



# Kansas Register

Ron Thornburgh, Secretary of State

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## State of Kansas

## State Records Board

## Notice of Meeting

The Kansas State Records Board will meet at 8:30 a.m. Thursday, April 14, at the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records. In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis  
State Archivist

Doc. No. 031785

## State of Kansas

## Secretary of State

## Usury Rate for April

Pursuant to the provisions of K.S.A. 2004 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of April 1, 2005 through April 30, 2005, is 7.42 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 031783

## State of Kansas

## Secretary of State

## Code Mortgage Rate for April

Pursuant to the provisions of K.S.A. 2004 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of April 1, 2005 through April 30, 2005, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 031784

## 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 4-4-05 through 4-10-05

Term	Rate
1-89 days	2.81%
3 months	2.80%
6 months	3.11%
1 year	3.43%
18 months	3.61%
2 years	3.68%

Derl S. Treff  
Director of Investments

Doc. No. 031781

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## State of Kansas

## Commission on Veterans' Affairs

## Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, April 15, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend. For more information, call (785) 296-3976.

Wayne Bollig  
Chief Operations Officer

Doc. No. 031796

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 24-30 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 2532**, An act concerning professional corporations; amending K.S.A. 2004 Supp. 17-2710 and repealing the existing section, by Committee on Federal and State Affairs.

## House Resolutions

**HR 6029**, A resolution congratulating and commending Wayne Simien.

**HR 6030**, A resolution congratulating and commending the Washburn University Lady Blues basketball team for winning the first NCAA National Championship in school history.

**HR 6031**, A resolution congratulating and commending Steve Fossett and Virgin Atlantic Airways upon completing a world record nonstop around-the-world flight.

## Senate Bills

**SB 308**, An act concerning personal property taxation; relating to reporting errors; correction and refund authority of county, by Committee on Ways and Means.

**SB 309**, An act concerning accessibility standards for public buildings or facilities; relating to the enforcement thereof; amending K.S.A. 2004 Supp. 58-1304 and repealing the existing section, by Committee on Ways and Means.

**SB 310**, An act concerning school districts; relating to school finance; relating to revenues therefor; amending K.S.A. 72-979, 72-6405, 72-6410, 72-6413, 72-6414 and 72-8801 and K.S.A. 2004 Supp. 72-978, 72-6407, 79-32,110, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 72-6433b, by Committee on Ways and Means.

## Senate Resolutions

**SR 1840**, A resolution congratulating and commending the Sumner High School class of 1955.

**SR 1841**, A resolution congratulating and commending Tina Howe.

**SR 1842**, A resolution honoring and commending the Anthony 9/11 memorial as the official Kansas "9/11 memorial" for 2005 and 2006.

**SR 1843**, A resolution congratulating and commending the Blue Valley North High School girls basketball team and Coach Ann Fritz for winning the 2005 Class 6A State Basketball Championship.

**SR 1844**, A resolution congratulating and commending Kelsey Fowler.

**SR 1845**, A resolution congratulating and commending Wayne Simien.

**SR 1846**, A resolution congratulating and commending the Washburn University Lady Blues basketball team for winning the first NCAA National Championship in school history.

Doc. No. 031782

## State of Kansas

## Kansas Judicial Council

## Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
April 1	Judicial Performance	9:30 a.m.	Room 259
April 8	Legal Forms	9:30 a.m.	Room 259
April 15	Probate Law	9:30 a.m.	Room 259
April 15	PIK Civil	9:30 a.m.	Room 275
April 21	Appellate Procedure	9:30 a.m.	Room 259
April 29	Guardianship & Conservatorship	9:30 a.m.	Room 259
May 6	Judicial Performance	9:30 a.m.	Room 259
May 13	Legal Forms	9:30 a.m.	Room 259
May 20	Probate Law	9:30 a.m.	Room 259
May 20	PIK Civil	9:30 a.m.	Room 275
May 27	Appellate Procedure	9:30 a.m.	Room 259

Hon. Donald L. Allegrucci  
Chair

Doc. No. 031789

## State of Kansas

Department of Administration  
Division of Facilities ManagementNotice of Commencement of  
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the remodeling of the existing Jung North housing unit at Larned State Hospital. The unit was built in 1950; renovation will convert the facility into a 35-bed unit with one bedroom per individual patient. The area to be remodeled has approximately 18,000 gross sq. ft. There will be a medium security exterior with a minimum security interior. The interior will consist of new walls, floor finishes, ceilings, doors and windows. New HVAC, plumbing, electrical and fire sprinkler systems also will be provided. The estimated construction cost is \$2 million.

For more information concerning the scope of services, contact Gary LaShell, (785) 296-3771.

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 April 22.

D. Keith Meyers  
Director, Division of  
Facilities Management

Doc. No. 031780

## State of Kansas

## Board of Healing Arts

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Monday, June 6, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider one proposed amended rule and regulation, K.A.R. 100-27-1. This regulation deals with supervision of light-based medical treatment.

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Farr at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

The rule and regulation to be considered at the hearing and the respective economic impact is as follows:

**K.A.R. 100-27-1. Supervision of light-based medical treatment.** This regulation establishes the criteria necessary for a person licensed to practice medicine and surgery and osteopathic medicine and surgery when authorizing an unlicensed person to perform a professional service using a light-based medical device. The proposed amendment to this regulation will not apply to licensed physical therapists who engage in light-based physiotherapy.

This regulation is not mandated by any federal law, and there is no foreseen cost to either the board or the public to implement the amended regulation.

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

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 031787

## State of Kansas

## Board of Healing Arts

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, June 7, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider one new proposed rule and regulation, K.A.R. 100-22-5, dealing with dishonorable conduct.

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Farr at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

The rule and regulation to be considered at the hearing and the respective economic impact are as follows:

**K.A.R. 100-22-5. Diagnostic or therapeutic services performed in an office for the practice of the healing arts.** This regulation establishes standards for performing surgical and special procedures when anesthesia levels are greater than specified in the regulation. The standards are derived from the office-based surgery guidelines adopted by the Kansas Medical Society's house of delegates on May 5, 2002.

This regulation is not mandated by any federal law.

A physician who performs surgical or specialized procedures outside of a hospital or ambulatory surgical center when administering anesthesia levels greater than those specified in the regulation would be responsible for performing the service in a location that meets the standards. The estimated equipment costs for meeting standards applicable to general anesthesia may reach \$10,000 depending on what equipment already exists in the office. There is no foreseen cost to the board or to the public to implement this rule and regulation.

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

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 031801

## State of Kansas

## Office of the Governor

## Executive Order 05-01

WHEREAS, military forces in Kansas, composed of Active, Reserve and National Guard, contribute to peace for the state, nation and world; and

WHEREAS, the four major military installations in Kansas provide thousands of jobs and more than \$2 billion for Kansas' economy; and

WHEREAS, men and women in the military, and their families, whose talents contribute to the well being of their communities are valued as important assets to our State; and

WHEREAS, it is essential to preserve all military and related jobs for the benefit of Kansas families and the Kansas economy; and

WHEREAS, the State of Kansas desires to strengthen the presence and expansion of facilities; and

WHEREAS, the State of Kansas should support and appreciate the men and women who serve our nation; and

WHEREAS, by Executive Order 98-5 dated July 2, 1998, Governor Bill Graves established the Governor's Military Affairs Coordinating Council; and

WHEREAS, the provision of Executive Order 98-5 provided for the expiration of the Executive Order on May 1, 2000 unless rescinded earlier or lengthened by executive order; and

WHEREAS, Executive Order 00-06 extended the Governor's Military Affairs Coordinating Council until November 1, 2002 unless rescinded earlier or lengthened by executive order; and

WHEREAS, Executive Order 02-05 extended the Governor's Military Affairs Coordinating Council until May 1, 2003 unless rescinded earlier or lengthened by executive order; and

WHEREAS, Executive Order 03-06 issued by Governor Sebelius extended the Governor's Military Affairs Coordinating Council until May 1, 2005 unless rescinded earlier or lengthened by executive order; and

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby incorporate by reference Executive Orders 98-5, 00-06, 02-05 and 03-06 and continue said Governor's Military Affairs Coordinating Council until May 1, 2007 unless rescinded earlier or lengthened by executive order, with the following purposes and charges:

1. The council shall be composed of nine members appointed by the Governor. The Governor will designate one member as Chair.

2. Members of the council shall serve at the pleasure of the Governor and shall meet upon the call of the chairperson as necessary to carry out the duties outlined in this executive order.

3. Members of the council shall receive no compensation, subsistence allowance, mileage or expenses from the State of Kansas.

4. The council's duty will be to initiate, act upon and consider all necessary strategies to:

a. Optimize the military presence in Kansas through removal of operational impediments, increased operating

efficiencies, and recruitment and acquisition of new missions and force structure;

b. Actively foster close, effective cooperation among the installations and public and private sectors throughout the State;

c. Aggressively pursue initiatives to enhance the quality of life for all military personnel, active and retired, as well as to promote Kansas as a desired location for all Department of Defense retirees;

d. Assist in the transfer of technology between the military and the private sector to enhance the competitive posture of both in the national and global market;

e. Explore and develop outreach opportunities of individuals retiring from military service to use their talents and skills as members of the Kansas workforce;

f. Assist in the development, coordination and execution of strategy required by any future changes in mission proposed by the Department of Defense.

This document shall be filed with the Secretary of State as Executive Order No. 05-01 and shall become effective immediately.

Dated February 7, 2005.

Kathleen Sebelius  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 031793

## State of Kansas

## Office of the Governor

## Executive Order 05-02

WHEREAS, on September 22, 2004, shortly after 2:00 p.m., the Butler County 911 dispatcher was notified of a house fire at 16797 S.W. State Road in western Butler County. This location is just east of the Butler/Sedgwick County line on K-254 Highway. Upon arrival of the emergency personnel, the burned body of Carol A. Mould was found in the residence.

WHEREAS, after an extensive investigative effort, authorities have not been able to put together any solid leads.

NOW, THEREFORE, by virtue of authority vested in me by K.S.A. 75-113, I, Kathleen Sebelius, Governor of the State of Kansas, do hereby offer a reward of five thousand dollars (\$5,000) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Carol A. Mould.

This document shall be filed with the Secretary of State as Executive Order 05-02, and shall become effective immediately.

Dated March 8, 2005.

Kathleen Sebelius  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 031794

(Published in the Kansas Register April 7, 2005.)

