poisoning Prevention Program.....	289
Notice concerning Kansas water pollution control permits .....	289
<b>University of Kansas</b>	
Notice to bidders.....	292
<b>Notice of Bond Sale</b>	
City of Fredonia.....	292
City of Augusta .....	293
City of Melvern.....	294
Dodge City Community College .....	295
<b>Kansas State University—Salina</b>	
Notice to bidders.....	295
<b>Kansas Department of Labor—Division of Workers Compensation</b>	
Notice of hearing on proposed administrative regulations.....	296
<b>Temporary Administrative Regulations</b>	
Kansas Lottery.....	296
<b>Department of Administration</b>	
Public notice.....	301
<b>Permanent Administrative Regulations</b>	
Juvenile Justice Authority .....	301
<b>Index to administrative regulations</b> .....	313

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 24-March 2 by the 2005 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

## House Bills

**HB 2502**, An act concerning certain postsecondary educational institutions; relating to out-district tuition; amending K.S.A. 2004 Supp. 13-13a25, 13-13a26, 13-13a27, 13-13a29, 13-13a31, 13-13a32, 13-13a33, 13-13a34, 19-101a, 71-301a, 71-304, 71-305, 71-306, 71-308, 71-401, 71-402, 71-403, 71-610 and 71-1705 and repealing the existing sections, by Committee on Appropriations.

**HB 2503**, An act concerning abortion clinics; providing for regulation, licensing and standards for the operation thereof; providing penalties for violations and authorizing injunctive actions, by Committee on Federal and State Affairs.

**HB 2504**, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation and membership; contributions, by Committee on Federal and State Affairs.

**HB 2505**, An act concerning the emerging industry investment act; amending K.S.A. 2004 Supp. 74-99b33 and 74-99b34 and repealing the existing sections, by Committee on Taxation.

**HB 2506**, An act concerning the open meetings act; relating to meetings of the subcommittee on natural resources, by Committee on Appropriations.

**HB 2507**, An act concerning the composition of the joint committee on special claims against the state; amending K.S.A. 46-912 and repealing the existing section, by Committee on Appropriations.

## House Concurrent Resolutions

**HCR 5015**, A proposition to amend the constitution of the state of Kansas by adding a new article thereto, prescribing certain limits upon taxes, revenues and expenditures by the state.

## Senate Bills

**SB 281**, An act concerning retirement and pensions; relating to benefits and contributions; retirement plan for new members; amending K.S.A. 74-4911, 74-4914, 74-4915, 74-4917, 74-4919, 74-4933, 74-4937 and 74-4991 and K.S.A. 2004 Supp. 74-4920 and repealing the existing sections, by Joint Committee on Pensions, Investments and Benefits.

**SB 282**, An act concerning counties; relating to the county commissioners; amending K.S.A. 19-201 and 19-202 and repealing the existing sections, by Committee on Ways and Means.

**SB 283**, An act concerning counties; relating to the office of county administrator; amending K.S.A. 2004 Supp. 19-3a02 and repealing the existing section, by Committee on Ways and Means.

**SB 284**, An act providing for the issuance of bonds by the Kansas development finance authority for Kansas energy projects, by Committee on Ways and Means.

**SB 285**, An act concerning discrimination; relating to sexual orientation; amending K.S.A. 44-1001, 44-1002, 44-1004, 44-1005, 44-1006, 44-1009, 44-1015, 44-1016, 44-1017, 44-1027 and 44-1030 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 286**, An act concerning state officers and employees; relating to salaries, compensation and certain expense allowances; establishing and implementing semimonthly payroll periods; making and concerning appropriations for the fiscal year ending June 30, 2006; amending K.S.A. 40-102, 46-137a, 46-137b, 75-5501, 75-5501a, 75-5502, 75-5505, 75-5506, 75-5507, 75-5509, 75-5510, 75-5511, 75-5512 and 75-5515 and K.S.A. 2004 Supp. 74-4925, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-3111a and repealing the existing sections, by Committee on Ways and Means.

## Senate Resolutions

**SR 1824**, A resolution congratulating and commending the 2004 Victoria High School football team.

Doc. No. 031693

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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 3-7-05 through 3-13-05**

<b>Term</b>	<b>Rate</b>
1-89 days	2.49%
3 months	2.76%
6 months	2.96%
1 year	3.23%
18 months	3.45%
2 years	3.53%

Derl S. Treff  
Director of Investments

Doc. No. 031692

State of Kansas

**Department of Administration  
Division of Facilities Management**

**Notice of Commencement of  
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for the Lawrence Armory Renovation at 200 Iowa, the Wichita South Armory Renovation at 3617 S. Seneca, and the Manhattan Armory Renovation at 1709 S. Airport Road. The projects consist of an evaluation and corrective design of building elements such as code and accessibility deficiencies, building envelope, restrooms, HVAC, electrical and water heater systems, floor plan configurations, kitchen/break room areas, and the assembly and maintenance areas. A report evaluating hazardous material abatement for lead-based paint, asbestos-containing material, and floor tile and/or pipe insulation will be provided to the successful firm for use during the design and document phases of the project. The successful firm may be required to hire a licensed surveyor to provide, at minimum, a site survey, including the existing buildings from known control points; all site utilities; and finished grade contours. Each location will be a separate project with a separate contract. Interested firms should submit a separate submittal for each project they are interested in. The estimated construction budgets for the projects are Lawrence—\$495,000; Wichita South—\$700,000; and Manhattan—\$470,000.

For more information concerning the scope of services, contact Major Ron Rousser, (785) 274-1156 or (785) 817-2962.

To be considered, a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information. Proposals should be concise and follow the 2004 State Building Advisory Commission guidelines, which have previously been distributed to

firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals should be received by Phyllis Fast before noon March 25.

D. Keith Meyers  
Director, Division of  
Facilities Management

Doc. No. 031706

State of Kansas

**Department of Administration  
Division of Facilities Management**

**Notice of Commencement of  
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for the Hays Armory Renovation at 200 S. Main, the Russell Armory Renovation at 701 Fairway, the Great Bend Armory Renovation at 9571 D 29 Way, and the Pratt Armory Renovation at 207 Rochester. The project consists of an evaluation and corrective design of all four buildings with respect to code and accessibility deficiencies, building envelope, restrooms, HVAC, electrical and water heater systems, floor plan configurations, kitchen/break room areas, and the assembly and maintenance areas. A report evaluating hazardous material abatement for lead-based paint, asbestos-containing material, and floor tile and/or pipe insulation will be provided to the successful firm for use during the design and document phases of the project. The successful firm may be required to hire a licensed surveyor to provide, at minimum, site surveys, including the existing buildings from known control points; all site utilities; and finished grade contours. The estimated construction budget for all four buildings is \$1,275,000. The renovations at the different locations are to be combined into one project.

For more information concerning the scope of services, contact Major Ron Rousser, (785) 274-1156 or (785) 817-2962.

To be considered, a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant should be provided in one bound proposal. Also required are four bound copies of the same information and one CD with one PDF file of the same information. Proposals should be concise and follow the 2004 State Building Advisory Commission guidelines, which have previously been distributed to firms. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 600, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796. Submittals should be received by Phyllis Fast before noon March 25.

D. Keith Meyers  
Director, Division of  
Facilities Management

Doc. No. 031704

State of Kansas

Kansas Water Office

Notice of EPA Watershed Grants

The Environmental Protection Agency is currently soliciting proposals for nationwide competitive watershed grants through the Targeted Watershed Grants Program for 2005. This program is designed to encourage successful community-based approaches and management techniques to protect and restore the nation's waters. Program guidance indicates that the EPA is especially looking for innovative water resource projects that are ready-to-go, have a wide array of public support, and can demonstrate environmental results in a relatively short time-frame.

Water-quality trading projects and projects within the Chesapeake Bay watershed have been identified by the EPA as program areas of emphasis for 2005. Proposals for other water-quality projects also are eligible. Proposals will be evaluated based on criteria described in the program information available online at: www.epa.gov/owow/watershed/initiative.

Project proposals must be nominated by a governor or tribal leader. Each governor or tribal leader is limited to two intrastate nominations. There is no limit on nominations for interstate proposals. Kansas entities interested in submitting a proposal should contact Debra Baker, Kansas Water Office, (785) 296-3185, e-mail: dbaker@kwo.state.ks.us., for more information. Proposals to be considered for nomination by Gov. Kathleen Sebelius will need to be submitted electronically to the Kansas Water Office by May 2.

Tracy Streeter
Director

Doc. No. 031705

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for February 2005. Copies may be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

P-2005-001 Purchases of tangible personal property and services by political subdivisions.

Opinion Letters

No new publications

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

No new publications

Joan Wagnon
Secretary of Revenue

Doc. No. 031694

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

Table with 3 columns: Date, Item ID, and Item Description. Includes items like Gases, Bottled; Channel Catfish—Urban Stocking Program; Bituminous Plant Mixture, Commercial Grade; etc.

The above referenced bid documents may be downloaded at the following Web site:

http://da.state.ks.us/purch/rfq/

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

http://da.state.ks.us/purch/adds/default/htm

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents, call (785) 296-8899:

Table with 3 columns: Date, Item ID, and Item Description. Includes items like Reroof Hillside KHP Office; Roof Repair; Cottage HVAC Upgrade; etc.

Chris Howe
Director of Purchases

Doc. No. 031708

## State of Kansas

## Commission on Veterans' Affairs

## Notice of Meeting

The Kansas Commission on Veterans' Affairs will conduct a telephonic meeting at 1 p.m. Friday, March 18. The public is invited to attend at one of the following locations: KVEC Central Office, Suite 701, Jayhawk Tower, 700 S.W. Jackson, Topeka; conference room, Eisenhower Administration Building, Kansas Soldiers' Home, 714 Sheridan, Fort Dodge; and MacArthur Room, Timmerman Administration Building, Kansas Veterans' Home, 1220 WWII Memorial Drive, Winfield. For more information, call (785) 296-3976.

Wayne Bollig  
Chief Operations Officer

Doc. No. 031697

## State of Kansas

Department of Health  
and EnvironmentRequest for Bids on the Kansas Childhood  
Lead Poisoning Prevention Program

Sealed bids for the items listed will be received by the Kansas Department of Health and Environment until 2 p.m. on the date indicated. For more information, call (785) 296-1519:

March 3, 2005

264-05-7

## Project Lead Safe KCK—

## Lead Hazard Reduction at the following properties:

Property #1	3030 N. 22nd St. Kansas City, KS 66104
Property #2	6001 Everett Kansas City, KS 66102
Property #3	1225 Sandusky Kansas City, KS 66102
Property #4	1512 N. 40th St. Kansas City, KS 66102
Property #5	1932 Garfield Kansas City, KS 66102
Property #6	2201 Haskell Kansas City, KS 66104

Contractors will be required to attend a walkthrough of each property in order to be eligible to respond to the Invitation for Bid. For times and actual locations, call (913) 262-0796 or go to the following Web site: [http://www.unleadedks.com/contractor\\_info.html](http://www.unleadedks.com/contractor_info.html).

The above referenced bid documents may be downloaded at the Web site listed above.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 031698

(Published in the Kansas Register March 10, 2005.)

## City of Wichita, Kansas

## Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, April 8, for the following project:

(KDOT Project No. 87TE-01956-01/472-83812/203342)

(OCA Code 706876)

## Paving

Bike Path along the Little Arkansas River with rest stations from 13th Street North to 21st Street North

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or to Marty Murphy at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 or Marty Murphy at (316) 268-4488 for extra sets of plans and specifications.

Marty Murphy  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 031703

## State of Kansas

Department of Health  
and EnvironmentNotice 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.

(continued)

**Public Notice No. KS-AG-05-032/033**  
**Application(s) for New or Expansion of Existing Swine Facilities**

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Larry Goodman 2547 15th Road Barnes, KS 66933	Larry Goodman 2547 15th Road Barnes, KS 66933

<b>Legal Description</b>	<b>Receiving Water</b>
SE/4 of Section 13, T03S, R04E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-S037	

This is an application for a permit for the expansion of an existing swine facility. A new or modified permit will not be issued without additional public notice. The operation is adding an additional enclosed unit for 780 head of swine less than 55 pounds (78 animal units) and increasing the stocking density of the existing nursery to 1,200 head (120 animal units). The proposed capacity is for 2,000 head of swine greater than 55 pounds (800 animal units) and 1,980 head of swine less than 55 pounds (198 animal units), for a total of 3,980 head (998 animal units) of swine.

<b>Name and Address of Applicant</b>	<b>Owner of Property Where Facility Will Be Located</b>
Larry Goodman 2547 15th Road Barnes, KS 66933	Larry Goodman 2547 15th Road Barnes, KS 66933

<b>Legal Description</b>	<b>Receiving Water</b>
SE/4 of Section 18, T03S, R05E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-S052	

This is an application for a permit for the construction of a new swine facility. A new or modified permit will not be issued without additional public notice. The operation is proposing two enclosed units for a total of 2,000 head of swine greater than 55 pounds (800 animal units).