**Summary Notice of Note Sale  
City of Wellington, Kansas  
\$717,000**

**Temporary Notes, Series 2005**

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

**Bids**

Subject to the notice of note sale dated April 5, 2005, sealed, facsimile and electronic bids will be received by the clerk of the city of Wellington, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at 317 S. Washington, Wellington, KS 67152, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 5 p.m. April 19, 2005, for the purchase of \$717,000 principal amount of Temporary Notes, Series 2005. No bid of less than 99.5 percent of the principal amount of the notes and accrued interest thereon to the date of delivery will be considered.

**Note Details**

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof, except one note in the denomination of \$2,000. The notes will be dated May 1, 2005, and will become due on November 1, 2008.

The notes will bear interest from the date thereof at rates to be determined when the notes are sold as hereinafter provided, which interest will be payable at maturity or earlier redemption.

**Optional Book-Entry-Only System**

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

**Paying Agent and Note Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Delivery**

The issuer will pay for printing the notes and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 4, 2005, at DTC for the account of such bank or trust company in the contiguous United States as may be specified by the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2004 is \$43,883,389. The total general obligation indebtedness of the issuer as of the date of delivery of the notes, including the notes being sold, is \$6,967,000.

**Approval of Notes**

The notes 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 notes will be furnished and paid for by the issuer, printed on the notes and delivered to the successful bidder when the notes are delivered.

**Additional Information**

Additional information regarding the notes may be obtained from the city clerk, Rose Miller, 317 S. Washington, Wellington, KS 67152, (620) 326-2811, fax (620) 326-8506, e-mail: rosemiller@cityofwellington.net; or from the financial advisor, Ranson Financial Consultants, L.L.C., 209 E. William, Suite 400, Wichita, KS 67202, Attention: John Haas, (316) 264-3400, fax (316) 265-5403, e-mail: jhaas@ransonfinancial.com.

Dated April 5, 2005.

City of Wellington, Kansas

Doc. No. 031804

**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:

04/18/2005	08096	F5 and Teros Equipment
04/18/2005	08279	Bituminous Plant Mixture (District #6)
04/18/2005	08280	Industrial Loader/Backhoe
04/19/2005	08263	Waste Disposal, Low-Level Radioactive
04/19/2005	08285	Blades for Motor Graders, Snow Plows and Wing Plows
04/19/2005	08286	Abandoned Well Plugging
04/19/2005	08287	Mobile File Storage System
04/19/2005	08292	Post Driver, Truck Mounted
04/28/2005	08298	Insurance, Nurse Professional Liability
04/29/2005	08274	Mailing Services

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:

04/19/2005	A-9899	Parking Lot H14 West Improvements
04/26/2005	A-010061	Weber Hall and Arena Reroof
04/26/2005	A-010062	National Gas Machinery Lab Reroof
04/28/2005	A-010060	Eisenhower Hall Reroof Project
05/05/2005	A-010065	Improve Accessibility

The above referenced bid documents may be downloaded at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/fp>

Chris Howe  
Director of Purchases

Doc. No. 031803

**State of Kansas  
Social and Rehabilitation Services**

**Notice of Meetings**

The Kansas Department of Social and Rehabilitation Services is the lead agency to administer the Child Care and Development Fund (CCDF) Program. The CCDF funds the child care subsidy program; assistance to low-income employed parents for child care; early learning quality initiatives such as child care provider professional development, resource and referral; Kansas Early Head Start; and regulation and licensure of child care facilities. A new state plan describing the services to be provided is submitted every two years. Topics to be discussed include child care services, professional development, early learning guidelines, statewide system development, and expansion of quality and availability in Kansas.

Public meetings have been scheduled to receive comments on the proposed 2006-2007 biennial state plan. Dates, times and locations of the hearings are listed below. A copy of the proposed state plan is available either on the SRS Web site or by request to jem@srskansas.org. Comments on the state plan may be submitted at the public meetings, sent to the local SRS Service Center or e-mailed to earlylearning@srskansas.org.

The public meetings for the Child Care State Plan are scheduled as follows:

Date	Time	Place
April 28 (Child Care and Early Education Advisory meeting)	1 to 3:30 p.m.	SRS Learning Center 2650 S.W. East Circle Drive South Topeka
April 29 (Presentation at the Child Care Provider's Coalition Conference)	12:30 to 2:30 p.m.	Holiday Inn Hotel & Suites Overland Park Conference Info: Becky Stewart (913) 384-4502
May 2	1 to 3:30 p.m.	Great Bend SRS Office 1305 Patton Road Large Conference Room Great Bend
May 3	3 to 5 p.m.	Wichita SRS Office 230 E. William, Room 3080 Wichita
May 3	7 to 9 p.m.	Emporia State University Vissar Hall Jones Foundation Conference Room Emporia
May 4	10 a.m. to noon	Pittsburg SRS Office 318 S. Broadway Pittsburg
May 20 (KACCRRRA Agency Council meeting)	10 a.m.	Salina Meeting Info: Leadell Ediger (785) 823-3343

Gary J. Daniels  
Acting Secretary of Social and  
Rehabilitation Services

**State of Kansas  
Department of Health  
and Environment**

**Notice Concerning Kansas  
Water Pollution Control Permits**

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

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

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

**Public Notice No. KS-AG-05-056/057  
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 Kansas Permit No. A-BBWS-S037	Big Blue River Basin

This application is being re-public noticed due to an error on previous public notice dated March 10, 2005. 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 Kansas Permit No. A-BBWS-S052	Big Blue River Basin

This application is being re-public noticed due to an error on previous public notice dated March 10, 2005. 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-05-058/070

## Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
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 renewal permit is being re-public noticed due to an error on previous public notice dated March 10, 2005. This is a renewal permit for an existing facility for 300 head (150 animal units) of cattle weighing less than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
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 renewal permit is being re-public noticed due to an error on previous public notice dated March 10, 2005. 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.

Name and Address of Applicant	Legal Description	Receiving Water
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 renewal permit is being re-public noticed due to an error on previous public notice dated March 10, 2005. This is a renewal permit for a maximum of 3,000 head of cattle (3,000 animal units) weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
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 modified permit is being re-public noticed due to an error on previous public notice dated March 10, 2005. 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.

Name and Address of Applicant	Legal Description	Receiving Water
Delmar J. Gillespie Trust Mitch Gillespie 2810 County Road 42 Grainfield, KS 67737	SW/4 of Section 14, T11S, R29W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-S010

This is a renewal permit for an existing facility for 467 head (186.8 animal units) of swine weighing greater than 55 pounds each and 240 head (24 animal units) weighing less than 55 pounds each, for a total of 707 head (210.8 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Dav Fam Farm Robin Davis 1857 13th Ave. McPherson, KS 67460	NE/4 of Section 31, T18S, R03W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M026

This is a renewal permit for an existing facility for 20 head (28 animal units) of mature dairy cows.

Name and Address of Applicant	Legal Description	Receiving Water
Dean Mitchell 3617 CR 4500 Independence, KS 67351	NE/4 of Section 16, T33S, R16E, Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-S021

This is a renewal permit for an existing facility for 1,800 head (720 animal units) of swine weighing more than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Dewayne Rose 870 29th Road Mahaska, KS 66955	NE/4 of Section 08, T01S, R02E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-C007 Federal Permit No. KS0098027

This is a new permit for the expansion of an existing facility to a maximum of 3,500 head (3,500 animal units) of cattle weighing greater than 700 pounds. The existing facility was typically used for up to 500 head of cattle and had no runoff controls. A waste control system will be constructed in accordance with approved plans.

Name and Address of Applicant	Legal Description	Receiving Water
Esslinger Ranch Inc. Route 3, Box 45 Norton, KS 67654	NW/4 of Section 27, T03S, R22W, Norton County	Solomon River Basin

Kansas Permit No. A-SONT-C002 Federal Permit No. KS0097985

This is a new permit for a new facility for a maximum of 1,000 head (1,000 animal units) of cattle weighing greater than 700 pounds and 1,000 head (500 animal units) of cattle weighing 700 pounds or less, for a total of 2,000 head of cattle (1,500 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Purvis Feedlot Eric Purvis 340 Jackrabbit Road Weskan, KS 67762	N/2 of Section 20, T14S, R42W, Wallace County	Smoky Hill River Basin

Kansas Permit No. A-SHWA-C005 Federal Permit No. KS0094897

This is a renewal permit for an existing facility for 3,000 head (3,000 animal units) of cattle weighing greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Circle K Corporation Donald K. Kirkman 1909 Lincoln Great Bend, KS 67530	NW/4 of Section 27, T20S, R14W, Barton County	Upper Arkansas River Basin

Kansas Permit No. A-UABT-C006 Federal Permit No. KS0090832

This is a renewal permit for an existing facility for 4,900 head (4,900 animal units) of cattle weighing greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
CB Farms Berry and Carla Bortz 30142 N.E. 100th Ave. Preston, KS 67583	SW/4 of Section 10, T27S, R11W, Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-C004 Federal Permit No. KS0097888

This is a renewal and modified permit for an existing beef cattle facility with proposed waste system improvements. Two currently permitted facilities, A-ARPR-B006 for 950 head/animal units and A-ARPR-BD01 for 600 head/animal units, are being combined into A-ARPR-C004 for a total of 1,550 head/animal units. The grassed waterway portion of A-ARPR-BD01 will be replaced with a waste holding pond. No changes to the A-ARPR-B006 portion are being proposed, and there is no increase in the combined total head/animal unit count.



Name and Address of Applicant	Legal Description	Receiving Water
Summit Producers Company Ren J. Ingemanson P.O. Box 737 Salina, KS 67402	SE/4 of Section 09, T18S, R05W, McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-H001      Federal Permit No. KS0086291

This is a renewal permit for an existing facility for 6,714 head of swine weighing greater than 55 pounds (2,685.6 animal units) and 4,650 head of swine weighing less than 55 pounds (465 animal units), for a total of 11,364 head (3,150.6 animal units) of swine.

**Public Notice No. KS-05-037/042**

Name and Address of Applicant	Waterway	Type of Discharge
Caylor Coal Company, Inc. P.O. Box 368 Ottawa, KS 66067	Rock Creek	Stormwater Runoff

Kansas Permit No. I-MC31-PO08      Federal Permit No. KS0095036

Legal: SE¼, SW¼, and E½, SE¼, S6, T17S, R20E, Franklin County

Facility Name: Ottawa Quarry

Facility Description: This facility is a limestone quarry and crushing operation with no washing. Outfalls 001, 002 and 003 consist of stormwater runoff. The proposed permit includes generic water-quality language to protect waters of the state. 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
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Clarks Creek via Mulberry Creek via Unnamed Tributary	Treated Wastewater & Stormwater Runoff

Kansas Permit No. I-KS80-PO02      Federal Permit No. KS0095753

Legal: NE¼, S29, T14S, R6E, Morris County

Facility Name: Mosier Quarry #99

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with washing. Wash water is treated in two settling ponds in series before being discharged. Pit dewatering and stormwater runoff also is directed to the settling ponds. The proposed permit includes limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Milford Lake via via Cane Creek via Unnamed Tributary	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-LR24-PO01      Federal Permit No. KS0117340

Legal: E½, SE¼, S24, T9S, R3E, Clay County

Facility Name: Wakefield Quarry #80

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with some washing. Outfall 001 consists of stormwater runoff. Wash water is completely recycled and does not discharge off-site. 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
Kansas Department of Transportation Environmental Services Section 700 S.W. Harrison, 14th Floor Topeka, KS 66603-3754	Mill Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-KS57-OO02      Federal Permit No. KS0080241

Legal: SW¼, SE¼, SW¼, S30, T11S, R12E, Wabaunsee County

Facility Name: Wabaunsee County Rest Area I-70

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 fecal coliform. Monitoring of ammonia and pH 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.

Name and Address of Applicant	Waterway	Type of Discharge
Kansas Department of Wildlife and Parks 512 S.E. 25th Ave. Pratt, KS 67124	Republican River	Domestic Wastewater & Process Wastewater

Kansas Permit No. I-LR15-PO02      Federal Permit No. KS0083275

Facility Location: Immediately below Milford Dam - NW¼, S21, T11S, R5E, Geary County

Facility Name: Milford Fish Hatchery

Facility Address: 3100 Hatchery Drive, Junction City, KS 66441

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility. This facility is a state fish hatchery where fish are reared for stocking in public and private waters of the state of Kansas. A total of 24 raceways, 12 hypalon single-lined rearing ponds and indoor brooder/starter tanks are used for fish production. Domestic sewage from three residences, a visitor center, the fish hatchery, wastewater from the starter facilities and solids flush from the raceways are directed to the three-cell stabilization lagoon (Outfall 001). Water from the Outlet Park Lake, supplemented with well water, is aerated and used as once-through water in the raceways and rearing ponds with the discharge recirculated back into the Outlet Park Lake. An alternate discharge (Outfall 003) for the raceway and/or rearing pond overflow water into the Old Republican River Channel is available but not normally used. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and ammonia. Monitoring of chlorides, pH 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.

Name and Address of Applicant	Waterway	Type of Discharge
Martin Marietta Aggregates 11252 Aurora Ave. Des Moines, IA 50322	Smoky Hill River via Unnamed Tributary	Process Wastewater & Stormwater Runoff

Kansas Permit No. I-SH45-PO02      Federal Permit No. KS0098116

Legal: SW¼, S5, T13S, R5E, Geary County

Facility Name: Kansas Falls Quarry - Poland Property Pit

Facility Description: The proposed action is issue a new permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfalls 001, 002, 003 and 004 consist of pit dewatering and stormwater runoff. The proposed permit requires monitoring of sulfates quarterly. 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.

(continued)

**Public Notice No. KS-ND-05-004**

Name and Address of Applicant	Legal Location	Type of Discharge
Esbon, City of P.O. Box 175 Esbon, KS 66941-0175	E½, SE¼, SE¼, S3, T3S, R10W, Jewell County	Nonoverflowing

Kansas Permit No. M-SO14-NO01

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of 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 May 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-05-056/070, KS-05-037/042, KS-ND-05-004) 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. 031799

**State of Kansas**

**Department of Health  
and Environment**

**Request 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:

**April 15, 2005  
264-05-9**

**Project Lead Safe KCK —  
Lead Hazard Reduction at the following properties:**

- Property #1 948 Ann  
Kansas City, KS 66101
- Property #2 2718 N. 18th  
Kansas City, KS 66104
- Property #3 1338 Quindaro  
Kansas City, KS 66104
- Property #4 1301 S. 34th  
Kansas City, KS 66106
- Property #5 27 S. 9th St.  
Kansas City, KS 66101
- Property #6 5209 Alma Ave.  
Kansas City, KS 66106
- Property #7 1033 Hasbrook Ave.  
Kansas City, KS 66105
- Property #8 2315 N. Early  
Kansas City, KS 66101
- Property #9 2911 N. 51st  
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 can be downloaded at the Web site listed above.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 031790

## State of Kansas

## Secretary of State

## Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register April 7, 2005.)

## HOUSE BILL No. 2215

AN ACT relating to commercial driver's licenses; creating the hazmat fee fund; amending K.S.A. 8-259 and K.S.A. 2004 Supp. 8-267, 8-2,142, and 8-2,151 and repealing the existing sections.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2004 Supp. 8-267 is hereby amended to read as follows: 8-267. All moneys received under this act shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall:

(a) Credit 37.5% of all moneys so received from class C driver's licenses and 20% of all moneys so received from class M driver's licenses and 20% of all moneys so received from class A or B driver's licenses and 20% of all moneys so received from all commercial driver licensee classes remaining after the \$2 credit provided in subsection (c) to a special fund, which is hereby created and shall be known as the state safety fund;

(b) credit 20% of all moneys so received from class M driver's licenses to a special fund which is hereby created and shall be known as the motorcycle safety fund;

(c) credit \$2 from each commercial driver's license fee to a special fund which is hereby created and shall be known as the truck driver training fund; ~~and~~

(d) credit all photo fees collected under K.S.A. 8-243, and amendments thereto, to the photo fee fund; *and*

(e) *credit all hazardous materials endorsement fees collected under K.S.A. 2004 Supp. 8-2,151, and amendments thereto, to the hazmat fee fund.*

Moneys in the state safety fund and in the motorcycle safety fund shall be distributed to provide funds for driver training courses in the schools in Kansas and for the administration of this act, as the legislature shall provide. In addition, moneys in the motorcycle safety fund shall be distributed to provide funds for courses in motorcycle safety in community colleges in Kansas. Moneys in the truck driver training fund shall be distributed to provide funds for courses in truck driver training in community colleges, area vocational schools and area vocational-technical schools in Kansas. Except as otherwise provided by K.S.A. 8-241, and amendments thereto, the state treasurer shall credit the balance of all moneys received under this act, including all moneys received from commercial driver's license endorsements to the state highway fund.

Sec. 2. K.S.A. 2004 Supp. 8-2,151 is hereby amended to read as follows: 8-2,151. (a) Beginning July 1, 2004, or upon final determination by the transportation security administration of the date for implementation of the requirements of 49 C.F.R. 1572, whichever is later, the division shall not issue, renew, upgrade or transfer a hazardous materials endorsement for a commercial driver's license to any person authorizing that person to operate a commercial motor vehicle transporting a hazardous material in commerce unless the individual complies with the requirements of 49 C.F.R. 1572.

(b) At least ~~180~~ 60 days before the expiration date of a commercial driver's license or hazardous materials endorsement, the division shall notify the holder of a hazardous materials endorsement that the person must pass a transportation security administration security screening process, 49 C.F.R. 1572, as part of any application for renewal of the hazardous materials endorsement. The notice must advise the person that, in order to expedite the security screening process, the person should file a renewal application as soon as possible, but not later than ~~90~~ 30 days before the date of expiration of the endorsement. Any person who does not successfully complete the security screening process, shall not be issued a hazardous materials endorsement.

(c) An individual must submit fingerprints, in a form and manner specified by the division, when such individual applies to obtain, renew or transfer a hazardous materials endorsement for a commercial driver's license. A fee not to exceed \$100 shall be charged to such individual for collecting the fingerprints and generating the individual's criminal history.

(d) *There is hereby created in the state treasury the hazmat fee fund. All moneys credited to the hazmat fee fund shall be used by the department of revenue only for the purpose of funding the collecting of fingerprints and the generating of the criminal history of individuals applying for the hazardous materials endorsement for a commercial driver's license. All expenditures from the hazmat fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.*

~~(d)~~ (e) The ~~divisions~~ division shall revoke a person's hazardous materials endorsement if the person does not meet the standards for security threat assessment under 49 C.F.R. 1572.

~~(e)~~ (f) For the purpose of this section "revoke" means the process by which the division cancels, suspends, withdraws, annuls or disqualifies a hazardous material endorsement.

~~(f)~~ (g) The provisions of this section shall be a part of and supplemental to the Kansas uniform commercial drivers' license act.

Sec. 3. K.S.A. 8-259 is hereby amended to read as follows: 8-259. (a) Except in the case of mandatory revocation under K.S.A. 8-254 or 8-286, and amendments thereto, mandatory suspension for an alcohol or drug-related conviction under subsection (b) of K.S.A. 8-1014, and amendments thereto, mandatory suspension under K.S.A. 8-262, and amendments thereto, or mandatory disqualification of the privilege to drive a commercial motor vehicle under subsection ~~(a)(1), (2) or (3)~~ (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(2)(A), (a)(3)(A) or (a)(3)(B) of K.S.A. 8-2,142, and amendments thereto, the cancellation, suspension, revocation, disqualification or denial of a person's driving privileges by the division is subject to review. Such review shall be in accordance with the act for judicial review and civil enforcement of agency actions. In the case of review of an order of suspension under K.S.A. 8-1001 et seq., and amendments thereto, or of an order of disqualification under subsection ~~(a)(4)~~ (a)(1)(D) of K.S.A. 8-2,142, and amendments thereto, the petition for review shall be filed within 10 days after the effective date of the order and venue of the action for review is the county where the administrative proceeding was held or the county where the person was arrested. In all other cases, the time for filing the petition is as provided by K.S.A. 77-613, and amendments thereto, and venue is the county where the licensee resides. The action for review shall be by trial *de novo* to the court. The court shall take testimony, examine the facts of the case and determine whether the petitioner is entitled to driving privileges or whether the petitioner's driving privileges are subject to suspension, cancellation or revocation under the provisions of this act. *Unless the petitioner's driving privileges have been extended pursuant to subsection (o) of K.S.A. 8-1020, and amendments thereto, the court on review shall consider the petitioner's traffic violations record and liability insurance coverage before granting may grant a stay or other temporary remedy pursuant to K.S.A. 77-616, and amendments thereto, after considering the petitioner's traffic viola-*

(continued)

tions record and liability insurance coverage. If a stay is granted, it shall be considered equivalent to any license surrendered. If a stay is not granted, trial shall be set upon 20 days' notice to the legal services bureau of the department of revenue. No stay shall be issued if a person's driving privileges are canceled pursuant to K.S.A. 8-250, and amendments thereto.