**Public Notice No. KS-AG-05-034/037**  
**Pending Permits for Confined Feeding Facilities**

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Meathook Ranch Inc. Fred Berns 1612 60th St. Peabody, KS 66866	SW/4 of Section 03, T22S, R03E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-B009  
 This is a renewal permit for an existing facility for 300 head (150 animal units) of cattle weighing less than 700 pounds.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Don VanScoyoc 875 4th Road Longford, KS 67458	SE/4 of Section 16, T10S, R02E, Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-B002  
 This is a renewal permit for an existing operation. The maximum capacity is 300 head of cattle weighing less than 700 pounds (150 animal units) and 100 head of cattle 700 pounds or more (100 animal units), for a total of 400 head (250 animal units) of cattle.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Zimm's Feedlot Pat Wagler P.O. Box 267 1650 Ave. R Sterling, KS 67579	NE/4 of Section 34, T20S, R08W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-C003 Federal Permit No. KS0086321  
 This is a renewal permit for a maximum of 3,000 head of cattle (3,000 animal units) weighing greater than 700 pounds.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Heritage Feeders Sublette HCR 1, Box 41 Sublette, KS 67877	SW/4 and E/2 of Section 08, W/2 of Section 09, T27S, R32W	Cimarron River Basin

Kansas Permit No. A-CIHS-C003 Federal Permit No. KS0115033  
 This is a modified permit for an existing facility expanding from 50,000 head (50,000 animal units) to 75,000 head (75,000 animal units) of beef cattle. The expansion will be constructed in two phases and includes the addition of approximately 165 acres of pens and associated areas as well as additional waste control structures.

**Public Notice No. KS-05-023/026**

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Andover, City of P.O. Box 295 Andover, KS 67002	Walnut River via Four Mile Creek	Treated Domestic Wastewater

Kansas Permit No. M-WA01-OO03 Federal Permit No. KS0092720  
 Legal: SW¼, S33, T27S, R3E, Butler County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, dissolved oxygen and pH. Monitoring of total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, sulfate and effluent flow also will be required. The permittee shall be required to perform a chronic whole effluent toxicity (WET) test annually and a priority pollutant scan once during the life of this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Shawnee County Parks & Recreation Dept. 3137 S.E. 29th St. Topeka, KS 66605	Soldier Creek via Indian Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS72-OO06 Federal Permit No. KS0117561  
 Legal: SW¼, NE¼, SE¼, S5, T11S, R16E, Shawnee County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring of ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

<b>Name and Address of Applicant</b>	<b>Waterway</b>	<b>Type of Discharge</b>
Wabaunsee County RWD #2 c/o Nathan Anderson, Manager 29959 Highway K-18 Wamego, KS 66547	Kansas River via Antelope Creek	Process Wastewater

Kansas Permit No. I-KS01-PO01 Federal Permit No. KS0095443  
 Legal: SE¼, NE¼, S20, T10S, R10E, Wabaunsee County

Facility Name: Wabaunsee Co. RWD 2 R.O Treatment Plant  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater discharge from a water treatment plant. The wastewater is the reject water from a reverse osmosis unit for nitrate removal and minor amounts of washdown water, laboratory wastewater and neutralized acidic backwash water. The proposed permit includes monitoring for chloride and nitrate and limits for pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Wamego, City of P.O. Box 86 Wamego, KS 66547	Kansas River	Treated Domestic Wastewater
Kansas Permit No. M-KS74-OO02		Federal Permit No. KS0092266

Legal: SW¼, SE¼, NW¼, S10, T10S, R10E, Pottawatomie County  
 Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring of ammonia, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen 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-05-002**

Name and Address of Applicant	Legal Location	Type of Discharge
Naco Industries 3445 W. Jones Ave. Garden City, KS 67846	S3, T24S, R33W, Finney County	Nonoverflowing
Kansas Permit No. I-UA14-NP09		

Facility Description: The proposed action is to reissue an existing permit for operation of the existing wastewater treatment facility treating primarily contact cooling water. This facility manufactures fittings for PVC pipe. Contact cooling water treated with polyglycol E-400 is directed through an oil/water separator to a two-cell double synthetic-lined north cell and a single synthetic-lined holding lagoon. Water from the lagoon is hauled off-site by a commercial wastewater hauler for treatment at the Garden City wastewater treatment plant. Included in this permit is a schedule of compliance requiring the permittee to correct the floating liner. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

**Notice of Intent to Terminate**

Pursuant to the requirements of K.A.R. 28-16-62, the Kansas Department of Health and Environment hereby provides notice of intent to terminate the following KDHE-issued permit:

Name and Address	Document No.
Kansas Diecasting 815 E. Sixth St. Leroy, KS 66857	P-NE42-OO01

Description: The Kansas Department of Health and Environment issued Kansas Water Pollution Control Permit No. P-NE42-OO01 to Kansas Diecasting, 815 E. Sixth St., Leroy, KS 66857, effective July 1, 2002, and expiring June 30, 2007. Kansas Diecasting produces aluminum die casting and screw machine parts when manufacturing parts for air brakes and other special orders. Although process wastes are not discharged to the city sewer, but are hauled off-site for disposal, EPA has required the facility to have a pretreatment permit. Kansas law requires the payment of an annual permit fee. The permittee has not paid the annual permit fee for 2003 and 2004. Therefore, pursuant to K.S.A. 65-166a, KDHE is hereby providing notice of its intent to terminate the permit for failure to pay the annual permit fee. Unless the permittee pays the outstanding permit fees or appeals the termination of the permit within 30 days of publication of this notice, the permit is hereby terminated with no further action by KDHE.

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 at-

tention of April Romero 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 April 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-05-032/037, KS-05-023/026, KS-ND-05-002) 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.

Roderick L. Bremby  
 Secretary of Health  
 and Environment

Doc. No. 031699

State of Kansas

**University of Kansas**

**Notice to Bidders**

Sealed bids for the items listed below will be received by the University of Kansas, Lawrence, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 864-5970 or fax (785) 864-3454 for additional information:

**Monday, March 21, 2005**

**RFQ 85011**

Exterior Signage

**RFQ 39470**

Asphalt/Mill/Overlay Concrete Replacement on Naismith and Irving Hill Road, University of Kansas

**IFB 85014**

Ready-Mixed Concrete and Cement Materials

Barry Swanson  
Director of Purchasing and  
Business Services

Doc. No. 031707

(Published in the Kansas Register March 10, 2005.)

**Summary Notice of Bond Sale**

**City of Fredonia, Kansas**

**\$2,505,000\***

**General Obligation Electric Utility System**

**Refunding Bonds**

**Series A, 2005**

**Bids**

Subject to the notice of bond sale dated March 7, 2005, written and electronic bids will be received by or on behalf of the city administrator of the city of Fredonia, Kansas (the issuer), in the case of written bids, at the address or facsimile number set forth below, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 10 a.m. March 21, 2005, for the purchase of approximately \$2,505,000\* principal amount of General Obligation Electric Utility System Refunding Bonds, Series A, 2005. No bid of less than 98 percent of the principal amount of the Series A, 2005 Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The Series A, 2005 Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Series A, 2005 Bonds will be dated April 1, 2005, and will become due on April 1 in the years as follows:

Year	Principal Amount*
2006	\$180,000
2007	180,000
2008	190,000
2009	190,000
2010	200,000
2011	200,000
2012	205,000

2013	215,000
2014	220,000
2015	230,000
2016	240,000
2017	255,000

The Series A, 2005 Bonds will bear interest from the date thereof at rates to be determined when the Series A, 2005 Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2005.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the Series A, 2005 Bonds registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Delivery**

The issuer will pay for printing the Series A, 2005 Bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 1, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Approval of Series A, 2005 Bonds**

The Series A, 2005 Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the Series A, 2005 Bonds will be furnished and paid for by the issuer, printed on the Series A, 2005 Bonds and delivered to the successful bidder when the Series A, 2005 Bonds are delivered.

**Additional Information**

Additional information regarding the Series A, 2005 Bonds may be obtained from the undersigned at the address set forth below, (620) 378-2231, fax (620) 378-2693, e-mail: rpartington@twinmounds.com; or from the financial advisor, Ranson Financial Consultants, L.L.C., 209 E. Williams, Suite 401, Wichita, KS 67202, Attention: David Shupe, (316) 264-3400, fax (316) 265-5403, e-mail: dshupe@ransonfinancial.com.

**Written Bid Delivery Address:**

Randy Partington  
City Administrator  
314 N. 7th  
Fredonia, KS 66736

**Facsimile Bid Delivery Address:**

Ranson Financial Consultants, L.L.C.  
Attn: David Shupe  
Fax (316) 265-5403

Dated March 7, 2005.

City of Fredonia, Kansas

\* Subject to change.

Doc. No. 031709



(Published in the Kansas Register March 10, 2005.)

**Summary Notice of Bond Sale  
City of Augusta, Kansas  
\$275,000\*  
General Obligation Bonds, Series 2005  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated March 7, 2005, written bids will be received on behalf of the clerk of the city of Augusta, Kansas (the issuer), on behalf of the governing body at 6th and School, P.O. Box 489, Augusta, KS 67010, until 4 p.m. March 21, 2005, for the purchase of \$275,000 principal amount of General Obligation Bonds, Series 2005. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated March 15, 2005, and will become due on October 1 in the years as follows:

Year	Principal Amount*
2006	\$ 5,000
2007	15,000
2008	15,000
2009	15,000
2010	15,000
2011	15,000
2012	20,000
2013	20,000
2014	20,000
2015	20,000
2016	20,000
2017	20,000
2018	25,000
2019	25,000
2020	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2006.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$5,500\* (2 percent of the principal amount of the bonds).

**Adjustment of Issue Size**

The issuer reserves the right to increase or decrease the total principal amount of the bonds, depending on the amount of special assessments that may be prepaid by owners of property benefited by the improvements financed by the bonds.

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about March 31, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$50,395,068. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$7,020,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below:

**Written or Facsimile Bid and Good Faith Deposit**

**Delivery Address:**

Deb Cossel, Clerk  
6th and School  
P.O. Box 489  
Augusta, KS 67010  
(316) 775-4510  
Fax (316) 775-4566  
E-mail: dcossel@augustagov.org

**Facsimile Bid Delivery Address:**

Cooper Malone McClain, Inc.  
Financial Advisor  
7701 E. Kellogg, Suite 700  
Wichita, KS 67207  
Attn: Dave Malone  
(316) 685-5777  
Fax (316) 685-1751  
E-mail: dmalone@cmmci.com

Dated March 7, 2005.

City of Augusta, Kansas

\* Subject to change.

Doc. No. 031710

(Published in the Kansas Register March 10, 2005.)

**Summary Notice of Bond Sale**  
**City of Melvern, Kansas**  
**\$395,000**  
**General Obligation Bonds, Series 2005**  
**(General obligation bonds payable**  
**from ad valorem taxes)**

**Written Bids**

Subject to a notice of bond sale dated February 22, 2005, written bids will be received by the clerk of the city of Melvern, Kansas (the issuer), on behalf of the governing body at City Hall, 141 S.W. Main, P. O. Box 116, Melvern, KS 66510, until 7 p.m. Thursday, March 17, 2005, for the purchase of \$395,000 principal amount of General Obligation Bonds, Series 2005. No bid of less than par value of the bonds and accrued interest thereon from the dated date to the delivery date shall be considered.

**Bond Details**

The Series 2005 Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of bonds maturing in each year. The bonds will be dated April 1, 2005, and will become due on April 1 in the years as follows:

**Series 2005**

<b>Maturity April 1</b>	<b>Principal Amount</b>
2006	\$10,000
2007	\$20,000
2008	\$20,000
2009	\$20,000
2010	\$25,000
2011	\$25,000
2012	\$25,000
2013	\$25,000
2014	\$30,000
2015	\$30,000
2016	\$30,000
2017	\$30,000
2018	\$35,000
2019	\$35,000
2020	\$35,000

The bonds will bear interest from their dated date at rates to be determined when the bonds are sold, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2005.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

**Security**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. (Reference is made to the official notice of bond sale and the city's preliminary official statement for a further discussion of the security for the bonds.)

**Redemption**

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

**Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$7,900 for the Series 2005 Bonds (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 7, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$1,783,036. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$670,000.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Approval of Bonds**

The bonds will be sold subject to the legal opinion of Cosgrove, Webb & Oman, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

**Additional Information**

Additional information regarding the bonds may be obtained from Stacy Denton, city clerk of the issuer, (785) 549-3447, fax (785) 549-3286; or from the financial advisor, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, P. O. Box 781684, Wichita, KS 67278-1684, Attention: Dave Malone, (316) 685-5777, fax 316/685-1751, e-mail: dma-lone@cmmci.com.

City of Melvern, Kansas  
 By Stacy Denton  
 City Clerk  
 141 S.W. Main  
 P.O. Box 116  
 Melvern, KS 66510-0116

Doc. No. 031700

**State of Kansas  
Kansas State University—Salina**

**Notice to Bidders**

Kansas State University—Salina is selling four C-150 Cessna Aircraft (1966-1974-1975-1976). For aircraft details, pricing/pictures/viewing and bid sheets, see the Kansas State University Web site at <http://www.sal.ksu.edu/campusoffices/business/bid-items/index.html>.

Jackie D. Robison  
Procurement Officer

Doc. No. 031659

(Published in the Kansas Register March 10, 2005.)

**Summary Notice of Bond Sale  
Dodge City Community College  
Ford County, Kansas  
\$2,135,000  
General Obligation  
Capital Outlay Bonds, Series 2005  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated February 23, 2005, written and electronic bids will be received on behalf of the secretary of Dodge City Community College, Ford County, Kansas (the issuer), in the case of written bids, on behalf of the governing body at 2501 N. 14th Ave., Dodge City, KS 67801, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 4 p.m. March 30, 2005, for the purchase of approximately \$2,135,000 principal amount of General Obligation Capital Outlay Bonds, Series 2005. No bid of less than 98.75 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 15, 2005, and will become due on June 1 in the years as follows:

Year	Principal Amount
2006	\$360,000
2007	\$385,000
2008	\$450,000
2009	\$465,000
2010	\$475,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning December 1, 2005.