(b) The clerk of any court to which an appeal has been taken under this section, within 10 days after the final disposition of such appeal, shall forward a notification of the final disposition to the division.

Sec. 4. K.S.A. 2004 Supp. 8-2,142 is hereby amended to read as follows: 8-2,142. (a) A person is disqualified from driving a commercial motor vehicle for a period of not less than one year upon a first occurrence of any one of the following:

(1) While operating a commercial motor vehicle:

(A) The person is convicted of violating K.S.A. 8-2,144, and amendments thereto;

(B) the person is convicted of violating subsection (b) of K.S.A. 8-2,132, and amendments thereto;

(C) the person ~~has caused~~ is convicted of causing a fatality through the negligent operation of a commercial motor vehicle; or

(D) the person's test refusal or test failure, as defined in subsection ~~(A)~~ (1); or

(2) while operating a noncommercial motor vehicle:

(A) The person is convicted of a violation of K.S.A. 8-1567, and amendments thereto; or

(B) the person's test refusal or test failure, as defined in K.S.A. 8-1013, and amendments thereto; or

(3) while operating any motor vehicle:

(A) The person is convicted of leaving the scene of an accident; or

(B) the person is convicted of a felony, other than a felony described in subsection (e), while using a motor vehicle to commit such felony.

(b) If any offenses, test refusal or test failure specified in subsection (a) occurred in a commercial motor vehicle while transporting a hazardous material required to be placarded, the person is disqualified for a period of not less than three years.

(c) A person shall be disqualified for life upon the second or a subsequent occurrence of any offense, test refusal or test failure specified in subsection (a), or any combination thereof, arising from two or more separate incidents.

(d) The secretary of revenue may adopt rules and regulations establishing guidelines, including conditions, under which a disqualification for life under subsection (c) may be reduced to a period of not less than 10 years.

(e) A person is disqualified from driving a commercial motor vehicle for life who uses a commercial motor vehicle or noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance.

(f) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a commercial motor vehicle arising from separate incidents occurring within a three-year period.

(g) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a noncommercial motor vehicle arising from separate incidents occurring within a three-year period, if such convictions result in the revocation, cancellation or suspension of the person's driving privileges.

(h) (1) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) Ninety days nor more than one year, if the driver is convicted of a first violation of an out-of-service order;

(B) one year nor more than five years if, during any 10-year period, the driver is convicted of two violations of out-of-service orders in separate incidents; or

(C) three years nor more than five years if, during any 10-year period, the driver is convicted of three or more violations of out-of-service orders in separate incidents.

(2) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order while transporting a hazardous material required to be placarded under 49 U.S.C. 5101 *et seq.* or while operating a motor vehicle designed to transport more than 15 passengers, including the driver, shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) One hundred and eighty days nor more than two years if the driver is convicted of a first violation of an out-of-service order; or

(B) three years nor more than five years if, during any 10-year period, the driver is convicted of any subsequent violations of out-of-service orders in separate incidents.

(i) (1) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state or local law or regulation pertaining to one of the following six offenses at a railroad-highway grade crossing shall be disqualified from driving a commercial motor vehicle for the period of time specified in paragraph (2):

(A) For persons who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(B) for persons who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(C) for persons who are always required to stop, failing to stop before driving onto the crossing;

(D) for all persons failing to have sufficient space to drive completely through the crossing without stopping;

(E) for all persons failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(F) for all persons failing to negotiate a crossing because of insufficient undercarriage clearance.

(2) A driver shall be disqualified from driving a commercial motor vehicle for not less than:

(A) Sixty days if the driver is convicted of a first violation of a railroad-highway grade crossing violation;

(B) one hundred and twenty days if, during any three-year period, the driver is convicted of a second railroad-highway grade crossing violation in separate incidents; or

(C) one year if, during any three-year period, the driver is convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.

(j) After suspending, revoking or canceling a commercial driver's license, the division shall update its records to reflect that action within 10 days. After suspending, revoking or canceling a nonresident commercial driver's privileges, the division shall notify the licensing authority of the state which issued the commercial driver's license or nonresident commercial driver's license within 10 days.

(k) Upon suspension, revocation, cancellation or disqualification of a commercial driver's license under this act, the license shall be immediately surrendered to the division if still in the licensee's possession. If otherwise eligible, and upon payment of the required fees, the licensee may be issued a noncommercial driver's license for the period of suspension, revocation, cancellation or disqualification of the commercial driver's license under the same identifier number.

(l) As used in this section, "test refusal" means a person's refusal to submit to and complete a test requested pursuant to K.S.A. 8-2,145, and amendments thereto; "test failure" means a person's submission to and completion of a test which determines that the person's alcohol concentration is .04 or greater, pursuant to K.S.A. 8-2,145, and amendments thereto.

Sec. 5. K.S.A. 8-259 and K.S.A. 2004 Supp. 8-267, 8-2,142 and 8-2,151 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 7, 2005.)

(Published in the Kansas Register April 7, 2005.)

HOUSE BILL No. 2183

AN ACT concerning Fort Hays state university; relating to the capital improvement project to renovate the memorial union; amending section 11 of chapter 184 of the 2004 Session Laws of Kansas and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. Section 11 of chapter 184 of the 2004 Session Laws of Kansas is hereby amended to read as follows: Sec. 11.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Memorial union renovation debt service fund
For the fiscal year ending June 30, 2005..... No limit

(b) In addition to the other purposes for which expenditures may be made by Fort Hays state university from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2005 and fiscal year 2006 as authorized by this or other appropriation act of the 2004 regular session of the legislature, expenditures shall be made by Fort Hays state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2005 and fiscal year 2006 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905 and amendments thereto for a capital improvement project to renovate the memorial union: Provided, That such capital improvement project is hereby approved for Fort Hays state university for the purposes of subsection (b) of K.S.A. 74-8905 and amendments thereto and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: Provided further, That Fort Hays state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: Provided, however, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$5,700,000 \$6,500,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: And provided further, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: And provided further, That debt service for any such bonds for such capital improvement project shall be financed by appropriations of moneys credited to the memorial union renovation debt service fund or any other appropriate special revenue funds of Fort Hays state university: And provided further, That the total cost of such capital improvement project is to be covered by the proceeds of such bonds, dedicated student fees and available student center reserves and university funds.

Sec. 2. Section 11 of chapter 184 of the 2004 Session Laws of Kansas is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

HOUSE BILL No. 2098

AN ACT relating to banks; concerning trust authority; amending K.S.A. 9-1601 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 9-1601 is hereby amended to read as follows: 9-1601. (a) Any bank, upon the affirmative vote of at least two-thirds (2/3) % of the voting stock, may apply to the commissioner and upon for approval to conduct trust business. If approval is granted by the commissioner and, a special permit issued thereon shall be issued and the bank shall be authorized and empowered, subject to such conditions as the commissioner may require, to act in one or more fiduciary capacities as agent, trustee, executor, administrator, registrar of stocks and bonds, conservator, assignee, receiver, custodian, transfer agent, corporate trustee, corporate agent or in any other fiduciary capacity in the same manner in which trust companies incorporated under the laws of this state are permitted to act, including but not limited to the right of succession to individuals, corporations, associations, national bank associations or others, with or without reappointment, in any such office or capacities. The commissioner may approve and issue a special permit to the bank to act in one or more of such fiduciary capacities. However,

(b) If the governing instrument limits investment of funds to deposit in time or savings deposits in the bank, any bank may act as trustee or custodian of for any of the following without being issued a special permit:

- (1) Individual retirement accounts established pursuant to section 408 of the federal internal revenue code of 1954 1986, and amendments thereto; or;
(2) trusts established pursuant to section 401 of the federal internal revenue code of 1954 1986, and amendments thereto; without being issued a special permit to act in such capacity;
(3) medical savings accounts established pursuant to section 220 of the federal internal revenue code of 1986, and amendments thereto; and
(4) health savings accounts established pursuant to section 223 of the federal internal revenue code of 1986, and amendments thereto.

(c) Any state bank having been granted trust authority by the bank commissioner of the state of Kansas may add "and trust company" to its corporate name as previously approved by the state banking board.

Sec. 2. K.S.A. 9-1601 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas
Department of Transportation
Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. April 20 and then publicly opened:

District One—Northeast

Atchison—73-3 K-9030-01—U.S. 73, 0.5 mile west of the west junction of U.S. 59, 0.1 mile, grading and surfacing. (State Funds)

Douglas—59-23 K-9565-01—U.S. 59, Irving Hill Road bridge, 0.8 mile north of the north junction of K-10, bridge repair. (State Funds)

(continued)

**Lyon**—56 U-1991-01—12th and Industrial Street in the city of Emporia, intersection improvement. (Federal Funds)

**Nemaha**—36-66 K-9935-01—U.S. 36 from the west junction of K-63 east to the junction of K-236, 6.3 miles, crack repair. (State Funds)

**Osage**—278-70 K-9937-01—K-278, Melvern recreational area, east to the junction of U.S. 75/K-31, 3 miles, sealing. (State Funds)

**Osage**—31-70 K-9938-01—K-31 from the south city limits of Melvern south to the junction of I-35, 3.5 miles, crack repair. (State Funds)

**Osage**—268-70 K-9939-01—K-268 from the junction of U.S. 75 east to the junction of K-68, 9.5 miles, sealing. (State Funds)

**Osage**—68-70 K-9940-01—K-68 from the junction of K-268 east to the Osage-Franklin county line, 1 mile, sealing. (State Funds)

**Osage**—368-70 K-9941-01—K-368 from the junction of K-268 north to Pomona Lake, 1 mile, sealing. (State Funds)

**Pottawatomie**—16-75 K-7428-01—K-16, Spring Creek bridge, 1 mile west of the junction of K-63, bridge replacement. (Federal Funds)

**Pottawatomie**—24-75 K-9936-01—U.S. 24, 4.4 miles east of the junction of K-177 east to 1.2 miles east of the east city limits of Wamego, 11.6 miles, seal. (State Funds)