**Optional Book-Entry-Only System**

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$42,700 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 15, 2005, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$246,670,651. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$2,135,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below:

**Written and Facsimile Bid and Good Faith Deposit**

**Delivery Address:**

Vada Hermon  
Director of Business Services  
2501 N. 14th Ave.  
Dodge City, KS 67801  
(620) 225-1321  
Fax (620) 227-9200  
E-mail: [vhermon@dccc.cc.ks.us](mailto:vhermon@dccc.cc.ks.us)

**Financial Advisor**

Ranson Financial Consultants, LLC  
209 E. Williams, Suite 401  
Wichita, KS 67202  
Attn: John Haas  
(316) 264-3400  
Fax (316) 265-5403  
E-mail: [jhaas@ransonfinancial.com](mailto:jhaas@ransonfinancial.com)

Dated February 23, 2005.

Dodge City Community College  
Ford County, Kansas

Doc. No. 031702

## State of Kansas

**Department of Labor  
Division of Workers Compensation**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Friday, May 13, in Hearing Room 2 in the lower lobby of the US Bank Building, 800 S.W. Jackson, Topeka, to consider the adoption of a proposed rule and regulation of the Division of Workers Compensation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the director of the Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentation to 10 minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Paula Greathouse at (785) 296-4000. Parking for individuals with disabilities is located on the second level of the US Bank Building's enclosed parking. Also, the west entrance of the US Bank Building is accessible to individuals with disabilities.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and its economic impact follows:

**K.A.R. 51-9-17** is an updated regulation mandated by K.S.A. 44-557a. It allows entities that must report accidents within 28 days presently using the KWC 1101-A paper form to substitute the IAIABC EDI First Report of Injury once they are approved as an EDI trading partner and deemed in compliance with K.S.A.44-557a. The updated regulation adopts by reference the second version of an implementation guide for claim reporting by electronic data interchange to a data collection agent and has provisions limiting the public availability of claim information in accordance with the Workers Compensation Act.

Since the proposed regulation is voluntary, the economic impact will depend on what method those entities choose to report and the type of network the entity chooses to transmit the reports.

Copies of the regulation and its economic impact statement may be obtained by contacting the Division of Workers Compensation, 7th Floor, US Bank Building, 800 S.W. Jackson, Topeka, 66612-1227, (785) 296-4000.

Jim Garner  
Secretary of Labor

Doc. No. 031696

## State of Kansas

**Kansas Lottery**

**Temporary Administrative  
Regulations**

**Article 2.—LOTTERY RETAILERS**

**111-2-165. Smoker Friendly winner awareness "Starburst" promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Smoker Friendly corporate locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Tuesday, February 1, 2005, and end at the end of the business day as defined at K.A.R. 111-6-1 on Monday, February 28, 2005.

(c) Beginning February 1, 2005, and concluding February 28, 2005, the lottery will conduct a "Starburst" promotion at all the Smoker Friendly corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or online ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

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

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on March 9, 2005. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-2-166. T&E Oil and Wayman Oil winner awareness "Starburst" promotion.** (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all T&E Oil and Wayman Oil corporate locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Tuesday, February 1, 2005, and end at the end of the business day as defined at K.A.R. 111-6-1 on Monday, February 28, 2005.

(c) Beginning February 1, 2005, and concluding February 28, 2005, the lottery will conduct a "Starburst" pro-

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

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

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on March 9, 2005. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-2-28-05, Jan. 19, 2005.)

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

**111-4-2228. "Blackjack" instant ticket lottery game number 440.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blackjack" commencing on or after February 1, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2228.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$4. <sup>00</sup>	FOUR\$
\$6. <sup>00</sup>	SIX\$
\$8. <sup>00</sup>	EGT\$
12. <sup>00</sup>	TWLV
24. <sup>00</sup>	TWNFOR
50. <sup>00</sup>	FIFTY
70. <sup>00</sup>	SEVENTY
\$210\$	TWOTEN
\$700\$	SEVHUN
\$10000	10-THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV

8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST

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

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six 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
SIX	=	\$6.00
TWL	=	\$12.00
TFO	=	\$24.00
FTY	=	\$50.00
THT	=	\$210.00

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

(g) "Blackjack" is a beat the dealer game. The player will remove the scratch-off material over each table play area to reveal three "HANDS," "HAND 1," "HAND 2," and "HAND 3," three "PRIZE" amounts, and one "DEALER'S HAND" on each table. If the sum of a "HAND" is higher than the sum of the "DEALER'S HAND," the player wins the "PRIZE" directly below that "HAND." If the player gets "BLACKJACK" (21) in any "HAND," the player wins double the prize for that "HAND." If the dealer busts, the player wins all three prizes for that table. The cards "J," "Q," and "K" will have a point value of 10. The card "A" will have a point value of 11.

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

	Expected Number of Prizes	Expected Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	60,000	\$0
\$1	\$1	18,000	18,000
\$2	\$2	15,000	30,000
\$1 Doubled	\$2	16,000	32,000
\$4	\$4	6,200	24,800
\$2 + \$2	\$4	6,600	26,400
\$2 Doubled	\$4	8,040	32,160
\$1 + \$1 + \$2	\$4	9,000	36,000
\$6	\$6	700	4,200
\$3 + \$3	\$6	640	3,840
\$2 x 3 (Bust)	\$6	800	4,800
\$12	\$12	220	2,640

(continued)

\$6 + \$6	\$12	240	2,880
\$4 x 3 (Bust)	\$12	300	3,600
\$4 Doubled + \$4	\$12	360	4,320
\$24	\$24	240	5,760
\$12 + \$12	\$24	280	6,720
\$8 x 3 (Bust)	\$24	300	7,200
\$50	\$50	100	5,000
\$2 + \$24 + \$24	\$50	140	7,000
\$210	\$210	4	840
\$70 + \$70 + \$70	\$210	6	1,260
\$700 x 3 (Bust)	\$2,100	4	8,400
\$10,000	\$10,000	4	40,000
TOTAL		<u>143,178</u>	<u>\$307,820</u>

(k) The odds of winning a prize in this game are approximately one in 4.19. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2229. "Single, Double, Triple Play Bingo" instant ticket lottery game number 444.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Single, Double, Triple Play Bingo" commencing on or after February 1, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2229.

(b) The "play symbols" for the four 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. "Play symbols" for the "CALLER'S CARD," and the "BONUS NUMBERS" play areas for this instant game are the following:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63
B04	I19	N34	G49	O64
B05	I20	N35	G50	G65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	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 059.

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

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TRY	=	\$30.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
HFY	=	\$150.00
THN	=	\$200.00
FHN	=	\$500.00

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

(g) "Single, Double, Triple Play Bingo" is a two-part vertically oriented 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 six "GAME CARDS" each containing 24 squares, plus a "FREE" space in the center of each "GAME CARD," for a total of 25 squares. Each square (excluding the FREE space in the center of each "GAME CARD") may contain one, two, or three numbers per square. The "GAME CARDS" are each covered by translucent blue scratch-off.

A 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 wins by matching the "CALLER'S CARD" and "BONUS NUMBERS" to the numbers on the six "GAME CARDS." If the player finds a diagonal, vertical, or horizontal straight line, or four corners of the grid, or an "X" pattern, the player wins a prize according to the prize legend beside the respective "GAME CARD." A player needs only one match per square to complete a winning pattern.

(h) Each ticket in this game may win up to six times. Only the highest prize won on each card will be awarded.

(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:

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Line - Card 1	\$5	46,000	\$230,000
Line - Card 2	\$5	44,000	220,000
Line - Card 3	\$10	10,200	102,000
Line - Card 4	\$10	9,000	90,000
Line - Card 1 & 2	\$10	8,000	80,000
Line - Card 1 & 3	\$15	6,000	90,000
Line - Card 2 & 3	\$15	6,000	90,000
Line - Card 1 & 4	\$15	4,000	60,000
Line - Card 2 & 4	\$15	4,000	60,000
Line - Card 5	\$20	2,000	40,000
4 Corners - Card 1	\$20	2,000	40,000
Line - Card 3 & 4	\$20	1,800	36,000
Line - Card 1 & 5	\$25	1,200	30,000
Line - Card 2 & 5	\$25	1,200	30,000
Line - Card 1 & 2 & 3 & 4	\$30	1,000	30,000
Line - Card 6	\$50	800	40,000
4 Corners - Card 2	\$50	800	40,000
4 Corners - Card 3	\$75	700	52,500

Line - Card 1 & 5 & 6	\$75	700	52,500
Line - Card 2 & 5 & 6	\$75	700	52,500
4 Corners - Card 4	\$100	440	44,000
X - Card 1	\$100	400	40,000
4 Corners - Card 5	\$100	300	30,000
Line - Card 1 & 2 & 3 & 4 & 5 & 6	\$100	300	30,000
(4 Corners - Card 1) + (Line - Card 3 & 5 & 6)	\$100	200	20,000
4 Corners - Card 2 & 4	\$150	100	15,000
4 Corners - Card 2 & 5	\$150	100	15,000
4 Corners - Card 4 & 5	\$200	90	18,000
X - Card 2	\$200	90	18,000
X - Card 3	\$500	60	30,000
4 Corners - Card 6	\$500	40	20,000
X - Card 4	\$1,000	20	20,000
X - Card 5	\$5,000	6	30,000
X - Card 6	\$25,000	6	150,000
TOTAL		<u>152,252</u>	<u>\$1,945,500</u>

(k) The odds of winning a prize in this game are approximately one in 3.94. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-2-28-05, Jan. 19, 2005.)

#### COBALT SPLASH 'N CASH DRAWING

**111-4-2230. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Cobalt Splash 'n Cash Drawing," and will accept entries on and after the day Kansas lottery "Cobalt Splash 'n Cash" instant tickets are first offered for sale to the general public and ending on Saturday, May 14, 2005, as specified in K.A.R. 111-4-2233. The drawing will be held soon after 6:00 p.m. on Saturday, May 14, 2005, at the Kansas lottery selling location at the Wichita River Festival in Wichita, Kansas. Rules applicable to the "Cobalt Splash 'n Cash Drawing" are contained in K.A.R. 111-4-2230 through 111-4-2235 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2231. 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) "Cobalt Splash 'n Cash Drawing" means the act of drawing prizes conducted by the Kansas Lottery at the 2005 Wichita River Festival in Wichita, Kansas, at the time described in K.A.R. 111-4-2233, in which participants are selected to win various prizes as described in K.A.R. 111-4-2232.

(c) "Non-winning ticket" means any valid Kansas "Cobalt Splash 'n Cash" instant game lottery ticket not eligible to win a prize under the rules of the "Cobalt Splash 'n Cash" instant game, and for purposes of this drawing only, tickets entitled to a free admission button prize for the 2005 Wichita River Festival 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 "Cobalt Splash 'n Cash 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. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2232. Prize.** (a) The winner of the grand prize at the "Cobalt Splash 'n Cash Drawing," which will be conducted on May 14, 2005, shall receive a Cobalt model 220 boat, trailer, and boating accessories, together with mandatory federal and state income withholding taxes, property taxes, registration fee, title fee, and cash, having a total cumulative value of approximately \$76,073.00.

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

(c) The winner of the grand prize shall return to the lottery a completed claim form as provided by the lottery no later than 5:00 p.m. on the thirtieth day following the day the claim form is mailed to the person whose name 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. 111-4-2235 shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2233. Method of entry.** (a) Entry into the "Cobalt Splash 'n Cash Drawing" to be conducted on May 14, 2005, shall be accomplished as follows:

(1) Obtain a valid "Cobalt Splash 'n Cash" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Cobalt Splash 'n Cash" game rules. If the ticket is a winning ticket, it is not eligible for the "Cobalt Splash 'n Cash Drawing" and shall be redeemed in accordance with the instant game rules, except that any ticket winning a free admission button for the 2005 Wichita River Festival 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 "Cobalt Splash 'n Cash 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 selling location at the Wichita River Festival between May 6, 2005, and 6:00 p.m. May 14, 2005.

(6) Players may also deposit entries for the "Cobalt Splash 'n Cash Drawing" at any Kansas lottery event at which the lottery has specifically designated a receptacle for deposit of said entries.

(7) Entries other than those entered at the Wichita River Festival shall be mailed with proper postage to "Cobalt Splash 'n Cash Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries must be received by morning mail pickup on Tuesday, May 10, 2005. More than one entry may be mailed in one envelope.

(continued)

(8) The holder of the ticket is not required to personally attend the "Cobalt Splash 'n Cash 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 Saturday, May 14, 2005.

(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 "Cobalt Splash 'n Cash" tickets which are mailed to the "Cobalt Splash 'n Cash Drawing," at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, May 10, 2005, and non-winning "Cobalt Splash 'n Cash" tickets entered into any other receptacle designated by the lottery or at the Wichita River Festival 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 "Cobalt Splash 'n Cash 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. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2234. Certification of drawing.** (a) The "Cobalt Splash 'n Cash 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. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

**111-4-2235. Selection of winner.** The following process shall be used for the selection of a winner in the "Cobalt Splash 'n Cash Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Cobalt Splash 'n Cash Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, May 10, 2005. Following the morning mail pickup on Tuesday, May 10, 2005, 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 Wichita River Festival, and placed in the drawing receptacle or drum with all entries deposited at the festival and into any other receptacle designated by the lottery.