**Pottawatomie**—75 C-3816-01—County road 1.5 miles north and 1 mile west of Wheaton, 0.1 mile, grading bridge and surfacing. (Federal Funds)

**Wabaunsee**—99-99 K-6785-01—K-99, Chicken Creek bridge, 0.4 mile north of the junction of K-31, bridge replacement. (Federal Funds)

**Wyandotte**—69-105 KA-0173-01—U.S. 69 bridge over old K-132, 0.4 mile south of I-70, bridge repair. (State Funds)

#### District Two—Northcentral

**Clay**—9-14 K-9597-01—K-9, Parsons Creek drainage, culvert repair. (State Funds)

**Clay**—24-14 K-9942-01—U.S. 24 from the east city limits of Clay Center east to the Clay-Riley county line, 8.1 miles, crack repair. (State Funds)

**Dickinson**—4-21 K-9944-01—K-4 from the Saline-Dickinson county line east to the junction of K-43, 17 miles, crack repair. (State Funds)

**Dickinson**—206-21 K-9947-01—K-206 from the north city limits of Chapman north to the junction of I-70, 1 mile, crack repair. (State Funds)

**Ellsworth**—4-27 KA-0100-01—K-4 from the Rice-Ellsworth county line east to the Ellsworth-McPherson county line, 6.7 miles, crack repair. (State Funds)

**Jewell**—14-45 K-9950-01—K-14 from the Mitchell-Jewell county line north to the west junction of U.S. 36, 15.3 miles, crack repair. (State Funds)

**McPherson**—4-59 KA-0101-01—K-4 from the Ellsworth-McPherson county line east to the west city limits of Lindsborg, 13 miles, crack repair. (State Funds)

**McPherson**—175-59 KA-0167-01—K-175 from the junction of K-4, south to the north city limits of Marquette, 0.5 mile, crack repair. (State Funds)

**Mitchell**—14-62 K-9949-01—K-14 from the junction of U.S. 24 north to the Mitchell-Jewell county line, 7.8 miles, crack repair. (State Funds)

**Saline**—4-85 K-9943-01—K-4 from the south city limits of Gypsum east to the Saline-Dickinson county line, 4.3 miles, crack repair. (State Funds)

**Washington**—15-101 K-9574-01—K-15, Mill Creek bridge, 2.6 miles north of the west junction of U.S. 36, bridge repair. (State Funds)

**Washington**—9-101 K-9598-01—K-9 culvert north of the south junction of K-15, culvert repair. (State Funds)

**Washington**—15-101 K-9946-01—K-15 from the junction of K-9/K-148 north to the junction of U.S. 36, 7 miles, crack repair. (State Funds)

**Washington**—148-101 K-9948-01—K-148 from the Republic-Washington county line east to the junction of K-9/K-15, 17 miles, crack repair. (State Funds)

#### District Three—Northwest

**Decatur**—36-20 KA-0102-01—U.S. 36 from the east city limits of Oberlin east to the Decatur-Norton county line, 18.1 miles, seal. (State Funds)

**Graham**—18-33 KA-0104-01—K-18 from the junction of U.S. 24 southeast to the Graham-Rooks county line, 6 miles, seal. (State Funds)

**Graham**—24-33 KA-0105-01—U.S. 24 from the junction of K-18 east to the Graham-Rooks county line, 4.8 miles, seal. (State Funds)

**Norton**—383-69 KA-0106-01—K-383 from the Decatur-Norton county line northeast to the west junction of U.S. 36, 13.6 miles, seal. (State Funds)

**Trego**—98 C-4004-01—County road 9 miles south and 2.2 miles east of Trego Center, 0.2 mile, grading and bridge. (Federal Funds)

**Rawlins**—36-77 KA-0103-01—U.S. 36, 5th Street in Atwood east 8.1 miles, seal. (State Funds)

#### District Four—Southeast

**Anderson**—59-2 K-9243-01—U.S. 59/U.S. 169 intersection, 1.3 miles south of Garnett, 0.5 mile, intersection improvement. (Federal Funds)

**Bourbon**—69-6 K-9584-01—U.S. 69, pedestrian overpasses at Third and Sixth Streets in Fort Scott, bridge painting. (State Funds)

**Franklin**—68-30 KA-0123-01—K-68 from the Osage-Franklin county line east to the west city limits of Ottawa, 11.8 miles, seal. (State Funds)

**Greenwood**—37 C-3956-01—County road 7.5 miles south of Lapland, 0.2 mile, grading and bridge. (Federal Funds)

#### District Five—Southcentral

**Barber**—2-4 KA-0116-01—K-2 from the junction of U.S. 281 east to the Barber-Harper county line, 16.1 miles, seal. (State Funds)

**Barber**—8-4 KA-0117-01—K-8 from the Oklahoma-Kansas state line north to the junction of K-2, 1.3 miles, seal. (State Funds)

**Barber**—2-4 K-9043-01—K-2 from Barnes Street to Hardtner Street in Kiowa, 0.1 mile, grading and surfacing. (State Funds)

**Barber**—2-4 K-9586-01—K-2, Little Mule Creek bridge, 1.8 miles east of U.S. 281, bridge overlay. (State Funds)

**Barton**—56-5 K-8615-01—U.S. 56 and Sheridan Street in Great Bend, 0.3 mile, grading and surfacing. (State Funds)

**Butler**—196-8 KA-0118-01—K-196 from the Harvey-Butler county line southeast to the junction of K-254, 18.9 miles, crack repair. (State Funds)

**Cowley**—15-18 K-9596-01—K-15, Walnut River bridge, 1.4 miles west of the north junction of U.S. 77, bridge painting. (State Funds)

**Rush**—4-83 KA-0114-01—K-4 from the Ness-Rush county line east to the Rush-Barton county line, 36.7 miles, crack repair. (State Funds)

**Rush**—183-83 KA-0115-01—U.S. 183 from the junction of K-4 north to the Rush-Ellsworth county line, 11.1 miles, seal. (State Funds)

#### District Six—Southwest

**Grant**—34 C-3896-01—County road 3 miles east of Ulysses, 0.1 mile, grading and surfacing. (Federal Funds)

**Grant**—25-34 KA-0129-01—K-25 From the Stevens-Grant county line north to the south city limits of Ulysses, 13.4 miles, seal. (State Funds)

**Lane**—23-51 KA-0125-01—K-23 from the north city limits of Dighton north to the Lane-Gove county line, 14.7 miles, seal. (State Funds)

**Stevens**—51-95 KA-0126-01—K-51 from the east city limits of Hugoton east to the Stevens-Seward county line, 14.9 miles, seal. (State Funds)

**Stevens**—25-95 KA-0128-01—K-25 from the east junction of U.S. 56 north to the Stevens-Grant county line, 13.1 miles, crack repair. (State Funds)

**Seward**—51-88 KA-0127-01—K-51 from the Stevens-Seward county line east to the junction of U.S. 83, 7 miles, seal. (State Funds)

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

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

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Deb Miller  
Secretary of Transportation

Doc. No. 031763

#### State of Kansas

### Kansas Statewide Homeless Coalition

#### Request for Proposals

The Kansas Statewide Homeless Coalition (KSHC), as the lead entity in Kansas' Balance of State Continuum of Care (CoC), is submitting an application for the Department of Housing and Urban Development's homeless assistance funding under the CoC process. A continuum of care system is designed to address the critical problem of homelessness through a coordinated community-based process of identifying needs and building a system to address those needs. The KSHC is requesting proposals for the three programs under HUD's CoC process:

- Supportive Housing Program—Provides housing, including housing units and group quarters, that has a supportive environment and includes a planned service component.
- Shelter Plus Care Program—Provides grants for rental assistance for homeless persons with disabilities through four component programs: Tenant, Sponsor, Project, and Single Room Occupancy (SRO) Rental Assistance.
- Single Room Occupancy Program—Provides rental assistance on behalf of homeless individuals in connection with moderate rehabilitation of SRO dwellings.

The 2005 timeline for grant application submission follows:

(1) Initial letter of intent ("intent to submit") and pre-application form must be received by e-mail or mail by 5 p.m. April 15.

(2) A feedback letter from the KSHC Technical Review and Prioritization Committee will be e-mailed to project applicants April 19. Those applicants meeting the HUD threshold requirements and state priorities will be requested to submit a full application. Project application packets will be available to download from the Kansas Statewide Homeless Coalition's Web site.

(3) Completed Exhibit 2, 3 or 4 and BoS CoC Supplement due by e-mail or mail by 5 p.m. May 12. A copy also will be submitted to the KSHC Technical Review and Prioritization Committee, which will review the application and make recommendations on actions to strengthen the application.

(4) Project applicants will be notified of requested technical corrections by e-mail May 20.

(5) Final applications due by **mail**—this includes Exhibit 2, 3 or 4, BoS CoC supplement materials, certifications and HUD required forms—by 5 p.m. May 27 for review and scoring by the KSHC Technical Review and Prioritization Committee. **Original hard copies must be**

*(continued)*

**mailed—no e-mailed final applications and other materials will be accepted.**

(6) Project applicants will be notified of final scores and feedback to agencies by e-mail June 1.

(7) Any requests for appeals to project scoring due by e-mail or mail by June 3.

(8) The KSHC Technical Review and Prioritization Committee will meet to review appeals and rank projects June 6.

(9) Ranking results distributed by e-mail June 7.

(10) KSHC will compile the Continuum of Care Narrative, the individual project applications, and the Consolidated Plan Certifications and other required forms, and submit them to HUD June 10.

Letters of intent and pre-application forms should be e-mailed to Randy Crandall at [Randy.Crandall@med.gov.org](mailto:Randy.Crandall@med.gov.org) and cc to [KSHomeless@trmonline.org](mailto:KSHomeless@trmonline.org). E-mailed materials will receive an e-mail confirming receipt.

Mailed final applications and other material should be sent to Randy Crandall, VAMC (B21-116), 2200 Gage Blvd., Topeka, 66622-0001.

Questions or comments may be directed to Randy Crandall at (785) 350-3111, ext. 52090, or [Randy.Crandall@med.va.gov](mailto:Randy.Crandall@med.va.gov). The pre-application form can be downloaded at <http://www.kshomeless.com/documents/Pre-Application.doc>.

Note: Any application that does not conform to the above submission deadlines will not be considered for review and/or submission with this Kansas Balance of State HUD application package. Agencies/entities that do not want to submit their application under the BoS may mail their application directly to HUD.