(b) The drawing shall be held at the Kansas lottery selling location at the Wichita River Festival 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 Saturday, May 14, 2005, 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 thoroughly mixed with a shovel or by other means.

(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. 111-4-2157, subject to validation by the lottery as set forth in these rules.

(e) After a single entry has been drawn on May 14, 2005, and the entry has been verified as valid, three more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries for the grand prize. The alternate entries will be marked in order drawn, 1A, 2A, and 3A. The winner shall have until 5:00 p.m. on the thirtieth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded to the first alternate entry drawn. The alternates will be used, if necessary, in the order drawn. If a winner or an alternate winner for the grand 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 "Cobalt Splash 'n Cash 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 prize winner shall be given or sent a prize claim form to be completed and returned as set forth in subsection (e) herein.

(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 "Cobalt Splash 'n Cash" instant tickets are eligible for the drawing.

(i) All "Cobalt Splash 'n Cash" tickets remaining in the drum or receptacle on May 14, 2005, 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. 74-8710; effective, T-111-2-28-05, Jan. 19, 2005.)

Ed Van Petten  
Executive Director

Doc. No. 031659



State of Kansas  
 Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$3,646,209.35 in the underground petroleum storage tank release trust fund and \$1,117,039.91 in the aboveground petroleum storage tank release trust fund at February 28, 2005.

Duane Goossen  
 Secretary of Administration

Doc. No. 031701

State of Kansas  
 Juvenile Justice Authority  
 Permanent Administrative  
 Regulations

Article 1.—GENERAL ADMINISTRATION

**123-1-101. Definitions.** The definitions in this regulation shall be applicable to all regulations of the juvenile justice authority. Unless the context clearly indicates a different meaning, the following terms shall have the meanings assigned in this regulation:

- (a) "Agency" means the juvenile justice authority.
- (b) "Commissioner" means the commissioner of juvenile justice.
- (c) "Facility" means a building or complex of buildings or structures and the associated staff that are organized and operated under the control of the commissioner pursuant to K.S.A. 75-7001 et seq., and amendments thereto, to provide services to juveniles who are under the jurisdiction of the Kansas juvenile justice code.
- (d) "Facility order" means a written directive promulgated by the superintendent or designee of any facility operated by the commissioner that meets the following conditions:
  - (1) Dictates the governance of any aspect of the facility's operations, procedures, processes, or practices; and
  - (2) applies to all individuals at the facility where the written directive is promulgated.
- (e) "Institution" has the meaning specified in K.S.A. 38-1602, and amendments thereto.
- (f) "Internal management policies and procedures" and "IMPPs" mean the agency's written directives and instructions that describe the following:
  - (1) The ways, means, methods, and processes for carrying out the function governed by the specific internal management policies and procedures; and
  - (2) the behavior and conduct required of the group or category of persons governed by specific internal management policies and procedures.
- (g) "Juvenile correctional facility" has the meaning specified in K.S.A. 38-1602, and amendments thereto.
- (h) "Superintendent" means a person appointed by the commissioner pursuant to K.S.A. 75-7025 and 76-3201, and amendments thereto, to operate a facility. This term shall include an acting superintendent when applicable.

This regulation shall be effective on and after April 8, 2005. (Authorized by K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; implementing K.S.A. 75-7001, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

Article 12.—DEFENDER CONDUCT AND  
 PENALTIES

**123-12-101. Offender clothing.** (a) Each offender shall turn in all personal clothing upon admission to a facility. Each offender shall wear only the clothing furnished by the state. However, an exception due to an offender's medical condition may be authorized by the superintendent or designee if the necessity for an exception is attested to or validated by the facility's medical staff or another medical authority approved by the commissioner. All clothing authorized as an exception shall conform in design, construction, and appearance to that clothing provided by the state to the extent that is reasonably practical.

(b) Except for authorized exceptions, an offender shall not wear or have possession of any clothing other than the required and issued items.

(c) Each offender shall follow the facility's orders regarding the clothing care and handling procedures.

(d) No offender's clothing shall be given special treatment in the laundry, clothing distribution room, or at any other point in the process of issuing, turning in, and exchanging clothing. Each exchange of clothing shall be made according to the facility's established schedules and procedures. Each offender shall keep that offender's clothing as neat and clean as the conditions permit.

(e) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-102. Personal cleanliness.** (a) Each offender shall shower or bathe at least three times each week and shall brush the offender's teeth at least once each day.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-103. Tattoos, body markings, and body piercing.** (a) No offender shall place, alter, or remove any tattoo or other body marking on the offender's own body or on the body of another offender. The removal or alteration of any tattoo or body marking shall be performed only by a medically qualified official after written approval has been given by the superintendent.

(b) No offender shall pierce the offender's own body or any body part or that of any other offender.

(c) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-104. Care of living quarters.** (a) Each offender shall keep the offender's living quarters in a neat, clean, and sanitary condition. Clothing shall be neatly hung or stored in designated places. Beds shall be made at all times when not in use. Linens shall be exchanged in accordance with the facility's established procedures. Wash basins and toilet bowls shall be kept clean at all times.

(continued)

(b) Except as permitted by an internal management policy and procedure or facility order, the following requirements shall apply:

(1) No offender shall alter, paint, or otherwise modify the offender's assigned living quarters.

(2) No offender shall alter, paint, or otherwise modify the furniture and equipment located in the offender's living quarters or use the furniture and equipment for other than their intended purpose.

(c) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-105. Unsafe or unsanitary practices.** (a) No offender shall throw trash, rubbish, or debris of any kind upon the floors, sidewalks, or grounds of any facility. All trash, rubbish, and debris of any kind shall be placed in the containers provided for that purpose.

(b) No offender shall spit or otherwise deposit any other bodily fluids or bodily waste upon the floors, walls, and ceilings of any facility building or upon sidewalks and grounds at a facility. No offender shall collect, smear, or throw bodily fluids or wastes.

(c) Each violation of the requirements specified in subsection (a) of this regulation shall be a class III offense. Alternatively, any violation of subsection (a) of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

(d) Each violation of the requirements specified in subsection (b) of this regulation shall be a class II offense. However, if the bodily fluids or wastes are smeared on or thrown at any person, the violation shall be a class I offense. It shall not be a defense that the effort to smear or throw the bodily fluids or wastes on or at another person was unsuccessful.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-106. Hair standards and appearance.** (a)(1) Each offender shall keep the offender's hair neat and clean and shall follow reasonable health and safety standards. Except as specified in paragraph (a)(2), each haircut, which shall include the length of sideburns, shall be in conformance with the applicable facility orders. No offender shall have a beard, moustache, or other form or style of facial hair.

(2) Upon a showing of medical necessity certified by a physician or dentist and with the written approval of the superintendent or designee, the limitations regarding haircuts or facial hair, or both, may be exempted to the limited extent necessitated by the medical condition. The necessity for continuing the exemption shall be reviewed at least every two weeks, except that a condition that has been certified by a physician as being congenital and not likely to change in the foreseeable future shall be reviewed every six months.

(b) Each offender shall wear a hair net when involved in the preparation or serving of food.

(c) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-107. Use of safety devices.** (a) Each offender shall use the safety devices provided, in accordance with the applicable facility orders.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-201. Registration and use of personal property.** (a) Each offender shall ensure that each item of personal property in the offender's possession is properly registered as required by the applicable internal management policy and procedure and facility order. Upon the demand of any staff member, each offender shall without delay produce any personal property registered in the offender's name or issued to the offender, unless the property being demanded has previously been reported lost, using the proper procedure.

(b) No offender shall possess any item of personal property unless the item is properly registered.

(c) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-202. Electronic personal entertainment devices.** (a) No offender shall possess, play, or use any electronic personal entertainment device except as permitted by internal management policies and procedures and facility orders.

(b) Any offender may possess and either play or use a personal radio, a television, or electronic sound equipment only in accordance with applicable facility orders. The size, type, and capacity of the device shall be limited by internal management policies and procedures.

(c) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-203. Theft.** (a) Theft shall include any of the following acts done with the intent to deprive the owner permanently of the possession, use, or benefit of the owner's property or services:

(1) Obtaining or exerting unauthorized control over property or services;

(2) obtaining control over property or services by deception;

(3) obtaining control over property or services by threat; or

(4) obtaining control over stolen property or services and knowing the property or services to have been stolen by another.

(b) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-204. Taking without permission.** (a) No offender, regardless of the offender's intent, shall take any article or property of any kind from any other person or any place without the permission of a person who is authorized to give such permission. No offender shall obtain articles or property of any kind from any other person or any place by fraud or dishonesty.

(b) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-205. Unauthorized dealing and trading.** (a) No offender shall trade, borrow, loan, give, receive, sell, or buy goods, services, or any item with economic or other intrinsic value with, to, or from another person without the written permission of the superintendent or designee.

(b) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-206. Debt adjustment and debt collection prohibited.** (a) Each of the following acts between and among offenders shall be prohibited:

- (1) Debt adjustment; and
- (2) debt collection.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-207. Gambling and bookmaking.** (a) No offender shall make any bet, operate or bank any gambling pool or game, accept or place any bet of another individual, or engage in any form of gambling.

(b) No offender shall possess, transfer, sell, distribute, or obtain dice or any other form or type of gambling paraphernalia.

(c) No offender shall receive, possess, distribute, sell, or transfer lottery tickets.

(d) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-208. Misuse of state property.** (a) No offender shall destroy, damage, deface, alter, misuse, or fail to return when due any article of state property, including clothing and shoes.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-209. Entering into contracts; incurring financial obligations.** (a) No offender shall enter into any contract or incur any financial obligation, including placing orders by mail, without the prior, written approval of the superintendent or designee.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-210. Accounts.** (a) No offender shall establish, operate, negotiate, or otherwise hold or use any checking or savings account other than the offender's trust fund while confined in a juvenile correctional facility without the prior, written approval of the superintendent.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-301. Fighting; violence.** (a) Each of the following acts shall be prohibited, unless the act is done in self-defense:

- (1) Fighting;
- (2) any act other than fighting that constitutes violence; and
- (3) any act that is likely to lead to violence.

(b) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-302. Noise.** (a) No offender shall utter or otherwise make any inappropriate booing, whistling, shouting, hissing, or catcalls, or any other loud and disturbing noises.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-303. Lying.** (a) No offender shall lie, misrepresent the facts, mislead, or otherwise give false or misleading information to an officer, employee, or any other person who is assigned to supervise the offender or who has a right to obtain information from the offender.

(b) No offender shall make any false or misleading allegations against any agency employee, other offender, or any other person.

(c) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-304. Disobeying orders.** (a) Each offender shall promptly and respectfully obey any order, directive,

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or instruction given to the offender by any employee of the agency or by an employee of any other agency or entity in charge of the offender. In case of conflicting orders, the last order given shall be obeyed.

(b) If an order, directive, or instruction is alleged to have been disobeyed, the specific circumstances surrounding the alleged disobedience shall be included in the following:

(1) The disciplinary report in which the charge is brought or made;

(2) the investigative report; and

(3) if used in lieu of testimony, the written statement of the officer who gave the order, directive, or instruction.

(c) Each violation of subsection (a) shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-305. Insubordination or disrespect to employees and volunteers.** (a) Each offender shall be attentive to and respectful towards all employees, including each contractor's employees, and toward all volunteers. Each direct or indirect display of disrespect or argumentation shall be considered insubordination. A brief, initial exchange or discussion between an offender and the other person to clarify an order or other instruction shall be permitted if the exchange or discussion is not conducted in an argumentative or disruptive manner.

(b) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-306. Threatening or intimidating any person.** (a) No offender shall directly or indirectly threaten or intimidate any other person, whether the threat or intimidation is immediate or conditional.

(b) A civilized statement by the offender that the offender may properly use the legal process to enforce rights or redress wrongs, including by the use of the offenders' grievance procedure, shall not be considered a violation of this regulation.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-307. Avoiding an officer, supervisor, or other employee.** (a) No offender shall run from, deliberately evade, or otherwise purposefully avoid any officer, supervisor, or other employee when required, ordered, or requested to be present to talk with, be accounted for, be searched, or be questioned by the officer, supervisor, or other employee.

(b) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-308. Improper use of food.** (a) No offender shall take or accept more food or beverage than the offender will consume. No offender shall waste or deliberately destroy food or beverage. No offender shall carry or otherwise remove any food or beverage from the dining area or kitchen except as allowed by facility orders.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-309. Kitchen utensils and shop tools.** (a) No offender shall remove or have possession of any eating or cooking utensil or shop tool without proper authorization.

(b)(1) Except as specified in paragraph (2) of this subsection, each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation as a class II offense may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

(2) The offender's unauthorized possession or removal of any kitchen utensil or shop tool that is deemed dangerous contraband shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-310. Misconduct in the dining room.** (a) Each offender shall enter and leave the dining room in accordance with the established procedure at each institution and shall act in an orderly manner while in the dining room.

(b) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-311. Drunkenness, intoxication, or altered consciousness.** (a) No offender shall be drunk, intoxicated, or in a chemically induced state of altered consciousness at any time. An exception to this prohibition shall be any instance of an altered state of consciousness induced by prescribed medications taken in accordance with instructions from and while under the care of qualified medical personnel.