HUD requires that all applications submitted under a Balance of State (BoS) exhibit one be given a priority "ranking." Ranking means that a numerical priority will be assigned to each application to reflect its standing among all the projects submitted, e.g., there will be a number one prioritized project, a number two project, etc. This prioritization will be established by the KSHC Board of Directors (BOD) Technical Review and Prioritization Committee in keeping with the needs of individuals and families who are experiencing homelessness in Kansas, and the quality/strength of the application.

Randy Crandall  
Chair

Doc. No. 031795

**State of Kansas**

**Department of Wildlife  
and Parks**

**Permanent Administrative  
Regulations**

**Article 4.—BIG GAME**

**115-4-2. Big game and wild turkey; general provisions.** (a) Possession.

(1) Each permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the

carcass immediately following the kill and before moving the carcass from the site of the kill. Except for a wild turkey or big game animal taken with an "either sex" permit, the beard of the wild turkey or the head of the big game animal shall remain naturally attached to the carcass while in transit from the site of the kill to the permittee's residence or to a place of processing or preservation, unless the carcass has been tagged with a department check station tag. The carcass tag shall remain attached to the carcass until the animal is processed for consumption. The permittee shall retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(2) Any legally acquired big game or wild turkey meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(3) Any person may possess a salvaged big game or wild turkey carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game or wild turkey meat may be donated as specified in paragraph (a)(2) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the salvaged big game or wild turkey carcass. Each salvage tag shall include the following information:

(A) The name and address of the person to whom the tag is issued;

(B) the salvage tag number;

(C) the species and sex of each animal for which the tag is issued;

(D) the location and the date, time, and cause of death of each animal; and

(E) the date of issuance and the signature of the department agent issuing the salvage tag.

(b) Big game and wild turkey permits and game tags.

(1) A permit or game tag purchased during the open season shall not be valid until the next calendar day.

(2) Big game and wild turkey permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

(3) Removal of the carcass tag from the permit or game tag shall invalidate the permit or game tag for hunting, unless otherwise authorized by law or regulation.

(4) In addition to other penalties prescribed by law, each big game and wild turkey permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

(A) Through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits or game tags authorized by regulations for that big game species or wild turkey.

(c) Subject to the hunting license requirements of K.S.A. 32-919, and amendments thereto, and license requirements of regulations adopted thereunder, and to the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game or wild turkey



permit or game tag during the permittee's big game or wild turkey hunting activity. This assistance may include herding or driving.

(1) An individual assisting the holder of a big game or wild turkey permit or game tag shall not perform the actual shooting of big game or wild turkey for the permittee, unless authorized by K.A.R. 115-18-15. However, a permittee who is, because of disability, unable to pursue a wounded big game animal or wild turkey may designate any individual to assist in pursuing and dispatching a big game animal or wild turkey wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game or wild turkey permit or game tag and shall attach the carcass tag to the carcass immediately after the kill and before leaving the site of the kill.

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee. (Authorized by K.S.A. 32-807, K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5, and L. 2004, Ch. 99, Sec. 12; implementing K.S.A. 32-807, K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5, L. 2004, Ch. 99, Sec. 12, K.S.A. 2003 Supp. 32-1001, K.S.A. 32-1002, and K.S.A. 32-1004, as amended by L. 2004, Ch. 99, Sec. 9; effective June 1, 2001; amended April 22, 2005.)

**115-4-4. Big game; legal equipment and taking methods.** (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic or chemical device attached to the bow or arrow, with the exception of lighted pin, dot, or holographic sights.

(E) Each arrow used for hunting shall be equipped with a nonbarbed broadhead point with all-metal cutting edges.

(F) Each arrow used for hunting shall be at least 20 inches in length.

(G) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light may be used.

(H) Range-finding devices may be used or attached to the bow if the system does not project visible light toward the target.

(I) No bow with less than 50 pounds of draw weight shall be used to archery hunt for elk.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Firearms season equipment authorized for all big game species:

(A) Archery equipment as authorized in subsection (a);

(B) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

(C) range-finding devices, if the system does not project visible light toward the target.

(2) Firearms season equipment authorized for deer and antelope:

(A) Centerfire rifles that are not fully automatic and that fire a bullet larger than .23 inches in diameter, while using only soft point, hollow point, or other expanding bullets;

(B) muzzleloading rifles and muskets that can be loaded only through the front of the firing chamber with separate components and that fire a bullet of .39 inches in diameter or larger;

(C) centerfire handguns that are not fully automatic, fire a bullet larger than .23 inches in diameter, and use a cartridge case that is 1.280 inches or more in length, while using only soft point, hollow point, or other expanding bullets;

(D) single barrel muzzleloading pistols .45 caliber or larger that have a barrel length of 10 inches or greater and can be loaded only through the front of the barrel with separate components. Only conical lead or sabot bullets weighing 210 grains or greater shall be used with muzzleloading pistols; and

(E) shotguns using only slugs of 20 gauge or larger.

(3) Firearms season equipment authorized for elk:

(A) Centerfire rifles as authorized in paragraph (b)(2)(A), but only if firing a bullet larger than .25 inches in diameter and using a cartridge greater than 2.5 inches in length; and

(B) muzzleloading rifles and muskets as authorized in paragraph (b)(2)(B), but only if firing a bullet of .49 inches in diameter or larger.

(c) Hunting equipment for the taking of big game during a big game muzzleloader-only firearm season shall consist of the following:

(1) Muzzleloader-only season equipment authorized for deer and antelope:

(A) Muzzleloading rifles and muskets as authorized in paragraph (b)(2)(B), but only if using only open or peep sights that do not magnify the target, project visible light, or electronically amplify visible or infrared light; and

(B) muzzleloading pistols as authorized in paragraph (b)(2)(D), but only if using only open or peep sights that do not magnify the target, project visible light, or electronically amplify visible or infrared light.

(2) Muzzleloader-only season equipment authorized for elk:

(A) Muzzleloading rifles and muskets as authorized in paragraph (b)(3)(B), but only if using only open or peep sights that do not magnify the target, project visible light, or electronically amplify visible or infrared light; and

(B) archery equipment as authorized in subsection (a).

(d) Accessory equipment.

(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear clothing of a bright orange color having a predominant light wavelength of 595-605 nanometers, commonly referred to as daylight fluorescent orange,

(continued)

hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

(A) A hat with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) a minimum of 100 square inches of the bright orange color that is on the front of the torso and is visible from the front, and a minimum of 100 square inches that is on the rear of the torso and is visible from the rear.

(2) Nonelectric calls, lures, and decoys, except live decoys, shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(e) Big game permittees shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive big game permit or game tag in possession while hunting.

(f) Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

(g) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving elk. (Authorized by K.S.A. 32-807 and K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5; implementing K.S.A. 32-807, K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5, K.S.A. 32-1002, and K.S.A. 32-1015; effective June 1, 2001; amended April 19, 2002; amended April 22, 2005.)

**115-4-4a. Wild turkey; legal equipment and taking methods.** (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic or chemical device attached to the bow or arrow, with the exception of lighted pin, dot, or holographic sights.

(E) Each arrow used for hunting shall be equipped with a nonbarbed broadhead point with all-metal cutting edges.

(F) Each arrow used for hunting shall be at least 20 inches in length.

(G) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light may be used.

(H) Range-finding devices may be used or attached to the bow if the system does not project visible light toward the target.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

(1) Archery equipment as authorized in subsection (a);

(2) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light;

(3) range-finding devices, if the system does not project visible light toward the target; and

(4) shotguns and muzzleloading shotguns not less than 20 gauge and using only size two shot through size nine shot.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

(1) Nonelectric calls, lures, and decoys, except live decoys; and

(2) blinds and stands.

(d) Each wild turkey permittee shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive wild turkey permit or game tag in possession while hunting.

(e) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(f) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(g) Dogs may be used while hunting turkey, but only during the fall turkey season. (Authorized by K.S.A. 32-807 and L. 2004, Ch. 99, Sec. 12; implementing K.S.A. 32-807, L. 2004, Ch. 99, Sec. 12, and K.S.A. 32-1002; effective April 22, 2005.)

**115-4-13. Deer permits; descriptions and restrictions.** Except as otherwise specified or further restricted by law or regulation, the following deer permit descriptions, provisions, and restrictions shall be in effect.

(a) White-tailed deer permits.

(1) Archery white-tailed deer permit. This permit shall be valid for the hunting of white-tailed deer during the established archery deer season within a prescribed management unit or units, using equipment that is legal during the archery deer season.

(2) Firearm white-tailed deer permit. This permit shall be valid for the hunting of white-tailed deer during the established muzzleloader-only and firearms deer seasons within a prescribed management unit, using equipment that is legal during the established season.

(3) Antlerless white-tailed deer permit. This permit shall be valid for the hunting of antlerless white-tailed deer statewide during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season.

(4) Antlerless white-tailed deer game tag. This permit shall be valid for the hunting of antlerless white-tailed deer during the established muzzleloader-only, archery, and firearms deer seasons within a prescribed management unit or units, using equipment that is legal during the established season. This permit shall not be valid on department lands and waters.

(b) Any-deer permits.

(1) Archery any-deer permit. This permit shall be valid for the hunting of any deer during the established archery deer season within a prescribed management unit or units, using equipment that is legal during the archery deer season.

(2) Firearm any-deer permit. This permit shall be valid for the hunting of any deer during the established fire-

arms deer season within a prescribed management unit, using equipment that is legal during the firearms deer season.

(3) Muzzleloader any-deer permit. This permit shall be valid for the hunting of any deer during the established muzzleloader-only and firearms deer seasons within a prescribed management unit, using muzzleloader equipment that is legal during the muzzleloader-only or firearms deer season.

(4) Leftover any-deer permit. Leftover any-deer permits shall be those firearm and muzzleloader any-deer permits that remain unissued after the first drawing process is completed. This permit shall be valid for the hunting of any deer within a prescribed management unit during the established muzzleloader-only, archery, and firearms deer seasons using equipment that is legal during the established season.

(c) Hunt-on-your-own-land deer permits. Each hunt-on-your-own-land permit shall be valid for any deer, unless otherwise specified in regulation.

(1) Resident hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as resident landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the landowner or tenant.