(b) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-312. Stimulants, sedatives, drugs, or narcotics; misusing or hoarding authorized or prescribed medication.** (a) No offender shall ingest, inhale, inject, or introduce by any other means any kind of substance into the offender's body or the body of another offender that is capable of producing intoxication, hallucination, stimulation, depression, dizziness, or any other alteration of the offender's state of consciousness or feeling, except for the following:

(1) Approved foods and beverages. Alcohol in any form shall not be deemed an approved food or beverage unless the alcohol is a medicinal ingredient in an authorized or prescribed medication; and

(2) any legal drugs, including medication properly and legally prescribed or authorized for the offender by an authorized licensed physician.

(b) The misuse or hoarding of any authorized or prescribed medication shall be prohibited and shall be defined as follows:

(1) "Misuse" shall mean any use other than that for which the medication was specifically authorized or prescribed.

(2) "Hoarding" shall mean having possession or control of or holding any quantity of authorized or prescribed medication greater than the amount or dosage that has been issued to the offender by medical staff, or greater than the amount that should be remaining if the offender has taken the medication in accordance with the prescription and instructions from medical staff. Approved over-the-counter medications shall be purchased or possessed only in reasonably consumable quantities.

(c) No offender, while in possession or control of any medication, shall leave the medical unit or the area where the medication is issued, unless the removal of the medication from the unit or area has been authorized by medical staff.

(d) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-313. Sexually explicit materials.** (a) No offender shall have in possession or under control any sexually explicit materials, including drawings, paintings, writing, pictures, items, and devices.

(b) Material shall be considered sexually explicit if the purpose of the material is sexual arousal or gratification and the material meets either of the following conditions:

(1) Contains nudity, which shall be defined as the depiction or display of any state of undress in which the human genitals, pubic region, buttock, or female breast at a point below the top of the areola is less than completely and opaquely covered; or

(2) contains any display, actual or simulated, or description of any of the following:

(A) Sexual intercourse or sodomy, including genital-genital, oral-genital, and anal-oral contact, whether between persons of the same or differing gender;

(B) masturbation;

(C) bestiality; or

(D) sadomasochistic abuse.

(c) Each violation of this regulation shall be a class I violation if either of the following conditions applies:

(1) The offender is classified as a sex offender.

(2) The sexually explicit material depicts, describes, or exploits any child under the age of 18 years.

(d) Each violation of this regulation not governed by subsection (c) of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-314. Sexual intercourse; sodomy.** (a) No offender shall commit or induce any other person to commit an act of sexual intercourse or sodomy, even with the consent of the other person. Participation in such an act shall be prohibited.

(b) No offender shall perform any of the following:

(1) Force or intimidate another person to engage in sexual intercourse or sodomy;

(2) solicit or arrange for the application of force or intimidation by another person in order to engage in sexual intercourse or sodomy with another person; or

(3) participate in any scheme or arrangement to force or intimidate another person to engage in sexual intercourse or sodomy.

(c)(1) "Sexual intercourse" shall mean any penetration of the female sex organ by a finger, the male sex organ, or any object. Any penetration, however slight, shall be deemed sufficient to constitute sexual intercourse.

(2) "Sodomy" shall be defined as any of the following:

(A) Oral contact with or oral penetration of the female genitalia or oral contact with the male genitalia;

(B) anal penetration, however slight, of a male or female by any body part or object; or

(C) oral or anal copulation between a person and an animal.

(d) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-315. Lewd acts.** (a) No offender shall engage in a lewd or lascivious manner in any acts of kissing, fondling, touching, or embracing, whether the acts are with a person of the same or opposite sex and whether or not the acts are with the consent of the other person.

(b) No offender shall intentionally expose a sex organ with the knowledge or reasonable anticipation that the offender will be viewed by others and with the intent to arouse or gratify the sexual desires of the offender or another individual.

(c) The first and second violations of this regulation shall be class II offenses. The third violation and each subsequent violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-317. Falsifying documents.** (a) No offender shall falsify any document.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-318. Disruptive behavior.** (a) No offender shall start, solicit, encourage, perform, participate in, or help others to perform or participate in any disruptive behavior.

(b) Each violation of this regulation shall be a class II offense. Alternatively, any violation of this regulation

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may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-319. Riot or incitement to riot.** (a) No offender shall riot or incite others to riot.

(1) "Riot" shall be defined as either of the following:

(A) Any use of force or violence by three or more persons acting together and without the authority of law that produces a breach of the peace on the premises of any juvenile correctional facility, whether within or without the security perimeter itself; or

(B) any threat to use the force or violence described in paragraph (1)(A) of this subsection against any person or property, if accompanied by the power or apparent power of immediate execution.

(2) "Incitement to riot" shall be defined as urging others by words or conduct to engage in riot under circumstances that would produce either a clear and present danger of injury to persons or property or a breach of the peace.

(b) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-321. Conduct regarding visitors and the public.** (a) Each offender shall treat all visitors and other members of the public in a respectful and helpful manner. Each offender shall comply with the applicable regulations, internal management policies and procedures, and facility orders regarding contact with visitors and the public and shall maintain a dignified and respectful demeanor while in the presence of these individuals.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-322. Arson.** (a) No offender shall commit arson.

(b) "Arson" shall be defined as the act of knowingly damaging any property by means of fire or explosive.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-323. Assault.** (a) No offender shall commit assault.

(b) "Assault" shall be defined as an intentional threat to do bodily harm to another, coupled with the apparent or recognizable ability to carry out the threat and resulting in the other person's immediate apprehension or fear of bodily harm. No bodily contact shall be necessary to complete an assault violation.

(c)(1) Except as specified in paragraph (c)(2), each violation of this regulation shall be a class II offense.

(2) Each violation of this regulation shall be a class I offense if the victim is an agency employee, an employee of one of the agency's contractors, or a volunteer.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-324. Battery.** (a) No offender shall commit battery.

(b) "Battery" shall be defined as either of the following:

(1) The unlawful or unauthorized, intentional touching or application of force to the person of another when done in a rude, insolent, or angry manner; or

(2) intentionally or recklessly causing bodily harm to another person.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-325. Offender activity; limitations.** (a)(1) "Proselytizing" shall be defined as an active effort to persuade any person to convert to a religious faith or belief without the person's prior consent. However, nothing in this regulation shall prohibit a one-to-one conversation about religious matters between two individuals freely participating in the conversation.

(2) No proselytizing shall be allowed in any institution.

(3) Each violation of this subsection shall be a class III offense.

(b)(1) No offender shall serve in the capacity of a member of the clergy or a religious instructor at any time except with the recommendation of the chaplain and the prior, written approval of the superintendent.

(2) Each violation of this subsection shall be a class III offense.

(c)(1) "Unsanctioned group" shall mean any ongoing formal or informal organization, association, or group of three or more persons with a common name or identifying sign or symbol that is not recognized by the superintendent and that does not have the superintendent's approval and authorization to exist at the institution.

(2) No offender shall develop, organize, promote, or assist any unsanctioned group. No offender shall engage in any activity likely to result in a demonstration by any unsanctioned group.

(3) No offender shall possess any item associated or identified with any unsanctioned group.

(4) Each violation of this subsection shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-327. Interference with restraints.** (a) No offender shall interfere with or assist or encourage other offenders to interfere in any way with handcuffs or any other restraints that have been, or are being, applied to an offender by an officer or any other employee.

(b) No offender shall remove or attempt to remove handcuffs or other restraints applied to the offender or another offender without the express approval of an officer or other employee authorized to give this approval.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-328. Personal relationships; limitations.**

(a) A "personal relationship" shall be defined as any relationship involving unnecessary familiarity by an offender toward any staff member, contract personnel, volunteer, or employee of any other organization in charge of the offender.

(b) No offender shall initiate, solicit, encourage, establish, or participate in any type of personal relationship with the individuals specified in subsection (a). Any contact other than a polite exchange of remarks or casual conversation between an offender and any of these individuals shall be limited to that contact necessary to carry out official duties and to provide authorized services to the offender in a professional manner.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-401. Programs.** (a) "Program," as used in this regulation, shall mean any of the following activities:

- (1) Any educational program;
- (2) any counseling program;
- (3) any vocational program;
- (4) any physiological or psychological treatment;
- (5) any skill training;
- (6) any work assignment; and
- (7) any other endeavor or project to which an offender has been assigned.

(b)(1) No offender shall intentionally interfere with, delay, disrupt the progress in, or sabotage any program, machinery, system, or product. No offender shall assist or participate with another offender in any of these prohibited actions.

(2) Each violation of this subsection shall be a class I offense.

(c)(1) Each offender shall carry out all programs in the offender's case plan in the manner prescribed by and according to the directives of the offender's supervisor or any other authorized official. The intentional failure of the offender to report to or depart from the location of each assigned program at the prescribed time shall be prohibited.

(2) Each violation of this subsection shall be a class II offense. Alternatively, any violation of this subsection may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

(d)(1) No offender shall slow the progress of a program through carelessness or neglect.

(2) Each violation of this subsection shall be a class II offense. Alternatively, any violation of this subsection may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-501. Answering calls; movement.** (a)(1) Each offender shall respond promptly each time any employee calls the offender's name.

(2) Each offender shall move from place to place within the facility as required by the facility orders.

(3) Each offender who is authorized to move within the facility using a pass issued for that purpose shall meet the following requirements:

(A) Not destroy the pass issued; and

(B) present the pass to the appropriate person at the time and place indicated on the pass.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-502. Responsibility for head counts.**

(a) Each offender shall be present at the proper time and place designated for head counts.

(b)(1) Each offender shall cooperate in the conduct of the head count.

(2) No offender shall intentionally behave in a manner that causes, results in, or is likely to cause or result in a delay that renders the head count inaccurate or difficult to accomplish.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-503. Restricted areas; unauthorized presence; out-of-bounds in assigned living area.** (a) Restricted areas.

(1) Each offender shall be required to know which areas are designated as restricted areas. No offender shall enter a restricted area without a direct order by an employee authorized to render the order or without the superintendent's written permission.

(2) Each violation of this subsection shall be a class II offense. Alternatively, any violation of this subsection may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

(b) Unauthorized presence.

(1) No offender shall be present in any area without authorization. If a pass is required, the offender shall show the offender's pass when asked to do so.

(2) Each violation of this subsection shall be a class III offense.

(c) Out-of-bounds in assigned living area.

(1) No offender shall roam about in the housing unit or be in any place within the housing unit without the permission of the unit manager or officer. This subsection shall apply if the offender's presence in the housing unit is otherwise authorized.

(2) Each violation of this subsection shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-504. Interference with cell operation, locking devices, and visibility.** (a) No offender shall block or otherwise interfere with the opening, closing, or

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locking of any door, cell door, or window, including food passage ports and slots.

(b) No offender shall cover or otherwise obstruct any passageway, door, cell, cell door, window, or observation port, including food passage ports and slots, in a manner that blocks visibility into the cell, room, or space, unless doing so has been expressly approved by the superintendent.

(c) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-505. Restrictions.** (a) No offender shall avoid, break, or violate the terms of any restriction that has been imposed upon the offender.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-505b. Medical restrictions.** (a) No offender shall participate in any program or recreational activities, partake of food or beverage items, or otherwise engage in any activity that is in violation of a documented medical restriction.

(b) Each violation of this regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-506. Official name; alias name.** (a) While committed to an institution, each offender shall respond when the offender is addressed by the offender's official name, as defined in K.A.R. 123-5-101. Each offender shall be referred to in all official transactions, and all correspondence to and from the offender, using the offender's official name.

(b) If the offender's name has been changed from or is otherwise different from the offender's official name, the records may be modified to incorporate the new or different name as an alias name, and the offender may use the alias name in parentheses after the official name.

(c) Each offender shall comply with all directives, references, and orders to the offender issued in the offender's official name.

(d) No charge shall be brought against any offender under this regulation if the offender is the addressee or recipient of any mail, phone call, document, or other communication using other than the official name, unless it is alleged and proven that the offender was a knowing and willing conspirator or instigator of the use of the alias name.

(e) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-601. Mail.** (a) Definitions.

(1)(A) "Legal mail" means mail affecting the offender's right of access to the courts or legal counsel. This term

shall include letters between the offender and any lawyer, a judge, a clerk of a court, or any intern or employee of a law firm, legal clinic, or other legal services organization providing legal services to offenders.

(B) "Official mail" means any mail between an offender and an official of the state or federal government who has the authority to control, or to obtain or conduct an investigation of, the custody or conditions of confinement of the offender.

(C) "Privileged mail" means any mail between the offender and the offender's physician, psychiatrist, psychologist, or other licensed mental health therapist.

(2)(A) "Censor" means to remove or change any part or all of the correspondence or literature.

(B) "Inspect" means to open, shake out, look through, feel, or otherwise check for contraband without reading or censoring. This term shall include any cursory reading necessary to verify that mail is legal or official in nature as permitted by paragraph (f)(3).

(C) "Read" means to read the contents of correspondence or literature to ascertain the content.

(b) General provisions.

(1) Each offender shall comply with the mail procedures and restrictions established by the applicable facility order. Failure to comply with mail procedures or restrictions, or circumventing or attempting to circumvent mail procedures or restrictions by any means, shall be prohibited. The delivery of mail through an employee, volunteer, teacher, or any other person who is not authorized to perform functions related to the established mail-handling system shall be prohibited.

(2) Items identified as contraband shall be dealt with as provided in subsection (d) and then either returned to the sender, at the offender's expense, or destroyed, at the offender's option. All items that are illegal under Kansas or federal law shall be seized and held as evidence for other law enforcement officers.

(3) All incoming mail shall identify the offender recipient by name and offender identification number.