(2) Special hunt-on-your-own-land deer permit. This permit shall be available to individuals who qualify as resident landowners or as tenants or as family members domiciled with the landowner or with the tenant. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the landowner or tenant. This permit shall be transferable to family members who are lineal or collateral ascendants or descendants of the landowner or of the tenant. These family members shall include the spouses of lineal or collateral ascendants or descendants of the landowner or of the tenant.

(3) Nonresident hunt-on-your-own-land deer permit. This permit shall be available to nonresident individuals who qualify as Kansas landowners. This permit shall be valid during the muzzleloader-only, archery, and firearms deer seasons, using equipment that is legal during the established season. This permit shall be valid only on lands owned or operated by the nonresident landowner or tenant.

(d) Nonresident deer permits. If nonresident deer permits are issued, each nonresident permit shall be valid for the same season and for the same management unit as those for which the equivalent resident deer permits are valid.

(e) Each deer permit or game tag shall be valid only for the species of deer specified and only for the antler category of deer specified by regulation or on the permit or game tag.

(1) An either-sex deer permit shall be valid for deer of either sex.

(2) An antlerless deer permit or game tag shall be valid only for a deer without a visible antler plainly protruding from the skull.

(3) An any-deer permit shall be valid for a white-tailed deer of either sex or a mule deer of either sex, except that an antlerless any-deer permit shall be valid only for a deer of either species without a visible antler plainly protruding from the skull. (Authorized by K.S.A. 32-807 and K.S.A. 2003 Supp. 32-937, as amended by L. 2004, Ch. 99, Sec. 5; implementing K.S.A. 32-807, K.S.A. 2003 Supp. 937, as amended by L. 2004, Ch. 99, Sec. 5, and K.S.A. 32-1002; effective Jan. 30, 1995; amended June 6, 1997; amended July 30, 1999; amended June 1, 2001; amended April 22, 2005.)

J. Michael Hayden  
Secretary of Wildlife  
and Parks

Doc. No. 031788

#### State of Kansas

#### Department of Revenue

#### Permanent Administrative Regulations

#### Article 12.—INCOME TAX

**92-12-113. Credit for property tax paid on commercial and industrial machinery and equipment; tax receipts.** (a) If the amount of the business machinery and equipment credit claimed by a taxpayer on credit schedule K-64 is more than \$500, the taxpayer shall submit a copy of each property tax receipt issued by a county treasurer, showing timely payment of the personal property tax on the commercial and industrial machinery and equipment for which the tax credit is sought. Each taxpayer claiming the business machinery and equipment credit for property taxes paid on railroad machinery and equipment shall submit the documentation provided to that taxpayer by the division of property valuation of the Kansas department of revenue specifying the value of the railroad machinery and equipment on which this credit is calculated and a copy of each supporting tax receipt issued by a county treasurer.

(b) The property tax receipts and documentation specified in subsection (a) shall not be required to be submitted with the taxpayer's credit schedule K-64 if the amount of the credit claimed by the taxpayer is \$500 or less.

(c) Each taxpayer claiming the business machinery and equipment credit shall retain, as part of the taxpayer's records, each property tax receipt and any other document substantiating the claim. (Authorized by K.S.A. 79-3236; implementing K.S.A. 2004 Supp. 79-32,206; effective April 22, 2005.)

#### Article 51.—TITLES AND REGISTRATION

**92-51-34a. License plates; extension of time for new issuance.** (a) The current issuance cycle for new license plates shall be extended for an additional one-year period by the director of vehicles. During calendar year 2007, one decal shall be furnished for the license plate  
(continued)

issued for each new registration of a vehicle, as provided in K.S.A. 8-134 and amendments thereto, and for each renewal registration of a vehicle. New license plates shall be issued during calendar year 2008 and during every fifth calendar year after 2008, for each new registration of a vehicle and for each renewal registration of a vehicle.

(b) During each of the four years following 2008 and during each of the four years following any year in which new license plates are issued, one decal shall be furnished for the license plate issued for each new registration of a vehicle and for each renewal registration of a vehicle. (Authorized by and implementing K.S.A. 2003 Supp. 8-132; effective Jan. 23, 2004; amended April 22, 2005.)

Joan Wagnon  
Secretary of Revenue

Doc. No. 031797

## State of Kansas

### Behavioral Sciences Regulatory Board

#### Permanent Administrative Regulations

#### Article 1.—CERTIFICATION OF PSYCHOLOGISTS

**102-1-13. Fees.** (a) Each applicant for licensure as a psychologist shall pay the appropriate fee as set forth below:

- (1) Application for a license, \$100;
- (2) original license, \$175;
- (3) renewal, \$200;
- (4) duplicate license, \$20;
- (5) 90-day nonresident temporary license, \$15;
- (6) temporary license, \$150;
- (7) temporary license renewal fee, \$150; or
- (8) specialty endorsement, \$130.

(b) Each applicant for a license renewal after its date of expiration shall pay an additional fee of \$200, as well as the renewal fee of \$200.

(c) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2005. (Authorized by K.S.A. 74-5316, 74-5319, 74-5349, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 74-5310, 74-5310a, 74-5316, 74-5319, 74-5320, and 74-5349; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended, T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended July 1, 2005.)

**102-1-13. Designation of referral source for use in the diagnosis and treatment of mental disorders.** The "diagnostic and statistical manual of mental disorders," fourth edition, text revision, copyrighted in 2000 and published by the American psychiatric association, is hereby adopted by reference. (Authorized by K.S.A. 74-5302 and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 74-5302; effective Oct. 27, 2000; amended April 22, 2005.)

#### Article 2.—LICENSING OF SOCIAL WORKERS

**102-2-3. Fees.** (a) Each applicant for a new social work license shall pay the appropriate application fee as set forth below:

- (1) Licensed baccalaureate social worker (LBSW): \$100.00;
- (2) licensed master social worker (LMSW): \$100.00;
- (3) licensed specialist clinical social worker (LSCSW): \$100.00; and
- (4) temporary license fee: \$50.00.

(b) Each applicant for license renewal shall pay the applicable fee as set forth below:

- (1) Licensed associate social worker (LASW): \$100.00;
- (2) licensed baccalaureate social worker (LBSW): \$100.00;
- (3) licensed master social worker (LMSW): \$125.00; and
- (4) licensed specialist clinical social worker (LSCSW): \$150.00.

(c) Each applicant for license reinstatement after the date of its expiration shall pay, in addition to the renewal fee, the applicable penalty fee as set forth below:

- (1) Licensed associate social worker (LASW): \$100.00;
- (2) licensed baccalaureate social worker (LBSW): \$100.00;
- (3) licensed master social worker (LMSW): \$125.00; and
- (4) licensed specialist clinical social worker (LSCSW): \$150.00.

(d) The fee for a replacement license shall be \$20.00, and the fee for a replacement wallet card license shall be \$2.00.

(e) Each provider of continuing education programs shall pay the applicable fee as set forth below:

- (1) One-year provisional approved provider application fee: \$100.00;
- (2) three-year approved provider renewal fee: \$250.00; and
- (3) single-program provider fee: \$50.00.

(f) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2005. (Authorized by K.S.A. 65-6314; implementing K.S.A. 65-6313 and 65-6314; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended, May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987; amended, T-102-10-17-89, Oct. 17, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended June 12, 1995; amended Aug. 4, 1995; amended Aug. 4, 2000; amended March 8, 2002; amended July 1, 2005.)

**102-2-8. Supervision.** (a) Supervision of nonlicensed social work service providers who participate in the delivery of social work services.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed social work service provider.

(2) Each licensee supervising one or more nonlicensed individuals who participate in the delivery of social work services shall specifically delineate the duties of each nonlicensed individual and provide a level of supervision that is consistent with the training and ability of the nonlicensed social work service provider.

(3) Each licensee supervising one or more nonlicensed persons who participate in the delivery of social work services shall develop a written agreement. The agreement shall consist of specific goals and objectives, the

means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of the nonlicensed social work service provider. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the nonlicensed person;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) The supervisor shall provide no fewer than four hours of supervision per month for each supervisee.

(5) The supervisor shall not have a dual relationship with the supervisee.

(b) Supervision of nonlicensed student social work service providers.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed student social work service provider.

(2) Each licensee supervising one or more nonlicensed students in the delivery of social work services shall specifically delineate each student's duties and provide a level of supervision consistent with the training and ability of each student.

(3) Each licensee supervising one or more nonlicensed students who participate in the delivery of social work services shall develop a written agreement for each student that is consistent with the requirements of the student's academic social work program.

(4) The supervisor shall not have a dual relationship with the supervisee.

(c) Supervision of holders of temporary social work licenses.

(1) Social work consultation shall not meet the supervision requirements for any holder of a temporary social work license.

(2) Each licensee supervising one or more individuals who hold a temporary social work licensure permit shall specifically delineate the duties of each temporary license holder and provide a level of supervision consistent with the training and ability of each individual.

(3) Each licensee supervising a temporary social work license holder and that individual shall develop a written agreement. This agreement shall consist of specific goals and objectives, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of that person. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the temporary social work license holder;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) A minimum of one hour of supervision shall be provided for each 40 hours of service delivery.

(5) The supervisor shall not have a dual relationship with the supervisee.

(d) Supervision of persons engaged in private practice or persons seeking licensure as a specialist clinical social worker.

(1) A licensed specialist clinical social worker shall supervise the practice or delivery of social work services by the following persons:

(A) Any licensee who is attaining the two years of supervised experience required for licensure as a specialist clinical social worker; and

(B) any licensee who is not a licensed specialist clinical social worker and who is engaged in private practice.

(2) Any person attaining the supervised experience required for licensure as a specialist clinical social worker may be supervised by a social worker who is licensed as a clinical social worker authorized to engage in the private, independent practice of social work in another state and who is otherwise qualified.

(3) Supervisor qualifications. To qualify as a supervisor, a licensed specialist clinical social worker shall fulfill these requirements:

(A) Have, in full or in part, professional responsibility for the supervisee's practice of social work or delivery of social work services;

(B) not have a dual relationship with the supervisee;

(C) not be under sanction from a disciplinary proceeding, unless this prohibition is waived by the board for good cause shown by the proposed supervisor;

(D) have knowledge of and experience with the supervisee's client population;

(E) have knowledge of and experience with the methods of practice that the supervisee employs;

(F) have an understanding of the organization and administrative policies and procedures of the supervisee's practice setting; and

(G) be a member of the staff for that practice setting or meet the requirements of paragraph (d)(4).