(4) Each violation of mail regulations of the juvenile justice authority, facility orders, or the laws of Kansas or the United States may result in additional mail restrictions upon the offender that are sufficient to prevent the continuation or reoccurrence of the violation.

(5) All funds sent to offenders shall be in the form of a money order, a cashier's check, or a certified check.

(6) Any incoming or outgoing mail other than legal, official, or privileged mail may be inspected or read at any time.

(7) Incoming mail addressed solely to a specified offender and not otherwise subject to censorship shall be delivered regardless of whether the mail is sent free of charge or at a reduced rate. All incoming mail shall nonetheless bear the sender's name and address on the envelope, or this mail shall not be delivered and shall be subject to censorship in accordance with subsection (d).

(8) Any outgoing first-class letters may be sent to as many people and to whomever the offender chooses, subject to the restrictions in this regulation.

(9) Outgoing offender mail shall bear the full official name, offender number, and address of the sender, and the name and address of the intended recipient. No other



words, drawings, or messages shall be placed on the outside of the envelope or package by an offender except words describing the mail as being legal, official, or privileged, or words intended to aid postal officials in delivery of the item. Outgoing offender mail shall be stamped by the institution to indicate that it was mailed from a juvenile correctional facility and that it has not been censored.

(10) No offender shall correspond with any person who has filed a written objection to the correspondence with the superintendent of the facility.

(A) The offender shall be notified of the objection in writing when it is received, but shall not be required to be informed of the exact contents of the objection.

(B) In the instance of unwanted correspondence to a minor, the objection shall be filed by the parent or guardian of the minor.

(C) Orders shall be developed by the superintendent of each facility to prevent further correspondence from being sent to those who have filed an objection.

(D) This regulation shall not prevent an offender from writing to the offender's natural or adoptive child, unless the child was the victim of the crime for which the offender is incarcerated, the person having legal custody of the child files a written objection with the superintendent, and the offender has not obtained a court order permitting this written communication with the child.

(c) Legal, official, and privileged mail.

(1) Subject to the provisions of paragraph (f)(3), outgoing privileged, official, or legal mail sent by any offender shall be opened and read only upon authorization of the superintendent for good cause shown. However, if any offender threatens or terrorizes any person through this mail, any subsequent mail, including official or legal mail, from the offender to the person threatened or terrorized may, at the request of that person, be read and censored for a time period and to the extent necessary to remedy the abuse.

(2) Incoming mail clearly identified as legal, official, or privileged mail shall be opened only in the offender's presence. This mail shall be inspected for contraband but shall not be read or censored, unless authorized by the superintendent based upon a documented previous abuse of the right or other good cause.

(d) Censorship grounds and procedures.

(1) Incoming or outgoing mail, other than legal, official, or privileged mail, may be censored only when there is reasonable belief in any of the following:

(A) There is a threat to institutional safety, order, or security.

(B) There is a threat to the safety and security of public officials or the general public.

(C) The mail is being used in furtherance of illegal activities.

(D) The mail is correspondence between offenders, including any former offender regardless of current custodial status, that has not been authorized according to subsection (e). Correspondence between offenders may be inspected or read at any time.

(E) The mail contains sexually explicit material, as defined and proscribed in K.A.R. 123-12-313.

(2) If any communication to or from an offender is censored, all of the following requirements shall be met:

(A) Each offender shall be given a written notice of the censorship and the reason for the censorship, without disclosing the censored material.

(B) Each offender shall be given the name and address of the sender of incoming mail, if known, or the addressee of outgoing mail and the date the item was received in the mail room. It shall be the responsibility of the offender to contact the sender of censored incoming mail or the addressee of censored outgoing mail, if the offender so desires.

(C) The author or addressee of the censored correspondence shall be given a reasonable opportunity to protest the decision.

(D) All protests shall be referred to a correctional facility official other than the person who originally disapproved the correspondence.

(e) Offender correspondence with other offenders. Offenders sentenced to commitment in a juvenile correctional facility shall not correspond with any person who is in the custody of or under the supervision of any state, federal, county, community corrections, or municipal law enforcement agency, or with any offender formerly committed to a juvenile correctional facility regardless of current custodial status, unless either of these conditions is met:

(1) The proposed correspondents are members of the same immediate family or are parties in the same legal action, or one of the persons is a party and the other person is a witness in the same legal action.

(2) Permission for the correspondence is granted due to exceptional circumstances. Verification and approval of offender correspondence shall be conducted pursuant to the internal management policies and procedures.

(f) Writing supplies and postage.

(1) Stationery shall be available for purchase from the offender canteen.

(2) Indigent offenders, as defined by the internal management policies and procedures, shall receive reasonable amounts of free writing paper, envelopes, and postage for first-class domestic mail weighing one ounce or less, not to exceed four letters per month or any other limits established by the commissioner or superintendent.

(3) All postage for legal and official mail shall be paid by the offender, unless the offender is indigent, as defined by the internal management policies and procedures. The cost of postage for legal or official mail paid by the facility on behalf of an indigent offender shall be deducted from the offender's funds, if available. Credit for postage for legal and official mail shall be extended to indigent offenders under the terms and conditions of the internal management policies and procedures. Outgoing legal or official mail sent with postage provided on credit shall be subject to inspection and cursory reading in the presence of the offender for the purpose of ascertaining that the mail is indeed legal or official mail, and the offender shall then be permitted to seal the envelope containing the mail.

(4) The facility shall not pay postage for offender groups or organizations.

(g) Publications.

(1) Offenders may receive books, newspapers, and periodicals as approved by the internal management policies and procedures or facility orders, except for offenders while assigned to an intake, reception, and diagnostic

*(continued)*

unit for evaluation purposes. All books, newspapers, and periodicals shall be purchased through special purchase orders. Only books, newspapers, and periodicals received directly from a publisher or a vendor shall be accepted. However, each offender shall be permitted to receive printed material, including newspaper and magazine clippings, if the material is included as part of a first-class letter that does not exceed one ounce in total weight.

(2) The procedures for censorship of mail listed in subsection (d) of this regulation shall be used for censorship of publications.

(3) No publication that meets either of the following conditions shall be allowed into the facility:

(A) Contains sexually explicit material, as described in K.A.R. 123-12-313, or is otherwise illegal, in whole or in part; or

(B) Meets, in whole or in part, the test for censorship of mail in subsection (d) of this regulation.

(4) Each offender shall have the option of having censored publications in their entirety either mailed out of the facility at the offender's expense or discarded.

(5) Before transferring between institutions or before being released on conditional release, the offender shall arrange for a change of address for newspapers and periodicals. Newspapers and periodicals shall not be forwarded for more than 30 days after the date of the transfer or release.

(h) Penalty. Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-602. Posting notices and distributing written materials.** (a) No offender shall post or distribute any written materials without the prior, written approval of the superintendent or designee.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-702. Legal assistance by offenders.** (a) In accordance with applicable facility orders, any offender may provide assistance pertaining to legal matters to another offender if both of the following conditions are met:

(1) The offender receiving the assistance has requested that the assistance be provided by the other offender.

(2) The offender providing the assistance neither requests nor accepts any gratuity or favor for providing the assistance.

(b) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-801. Bulletin boards; publishing facility orders.** (a) Each offender shall comply with all facility orders posted on bulletin boards designated for publishing facility orders.

(b) Each facility order shall be deemed published upon being posted on a bulletin board that is designated for this purpose.

(c) Each bulletin board designated for publishing facility orders shall be under the exclusive control of the superintendent.

(1) No offender shall post any item on any facility bulletin board unless directed by an agency employee to do so.

(2) No offender shall remove any item from any facility bulletin board unless directed by an agency employee to do so.

(d) Each violation of this regulation shall be a class II offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-901. Dangerous contraband.** (a) "Dangerous contraband" shall be defined as any of the following:

(1) Any item, including any ingredient, part, or instructions on the creation of an item, that meets the following conditions:

(A) Is inherently capable of causing serious damage to persons or property or is capable or likely to produce or precipitate seriously dangerous situations or conflict; and

(B) Is not issued by the juvenile justice authority or the facilities, sold through the canteen, or specifically authorized or permitted by facility order for use or possession in the institution;

(2) any item the possession of which can be the basis for a felony charge under the laws of Kansas or the United States;

(3) any item that, although authorized, is misused in a way that could cause serious damage to persons or property or is likely to precipitate seriously dangerous situations or conflicts; or

(4) any item the possession of which would constitute traffic in contraband in violation of K.S.A. 21-3826, and amendments thereto.

(b) All contraband shall be confiscated and may be ordered forfeited by the offender at the discretion of the disciplinary hearing officer.

(c) No offender shall possess, hold, sell, transfer, receive, control, distribute, or solicit any dangerous contraband.

(d) Each violation of this regulation shall be a class I offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-902. Less dangerous contraband.** (a) "Less dangerous contraband" shall be defined as either of the following:

(1) Any item, including any ingredient, component, or instructions on the creation of an item, that is moderately dangerous in the institutional environment and is not issued by the agency, sold through the institution's canteen, or specifically authorized or permitted by internal management and policy and procedure or facility order; or

(2) any item that, although authorized, is misused in a way that causes or is likely to cause moderate danger to persons or property.

(b) All contraband shall be confiscated and may subsequently be ordered forfeited by the offender at the discretion of the disciplinary hearing officer.

(c) (1) No offender shall possess, hold, sell, transfer, receive, control, distribute, or solicit any less dangerous contraband or any other types of contraband.

(2) Each violation of this subsection shall be a class II offense. Alternatively, any violation of this regulation may be handled according to the summary disposition procedure specified in K.A.R. 123-13-201b.

(d) (1) No offender shall possess papers, bottles, containers, trash, or any other items in excess of those limits established by regulation, internal management policy and procedure, and facility order.

(2) The possession of excess items described in this subsection shall be considered to be the possession of nuisance contraband and shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1001. Violation of statutes and regulations.** Except as otherwise provided in these regulations, the following classifications shall apply:

(a) Each violation of any state or federal statute that is designated as a felony crime under Kansas law shall be a class I offense.

(b) Each violation of any state or federal statute that is designated as a misdemeanor crime under Kansas law shall be a class II offense.

(c) Each violation of any civil penalty statute or any regulation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1002. Violation of internal management policy and procedure or facility order.** (a) Each violation of any internal management policy and procedure shall be an offense of the class specified in the internal management policy and procedure. If no class is specified in the internal management policy and procedure, the violation shall be a class III offense.

(b) Each violation of any facility order shall be an offense of the class specified in the facility order. If no class is specified in the facility order, the violation shall be a class III offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1101. Anticipatory and facilitating offenses: attempt, conspiracy, solicitation, and accessory.**

(a) No offender shall attempt or conspire to violate any law, regulation, internal management policy and procedure, or facility order. Each attempt or conspiracy to violate any law, regulation, internal management policy and procedure, or facility order shall carry the same penalty as that for the offense itself.

(b) No offender shall solicit or be an accessory for another person to violate any law, regulation, internal man-

agement policy and procedure, or facility order. Each occasion of soliciting or acting as an accessory for another to commit any violation of any law, regulation, internal management policy and procedure, or facility order shall carry the same penalty as that for the offense itself.

(c) The specific law, regulation, internal management policy and procedure, or facility order that is the basis of the attempt, conspiracy, solicitation, or accessory activity shall be stated and described in the disciplinary report.

(d)(1) Attempt.

(A) An "attempt" shall be defined as any overt or evident act toward the perpetration of activity that is prohibited by law, regulation, internal management policy and procedure, or facility order by an offender who intends to commit the prohibited activity but fails in the perpetration of the prohibited activity or is prevented from or intercepted in the execution of the prohibited activity.

(B) It shall not be a defense to a charge of attempt that the circumstances under which the act was performed, the means employed, or the act itself were such that the commission of the prohibited activity was not possible.

(2) Conspiracy.

(A) A "conspiracy" shall be defined as an agreement with another person to commit an act that is prohibited by law, regulation, internal management policy and procedure, or facility order or to assist in committing the prohibited act. No offender may be convicted of a conspiracy unless an overt act furthering that conspiracy is alleged and proved to have been committed by the offender or by a co-conspirator.

(B) It shall be a defense to a charge of conspiracy that the accused voluntarily and in good faith withdrew from the conspiracy and communicated the fact of the offender's withdrawal to one or more of the accused conspirators, before any overt act furthering the conspiracy was committed by the accused or by a co-conspirator.

(3) Solicitation.

(A) "Solicitation" shall be defined as the commanding of, encouraging, or requesting another person to commit, to attempt to commit, or to aid and abet for the purpose of promoting or facilitating the commission or attempted commission of an act that is prohibited by law, regulation, internal management policy and procedure, or facility order.

(B) It shall not be a defense to a charge of solicitation that the offender failed to communicate with the person solicited to commit the prohibited act if the offender's conduct was designed to effect a communication. It shall be a defense to a charge of solicitation that the offender, after soliciting another person to commit an offense, persuaded that person not to do so or otherwise prevented the commission of the offense, under circumstances manifesting a complete and voluntary renunciation of the offender's prohibited purposes.

(4) Accessory. Being an "accessory" to an offense shall be defined as knowingly harboring, concealing, or aiding any offender who has committed an act that is prohibited by law, regulation, internal management policy and procedure, or facility order or any offender who has been charged with committing an act that is prohibited by law, regulation, internal management policy and procedure, or facility order, with intent that the offender will avoid

(continued)

or escape apprehension, disciplinary hearing, conviction, or punishment for the prohibited act.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1201. Increased penalty for involving or victimizing an offender under 16.** For any offender who is 16 years of age or older and guilty of any offense defined in these regulations, the penalty imposed on the offender may be double the penalty that is otherwise established for the offense under these regulations if any of the following conditions exists:

(a) The offense was committed with another offender who was a principal in the offense and was younger than 16 years of age when the offense was committed.

(b) The offense was an anticipatory or facilitating offense as defined in K.A.R. 123-12-1101, and another offender who was involved as a principal in the offense was younger than 16 years of age when the offense was committed.

(c) Any victim of the offense was younger than 16 years of age when the offense was committed.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1202. Conviction of four offenses in six months.** Subject to any limitation specified in K.A.R. 123-12-1308, upon conviction of the fourth offense of the same or more serious class within the previous six months, the hearing officer may impose a sentence not greater than twice the maximum that can otherwise be imposed for that class of offense.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1301. Class I offenses and penalties.** (a) Class I offenses shall be defined as the following:

(1) The violations designated as class I offenses by these regulations;

(2) the violations designated as felonies by state or federal law; and

(3) the violations designated as class I offenses by internal management policies and procedures and by facility orders.

(b) The penalty for each class I offense may be any of the following, or any combination:

(1) Disciplinary segregation, not to exceed 30 days;

(2) forfeiture of good time credits, not to exceed six months;

(3) extra work for up to two hours per day, not to exceed 30 days;

(4) restriction to the offender's cell or living quarters, not to exceed 10 days;

(5) restriction from privileges, not to exceed 60 days;

(6) restitution; or

(7) an oral or written reprimand.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130,

K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1302. Class II offenses and penalties.** (a) Class II offenses shall be defined as the following:

(1) The violations designated as class II offenses by these regulations;

(2) the violations designated as misdemeanors by state or federal law; and

(3) the violations designated as class II offenses by internal management policies and procedures and by facility orders.

(b) The penalty for each class II offense may be any of the following or any combination:

(1) Disciplinary segregation, not to exceed 15 days;

(2) forfeiture of good time credits, not to exceed three months;

(3) extra work for up to two hours per day, not to exceed 20 days;

(4) restriction to the offender's cell or living quarters, not to exceed seven days;

(5) restriction from privileges, not to exceed 30 days;

(6) restitution; or

(7) an oral or written reprimand.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1303. Class III offenses and penalties.** (a) Class III offenses shall be defined as the following:

(1) The violations designated as class III offenses by these regulations; and

(2) any violation of a regulation, internal management policy and procedure, or facility order within which the designation of the class of the offense for a violation is not specified.

(b) The penalty for each class III offense may be any of the following or any combination:

(1) Restriction to the offender's living quarters, not to exceed three days;

(2) restriction from privileges, not to exceed 20 days;

(3) extra work for not more than two hours per day, not to exceed 10 days;

(4) restitution; or

(5) an oral or written reprimand.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1306. Use of restitution.** (a) When restitution is used in the disciplinary process, the following requirements and limitations shall apply:

(1) The amount and manner of payment of restitution imposed may be appealed in the same manner and to the same extent as those for any other appeal of sentence in the disciplinary process.

(2) The amount of restitution ordered shall be fair and shall not be used in a way that disrupts family support payments, tax payments, or court-ordered restitution.

(3) No offender shall be required to continue payment on any restitution imposed under these regulations while

released from confinement. If the offender is readmitted to a juvenile correctional facility, any balance due on the order of restitution may be collected.

(4) Restitution shall be paid out of money available to the offender from any legitimate source of funds, including any gainful work program. Restitution payment shall be limited to a reasonable amount and, if proper under the circumstances, shall be made in installments.

(5) The offender shall be given notice, not later than the beginning of the disciplinary hearing, of the basis for seeking restitution and shall be given an opportunity during the disposition phase of the disciplinary proceedings to present evidence regarding the appropriate amount of restitution. The hearing officer shall limit the evidence to a reasonable amount and extent appropriate to the nature of the administrative hearing, the level of the offense, and the extent of possible impact on the offender's resources.

(b) If restitution is paid to the state, the money shall be deposited in the state general fund. If restitution is paid to another offender, the money shall be transferred from the account of the offender payer to the account of the

offender payee after the conclusion of the entire disciplinary process, including any appeal. If restitution is paid to any other person, the hearing officer shall determine how payment is to be made, and the payment arrangements shall be reviewed by the superintendent for consideration for approval.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 2004 Supp. 75-7024 and K.S.A. 76-3203; effective April 8, 2005.)

**123-12-1308. Disciplinary segregation; limits.** The continuous confinement of an offender in disciplinary segregation for more than 30 days shall require the superintendent's review and approval.

This regulation shall be effective on and after April 8, 2005. (Authorized by and implementing K.S.A. 38-16,130, K.S.A. 2004 Supp. 75-7024, and K.S.A. 76-3203; effective April 8, 2005.)

Denise L. Everhart  
Commissioner

Doc. No. 031674

**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 2003 Volumes and 2004 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-9-4	Amended	V. 23, p. 718
1-45-18	Amended (T)	V. 23, p. 424
1-45-18	Amended	V. 23, p. 1044
1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045
1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
1-45-24	Amended	V. 23, p. 1045

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-8-14a	Amended (T)	V. 23, p. 900
4-8-14a	Amended	V. 23, p. 1102
4-8-27 through 4-8-37	Amended	V. 23, p. 1102, 1103
4-8-39	Amended	V. 23, p. 1103
4-8-40	Amended (T)	V. 23, p. 901
4-8-40	Amended	V. 23, p. 1103
4-8-42	Amended	V. 23, p. 1103
4-11-2	Amended	V. 23, p. 895
4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
4-11-8	Amended	V. 23, p. 896
4-11-9	Amended	V. 23, p. 896
4-11-14	Amended	V. 23, p. 896
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95
4-28-1	New (T)	V. 23, p. 1597
4-28-2	New (T)	V. 23, p. 1597
4-28-1 through 4-28-7	New	V. 24, p. 145, 146

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

Reg. No.	Action	Register
5-3-4e	Amended (T)	V. 23, p. 1284
5-3-4e	Amended	V. 23, p. 1580
5-3-5o	New	V. 23, p. 1130
5-3-29	New (T)	V. 23, p. 1284
5-3-29	New	V. 23, p. 1580
5-17-1 through 5-17-18	New	V. 23, p. 1131-1137
5-22-1	Amended	V. 23, p. 1534
5-22-4b	New	V. 23, p. 1536
5-22-4c	New	V. 23, p. 1536
5-22-4d	New	V. 23, p. 1537
5-22-6	Amended	V. 23, p. 1634
5-22-7	Amended	V. 23, p. 1537
5-22-8	Amended	V. 23, p. 1538
5-22-9	Amended	V. 23, p. 1538
5-22-10	New	V. 23, p. 1635
5-22-13	New	V. 23, p. 1636
5-22-14	New	V. 23, p. 1636
5-22-15	New	V. 23, p. 1637
5-22-17	New	V. 23, p. 1539
5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-18-1	Revoked	V. 23, p. 1366
7-18-2	Revoked	V. 23, p. 1366
7-18-3	Revoked	V. 23, p. 1366
7-27-1	Amended	V. 23, p. 1366
7-29-2	Amended	V. 23, p. 1366
7-34-2	New (T)	V. 24, p. 42

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-2-32	Amended (T)	V. 24, p. 272
9-11-10	Amended (T)	V. 24, p. 272

**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

Reg. No.	Action	Register
10-22-1	New	V. 24, p. 245

**AGENCY 11: STATE CONSERVATION COMMISSION**

Reg. No.	Action	Register
11-11-1 through 11-11-7	New	V. 24, p. 242-244

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-1-7	Amended	V. 24, p. 95
16-4-2	New	V. 24, p. 95
16-4-3	New	V. 24, p. 95
16-4-4	New	V. 24, p. 96
16-6-1	Amended	V. 24, p. 96

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-1-2	Amended	V. 23, p. 978
22-1-7	New	V. 23, p. 978

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 23, p. 202
28-1-4	Amended	V. 23, p. 203
28-1-20	Amended	V. 23, p. 360
28-4-576	Amended (T)	V. 23, p. 389
28-4-576	Amended	V. 23, p. 1255
28-4-577	Amended (T)	V. 23, p. 390
28-4-577	Amended	V. 23, p. 1257
28-4-578	Amended (T)	V. 23, p. 391
28-4-578	Amended	V. 23, p. 1257
28-4-583	Amended (T)	V. 23, p. 392
28-4-583	Amended	V. 23, p. 1258
28-4-585	Amended (T)	V. 23, p. 392
28-4-585	Amended	V. 23, p. 1259
28-4-587	Amended (T)	V. 23, p. 394
28-4-587	Amended	V. 23, p. 1260
28-4-590	Amended (T)	V. 23, p. 396
28-4-590	Amended	V. 23, p. 1262
28-4-591	Amended (T)	V. 23, p. 397
28-4-591	Amended	V. 23, p. 1264
28-4-600 through 28-4-613	New	V. 23, p. 957-962
28-4-700 through 28-4-705	New (T)	V. 23, p. 398-400
28-4-705	New	V. 23, p. 1265, 1266
28-15-11	Revoked	V. 23, p. 1367
28-15-13	Revoked	V. 23, p. 1367
28-15-14	Revoked	V. 23, p. 1367

(continued)

28-15-15a	Revoked	V. 23, p. 1367	28-35-146	Amended	V. 23, p. 1404	66-14-5	Amended	V. 24, p. 81
28-15-16	Amended	V. 23, p. 1367	28-35-146a	New	V. 23, p. 1404	<b>AGENCY 68: BOARD OF PHARMACY</b>		
28-15-18	Amended	V. 23, p. 1367	28-35-147	Revoked	V. 23, p. 1404	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15-20	Revoked	V. 23, p. 1368	28-35-147a	New	V. 23, p. 1404	68-1-3a	Amended	V. 23, p. 1739
28-15-21	Revoked	V. 23, p. 1368	<b>(By Department of Agriculture)</b>			68-7-20	New	V. 23, p. 382
28-15-22	Revoked	V. 23, p. 1368	28-36-1	Revoked	V. 24, p. 146	<b>AGENCY 69: BOARD OF COSMETOLOGY</b>		
28-15-35	Amended	V. 23, p. 305	28-36-32	Revoked	V. 24, p. 146	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15-36	Amended	V. 23, p. 309	28-36-60	Revoked	V. 24, p. 146	69-1-4	Amended (T)	V. 24, p. 14
28-15a-2	New	V. 23, p. 1368	28-36-120	Revoked	V. 24, p. 146	<b>AGENCY 70: BOARD OF VETERINARY EXAMINERS</b>		
28-15a-3	New	V. 23, p. 1368	<b>AGENCY 30: SOCIAL AND REHABILITATION SERVICES</b>			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-4	New	V. 23, p. 1368	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	70-5-1	Amended	V. 23, p. 360
28-15a-6	New	V. 23, p. 1369	30-4-50	Amended	V. 23, p. 894	<b>AGENCY 71: KANSAS DENTAL BOARD</b>		
28-15a-11	New	V. 23, p. 1369	30-4-90	Amended (T)	V. 23, p. 897	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-21	New	V. 23, p. 1369	30-4-90	Amended	V. 23, p. 1104	71-1-1	Revoked	V. 23, p. 151
28-15a-23 through			30-5-59	Amended	V. 23, p. 1637	71-1-2	Revoked	V. 23, p. 151
28-15a-29	New	V. 23, p. 1369, 1370	30-5-64	Amended	V. 23, p. 1717	71-1-3	Revoked	V. 23, p. 151
28-15a-31	New	V. 23, p. 1370	30-5-71	Amended	V. 23, p. 1211	71-1-8	Revoked	V. 23, p. 151
28-15a-33	New	V. 23, p. 1370	30-5-81u	Amended	V. 24, p. 271	71-1-10	Revoked	V. 23, p. 151
28-15a-41	New	V. 23, p. 1370	30-6-91	New	V. 23, p. 894	71-1-11	Revoked	V. 23, p. 151
28-15a-42	New	V. 23, p. 1370	30-10-18	Amended (T)	V. 24, p. 23	71-1-15	Amended	V. 23, p. 151
28-15a-43	New	V. 23, p. 1370	30-46-10	Amended	V. 23, p. 977	71-2-1	Revoked	V. 23, p. 151
28-15a-60 through			30-46-13	Amended	V. 23, p. 978	71-2-4	Revoked	V. 23, p. 151
28-15a-66	New	V. 23, p. 1370	30-46-15	Amended	V. 23, p. 978	71-2-5	Amended	V. 23, p. 717
28-15a-70	New	V. 23, p. 1370	30-46-16	Amended	V. 23, p. 978	71-2-6	Revoked	V. 23, p. 718
28-15a-72 through			30-46-17	Amended	V. 23, p. 978	71-2-7	Amended	V. 23, p. 718
28-15a-76	New	V. 23, p. 1370, 1371	<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>			71-2-9	Revoked	V. 23, p. 151
28-15a-80 through			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	71-2-11	Amended	V. 23, p. 1286
28-15a-91	New	V. 23, p. 1371	36-41-1			71-2-12	Revoked	V. 23, p. 151
28-15a-100	New	V. 23, p. 1371	36-41-5	New (T)	V. 24, p. 273, 274	71-3-2	Amended	V. 23, p. 1286
28-15a-101	New	V. 23, p. 1371	<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>			71-3-4	Amended	V. 23, p. 1286
28-15a-110	New	V. 23, p. 1371	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	71-3-5	Revoked	V. 23, p. 151
28-15a-111	New	V. 23, p. 1371	40-1-48	Amended	V. 23, p. 426	71-3-9	New	V. 23, p. 1286
28-15a-130 through			40-1-50	New (T)	V. 23, p. 244	71-4-1	Amended	V. 23, p. 151
28-15a-135	New	V. 23, p. 1371, 1372	40-1-50	New	V. 23, p. 951	71-4-3	Revoked	V. 23, p. 152
28-15a-151 through			40-1-51	New	V. 23, p. 361	71-6-1	Amended	V. 23, p. 383
28-15a-155	New	V. 23, p. 1372	40-2-26	Amended	V. 23, p. 151	71-6-5	Amended	V. 23, p. 718
28-15a-170	New	V. 23, p. 1372	40-2-27	New	V. 23, p. 825	71-7-1	New	V. 23, p. 152
28-15a-172 through			40-3-6	Amended	V. 23, p. 1212	<b>AGENCY 82: STATE CORPORATION COMMISSION</b>		
28-15a-175	New	V. 23, p. 1372, 1373	40-3-20	Revoked	V. 23, p. 693	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-201 through			40-3-53	New (T)	V. 24, p. 15	82-3-101	Amended	V. 23, p. 426
28-15a-210	New	V. 23, p. 1373	<b>AGENCY 44: DEPARTMENT OF CORRECTIONS</b>			82-3-108	Amended	V. 23, p. 1739
28-15a-500 through			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-123	Amended	V. 23, p. 1740
28-15a-503	New	V. 23, p. 1373, 1374	44-5-115	Amended (T)	V. 23, p. 384	82-3-123a	Amended	V. 23, p. 1740
28-15a-530 through			44-5-115	Amended	V. 23, p. 952	82-3-138	Amended	V. 23, p. 1741
28-15a-536	New	V. 23, p. 1374	44-7-104	Amended (T)	V. 23, p. 385	82-3-208	Amended	V. 23, p. 1741
28-15a-540 through			44-7-104	Amended	V. 23, p. 953	82-3-301	Revoked	V. 23, p. 1742
28-15a-544	New	V. 23, p. 1374	44-7-113	Amended (T)	V. 23, p. 386	82-3-304	Amended	V. 23, p. 1742
28-15a-550 through			44-7-113	Amended	V. 23, p. 955	82-3-312	Amended	V. 23, p. 1742
28-15a-544	New	V. 23, p. 1374	44-12-313	Amended (T)	V. 23, p. 386	82-3-314	New	V. 23, p. 1743
28-15a-553	New	V. 23, p. 1374	44-12-313	Amended	V. 23, p. 955	82-3-600	Amended	V. 23, p. 429
28-15a-560 through			44-12-601	Amended (T)	V. 23, p. 387	82-3-600a	Amended	V. 23, p. 430
28-15a-564	New	V. 23, p. 1374, 1375	44-12-601	Amended	V. 23, p. 955	82-3-600b	Revoked	V. 23, p. 430
28-15a-570	New	V. 23, p. 1375	<b>AGENCY 63: BOARD OF MORTUARY ARTS</b>			82-3-601a	Amended	V. 23, p. 430
28-15a-571	New	V. 23, p. 1375	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-601b	Amended	V. 23, p. 431
28-16-28b through			63-1-4	Amended	V. 23, p. 1533	82-3-602	Amended	V. 23, p. 431
28-16-28f	Amended	V. 24, p. 42-51	63-3-21	Amended	V. 23, p. 1533	82-3-603	Amended	V. 23, p. 431
28-16-28g	New	V. 24, p. 52	63-5-1	Amended	V. 23, p. 1534	82-3-604	Amended	V. 23, p. 432
28-16-58	Amended	V. 24, p. 52	63-6-1	Amended	V. 23, p. 1534	82-3-605	Revoked	V. 23, p. 432
28-17-1	Amended (T)	V. 23, p. 1597	<b>AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY</b>			82-3-606	Amended	V. 23, p. 432
28-17-1	Amended	V. 24, p. 178	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-607	New	V. 23, p. 433
28-17-6	Amended (T)	V. 23, p. 1598	65-4-3	Amended	V. 23, p. 893	82-3-700 through		
28-17-6	Amended	V. 24, p. 179	65-5-5	Revoked	V. 23, p. 1596	82-3-704	Amended (T)	V. 23, p. 152-155
28-17-20	Amended (T)	V. 23, p. 1598	65-5-11	New	V. 23, p. 893	82-3-700 through		
28-17-20	Amended	V. 24, p. 179	65-5-12	New	V. 23, p. 1596	82-3-704	Amended	V. 23, p. 538-541
28-17-22	New (T)	V. 23, p. 1600	65-8-5	Revoked	V. 23, p. 893	82-3-705 through		
28-17-22	New	V. 24, p. 181	<b>AGENCY 66: BOARD OF TECHNICAL PROFESSIONS</b>			82-3-710	New (T)	V. 23, p. 155-158
28-19-202	Amended	V. 23, p. 70	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-705 through		
28-19-720	Amended	V. 23, p. 1596	66-6-4	Amended	V. 24, p. 79	82-3-710	New	V. 23, p. 541-544
28-19-735	Amended	V. 23, p. 1596	66-8-5	Amended	V. 23, p. 95	82-3-1005	Amended	V. 23, p. 1743
28-19-750	Amended	V. 23, p. 1596	66-8-8	New	V. 24, p. 80	82-4-3	Amended (T)	V. 24, p. 97
28-19-750a	New	V. 23, p. 1596	66-9-6	Amended	V. 24, p. 80	82-4-3a through		
28-29-75 through			66-9-7	New	V. 24, p. 80	82-4-3m	New (T)	V. 24, p. 97-122
28-29-82	Amended	V. 23, p. 203-205	66-10-14	New	V. 24, p. 80	<b>AGENCY 88: BOARD OF REGENTS</b>		
28-31-10	Amended	V. 23, p. 1486	66-14-3	Amended	V. 24, p. 80	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-35-145	Amended	V. 23, p. 1404				88-16-5b	New	V. 23, p. 1595
						88-23-2	Amended	V. 23, p. 276

88-23-2a	New	V. 23, p. 278
88-23-3	Revoked	V. 23, p. 279
88-23-3a	New	V. 23, p. 279
88-26-1		
through		
88-26-16	New	V. 23, p. 1487-1491
88-27-1	New	V. 23, p. 1491
88-27-2	New	V. 23, p. 1492

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-68a		
through		
91-1-68e	Revoked	V. 23, p. 1111
91-1-230	New	V. 23, p. 1106
91-1-231	New	V. 23, p. 1107
91-1-232	New	V. 23, p. 1108
91-1-235	New	V. 23, p. 1108
91-1-236	New	V. 23, p. 1109
91-8-2	Revoked	V. 23, p. 1493
91-8-15	Revoked	V. 23, p. 1493
91-8-16	Revoked	V. 23, p. 1493
91-8-17	Revoked	V. 23, p. 1493
91-8-19	Revoked	V. 23, p. 1493
91-8-26	Revoked	V. 23, p. 1493
91-8-30		
through		
91-8-33	Revoked	V. 23, p. 1493
91-9-11	Revoked	V. 23, p. 1493
91-15-1	Amended	V. 24, p. 272
91-18-24	Revoked	V. 23, p. 280
91-18-27	Revoked	V. 23, p. 280
91-18-29	Revoked	V. 23, p. 280
91-18-34	Revoked	V. 23, p. 280
91-18-40	Revoked	V. 23, p. 280
91-25-1a	Revoked	V. 23, p. 1493
91-25-1c	Revoked	V. 23, p. 1493
91-25-2	Revoked	V. 23, p. 1493
91-25-3a	Revoked	V. 23, p. 1493
91-25-4a	Revoked	V. 23, p. 1493
91-25-17	Revoked	V. 23, p. 1493
91-25-18	Revoked	V. 23, p. 1493
91-25-19	Revoked	V. 23, p. 1493
91-35-1		
through		
91-35-4	Revoked	V. 24, p. 272

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-26-4	Amended	V. 23, p. 1533

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-21	Amended (T)	V. 23, p. 896
94-2-21	Amended	V. 23, p. 1375

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 23, p. 580
100-11-1	Amended	V. 23, p. 1042
100-28a-1	Amended	V. 23, p. 1558
100-29-7	Amended	V. 23, p. 1558
100-49-4	Amended	V. 23, p. 1148
100-54-4	Amended (T)	V. 23, p. 383
100-54-4	Amended	V. 23, p. 1042
100-55-4	Amended (T)	V. 23, p. 383
100-55-4	Amended	V. 23, p. 1042
100-69-5	Amended	V. 23, p. 1558
100-72-8	New	V. 24, p. 14
100-72-9	New	V. 23, p. 1558

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-2-8	Amended	V. 23, p. 1137
102-3-7a	Amended	V. 23, p. 1139
102-4-3a	Amended	V. 23, p. 1141
102-4-4a	Amended	V. 23, p. 1143
102-4-7a	Amended	V. 23, p. 1144
102-5-4a	Amended	V. 23, p. 1145
102-5-7a	Amended	V. 23, p. 1147

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

Reg. No.	Action	Register
108-1-1	Amended	V. 23, p. 1189
108-1-4	Amended	V. 23, p. 823

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

Reg. No.	Action	Register
109-3-2	New	V. 23, p. 202

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-8-1		
through		
110-8-6	Revoked	V. 23, p. 1595
110-8-8		
through		
110-8-11	Revoked	V. 23, p. 1595
110-10-1	New	V. 23, p. 180

**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. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. The following regulations were filed after January 1, 2004:

Reg. No.	Action	Register
111-2-151		
through		
111-2-156	New	V. 23, p. 95, 96
111-2-154	Amended	V. 23, p. 261
111-2-155	Amended	V. 23, p. 262
111-2-156	Amended	V. 23, p. 262
111-2-157	New	V. 23, p. 262
111-2-158	New	V. 23, p. 459
111-2-159	New	V. 23, p. 901
111-2-160	New	V. 23, p. 1655
111-2-161	New	V. 23, p. 1655
111-2-162	New	V. 23, p. 1655
111-2-163	New	V. 24, p. 15
111-2-164	New	V. 24, p. 199
111-3-13	Amended	V. 23, p. 1433
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
111-4-2094	New	V. 23, p. 100
111-4-2095		
through		
111-4-2115	New	V. 23, p. 264-275
111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310
111-4-2116		
through		
111-4-2125	New	V. 23, p. 311-318
111-4-2126		
through		
111-4-2146	New	V. 23, p. 459-471
111-4-2147		
through		
111-4-2160	New	V. 23, p. 901-909
111-4-2161		
through		
111-4-2173	New	V. 23, p. 1025-1033
111-4-2174	New	V. 23, p. 1074
111-4-2175	New	V. 23, p. 1075
111-4-2176	New	V. 23, p. 1076
111-4-2177		
through		
111-4-2180	New	V. 23, p. 1169-1171
111-4-2181		
through		
111-4-2185	New	V. 23, p. 1343-1346

111-4-2186		
through		
111-4-2195	New	V. 23, p. 1434-1438
111-4-2196		
through		
111-4-2205	New	V. 23, p. 1655-1659
111-4-2206		
through		
111-4-2213	New	V. 24, p. 15-22
111-4-2214		
through		
111-4-2227	New	V. 24, p. 199-207
111-5-96	Amended	V. 23, p. 101
111-5-111		
through		
111-5-115	New	V. 23, p. 245, 246
111-5-113	Amended	V. 23, p. 472
111-5-114	Amended	V. 23, p. 472
111-5-116		
through		
111-5-120	New	V. 24, p. 208, 209
111-6-1	Amended	V. 23, p. 1439
111-6-7	Amended	V. 23, p. 1440
111-6-26	New	V. 24, p. 23
111-7-188		
through		
111-7-192	New	V. 23, p. 319, 320
111-7-190	Amended	V. 23, p. 473
111-7-192	Amended	V. 23, p. 473
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910
111-1-1		
through		
111-11-11	New	V. 23, p. 911-914
111-11-1	Amended	V. 23, p. 1077
111-12-1	New	V. 23, p. 914

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-10-3	Amended	V. 23, p. 93
112-10-5	Amended	V. 23, p. 1073
112-10-6	Amended	V. 23, p. 1073
112-10-6a	New	V. 23, p. 1074
112-10-13	New	V. 23, p. 495
112-13-2	Amended	V. 23, p. 94

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 24, p. 147
115-2-2	Amended	V. 23, p. 1581
115-2-3	Amended	V. 23, p. 1581
115-2-3a	New	V. 23, p. 1582
115-3-2	Amended	V. 24, p. 148
115-4-6	Amended	V. 24, p. 148
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-14	New	V. 23, p. 1583
115-5-1	Amended	V. 24, p. 152
115-7-1	Amended	V. 23, p. 1584
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 23, p. 1043
115-18-14	Amended	V. 23, p. 1585
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-2	Amended	V. 23, p. 1407
117-3-2	Amended	V. 23, p. 1408
117-4-2	Amended	V. 23, p. 1408
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 24, p. 78
117-9-1	Amended	V. 23, p. 150

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Zip code must be included

Rec. No. \_\_\_\_\_ Exp. \_\_\_\_\_ Code \_\_\_\_\_

This space for Register office use only.

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Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:



Indicate change of name or address  
here:

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**Mail either form to: Kansas Register, Secretary of State, 1st Floor,  
Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594**