(4) If a qualified supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified supervisor outside of the practice setting if all of the following conditions are met:

(A) The supervisor has a complete understanding of the practice setting's mission, policy, and procedures.

(B) The extent of the supervisor's responsibility for the supervisee is clearly defined with respect to client cases to be supervised, the supervisor's role in personnel evaluation within the practice setting, and other aspects of the clinical supervision training plan.

(C) The responsibility for payment for supervision is clearly defined.

(D) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(E) The parameters of client confidentiality are clearly defined and agreed to by the client.

(5) Supervisor requirements. Each social work practice supervisor shall perform these duties:

(continued)

(A) Meet in person with the supervisee and provide a minimum of one hour of supervision for every 20 hours of direct, face-to-face client contact;

(B) meet with not more than four supervisees at a time in the supervisory meetings;

(C) provide oversight, guidance, and direction of the supervisee's practice of social work or delivery of social work services by assessing and evaluating the supervisee's performance;

(D) conduct supervision as a process distinct from personal therapy, didactic instruction, or social work consultation;

(E) ensure that the scope of the supervisor's own responsibility and authority in the practice setting has been clearly and expressly defined;

(F) provide documentation of supervisory qualifications to the supervisee;

(G) periodically evaluate the supervisee's role, use of a theoretical base, and use of social work principles;

(H) provide supervision in accordance with the written clinical supervision training plan;

(I) maintain documentation of supervision;

(J) provide the documentation required by the board upon a supervisee's application for licensure in sufficient detail to enable the board to evaluate the extent and quality of the supervisee's supervised experience;

(K) provide a level of supervision that is consistent with the education, training, experience, and ability of the supervisee; and

(L) ensure that each client knows that the supervisee is practicing social work or participating in the delivery of social work services under supervision.

(6) Clinical supervision training plan. Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan at the beginning of the supervisory relationship. The supervisee shall submit the training plan to the board and shall receive board approval of the plan before any supervised professional experience hours for clinical licensure can begin to accrue. This plan shall clearly define and delineate the following items:

(A) The supervisory context, which shall include the purpose of supervision;

(B) a summary of the types of clients with whom and the situations in which the supervisee will typically work;

(C) a plan that describes the supervision goals and objectives, the means to attain and evaluate progress towards the goals, and the manner in which the goals relate to the overall objective of supervision;

(D) the format and schedule for supervision;

(E) the supervisor's responsibilities;

(F) the supervisee's responsibilities;

(G) the plans for documenting the date, length, and content of each supervisory meeting and the supervisee's progress toward the learning goals;

(H) the plan for notifying clients of the following information:

(i) The fact that the supervisee is practicing social work or participating in the delivery of social work services under supervision;

(ii) the limits of client confidentiality within the supervisory process; and

(iii) the name, address, and telephone number of the supervisor or other person with administrative authority over the supervisee;

(I) a plan to address and remedy circumstances in which there is a conflict between the supervisor and the supervisee;

(J) the date on which the supervisor and supervisee entered into the clinical supervision training plan, the time frame that the plan is intended to encompass, and the process for termination of the supervisory relationship by either party;

(K) the steps for amending or renegotiating the clinical supervision training plan, if warranted, including written notification of these changes to the board office as provided in paragraph (d)(7); and

(L) a statement identifying the person who is responsible for payment, the terms of payment, and the mutual obligations and rights of each party with respect to compensation, if there is any compensation for supervisory services.

(7) Revision of the clinical supervision training plan. All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, beginning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-6303, 65-6306, 65-6308, K.S.A. 2004 Supp. 65-6309, and 74-7507; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended April 22, 2005.)

**102-2-12. Licensed specialist clinical social work licensure requirements.** (a) Educational requirements. In order for an applicant who earns a degree before July 1, 2003 to qualify for licensure as a licensed specialist clinical social worker, the applicant shall meet, as a part of or in addition to the educational requirements provided in K.S.A. 65-6306, and amendments thereto, the following educational requirements:

(1) Satisfactory completion of at least three graduate academic hours in a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders classified in the diagnostic manuals commonly used as a part of accepted social work practice;

(2) satisfactory completion of a graduate-level, clinically oriented social work practicum that fulfills these requirements:

(A) Is taken after completion of the graduate-level, clinically focused academic courses that are prerequisite to entering the clinical practicum;

(B) is an integrated, conceptually organized academic experience and is not an after-the-fact tabulation of clinical experience;

(C) occurs in a practice setting that, by its nature and function, clearly supports clinical social work practice

and consistently provides opportunities for the supervised application of clinical social work practice knowledge, skills, values, and ethics; and

(D) provides training and close supervision in a wide range of clinical social work practice activities with a population of clients presenting a diverse set of problems and backgrounds.

(b) Each applicant for licensure as a specialist clinical social worker who earns a degree on or after July 1, 2003 shall meet the following requirements:

(1) Satisfactory completion of 15 graduate-level credit hours supporting diagnosis or treatment of mental disorders using the diagnostic and statistical manual of mental disorders as specified in K.A.R. 102-2-14. Three of the 15 credit hours shall consist of a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders as classified in the diagnostic and statistical manual of mental disorders. The 15 graduate-level credit hours shall be from a social work program accredited by the council on social work education or a social work program in substantial compliance as prescribed in K.A.R. 102-2-6 and approved by the board; and

(2) completion of one of the following experience requirements:

(A) A graduate-level, supervised clinical practicum of professional experience that includes psychotherapy and assessment. The practicum shall integrate diagnosis and treatment of mental disorders with use of the diagnostic and statistical manual of mental disorders as identified in K.A.R. 102-2-14 and shall include not less than 350 hours of direct client contact; or

(B) postgraduate supervised experience including psychotherapy and assessment. The experience shall integrate diagnosis and treatment of mental disorders with use of the diagnostic and statistical manual of mental disorders, as specified in K.A.R. 102-2-14. The experience shall consist of not less than 700 hours of supervised experience, including not less than 350 hours of direct client contact. This experience shall be in addition to the 4,000 hours of postgraduate, supervised experience required for each licensed specialist clinical social worker, as specified in subsection (c). The applicant shall provide documentation of this postgraduate experience on board-approved forms. The supervision shall comply with K.A.R. 102-2-8 and K.A.R. 102-2-12(c) and shall be in addition to the supervision requirements in K.A.R. 102-2-12(c)(4).

(c) To receive board approval for the minimum total of 4,000 hours, within a maximum period of six calendar years, of postgraduate, supervised clinical experience required under K.S.A. 65-6306 and amendments thereto, each applicant for licensure as a specialist clinical social worker who has not filed an acceptable clinical supervision training plan with the board before July 1, 2000 shall fulfill the following requirements:

(1) The supervisor and supervisee shall develop and co-sign a clinical supervision training plan on forms provided by the board and submit this plan to the board for consideration for approval before beginning clinical supervision. The clinical supervision training plan shall comply with K.A.R. 102-2-8. If changes or amendments to the plan occur after initial board approval, these

changes or amendments shall be submitted to the board for consideration for approval;

(2) complete, in not less than two years and not more than six years, a minimum of 4,000 hours of satisfactorily evaluated postgraduate, supervised clinical social work practice experience under the supervision of a qualified licensed specialist clinical social worker. A minimum of 2,000 hours of the applicant's total postgraduate, supervised clinical experience shall consist of a combination of the following types of social work services:

(A) At least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families, or groups; and

(B) up to 500 hours of providing clinical social work practice services;

(3) complete all required practice under supervision in accordance with K.A.R. 102-2-8; and

(4) participate in a minimum of 100 supervisory meetings consisting of not less than 150 hours of clinical supervision. A minimum of 75 hours of the 150 required hours of supervision shall be person-to-person, individual supervision. The supervision shall integrate the diagnosis and treatment of mental disorders with the use of the diagnostic and statistical manual of mental disorders specified in K.A.R. 102-2-14. A maximum of two hours of supervision shall be counted for each 20 hours of clinical social work practice.

(d) At the time of the individual's application for licensure as a specialist clinical social worker, the applicant's supervisor shall submit documentation that is satisfactory to the board and that enables the board to evaluate the nature, quality, and quantity of the applicant's supervised clinical social work experience. This documentation shall include the following information:

(1) A written summary of the types of clients and situations dealt with during the supervisory sessions;

(2) a written summary that addresses the degree to which the goals and objectives of supervision have been met;

(3) a chronological roster that specifies the date, length, and format of each supervisory meeting;

(4) a written statement and supportive documentation that describes the applicant's practice setting and provides a summary of the applicant's practice activities and responsibilities that occurred while under supervision;

(5) a statement indicating whether or not the applicant merits the public trust; and

(6) an evaluation of the applicant's supervised clinical social work experience. (Authorized by K.S.A. 65-6306, 65-6308, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-6306 and 65-6308; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 7, 2003; amended April 22, 2005.)

**102-2-14. Designation of referral source for use in the diagnosis and treatment of mental disorders.** The "diagnostic and statistical manual of mental disorders," fourth edition, text revision, copyrighted in 2000 and published by the American psychiatric association, is

*(continued)*

hereby adopted by reference. (Authorized by K.S.A. 65-6306 and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-6306; effective Aug. 4, 2000; amended April 22, 2005.)

### Article 3.—PROFESSIONAL COUNSELORS

**102-3-2. Fees.** (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall pay the appropriate fee or fees as set forth below:

- (1) Application for a professional counselor license, \$100;
- (2) application for a clinical professional counselor license, \$100;
- (3) original professional counselor license, \$150;
- (4) original license fee for a clinical professional counselor, \$150;
- (5) renewal of a professional counselor license, \$150;
- (6) renewal of a clinical professional counselor license, \$175;
- (7) replacement of a professional counselor or a clinical professional counselor wall certificate, \$20;
- (8) reinstatement of a professional counselor license, \$150;
- (9) reinstatement of a clinical professional counselor license, \$175; or
- (10) temporary professional counselor license, \$150.

(b) Each applicant for renewal of a professional counselor license after its date of expiration shall pay the reinstatement fee in addition to the late renewal penalty fee of \$150.

(c) Each applicant for renewal of a clinical professional counselor license after its date of expiration shall pay the reinstatement fee in addition to the late renewal penalty fee of \$175.

(d) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2005. (Authorized by K.S.A. 65-5808 and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-5808; effective, T-88-45, Nov. 10, 1987; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005.)

**102-3-15. Designation of referral source for use in the diagnosis and treatment of mental disorders.** The “diagnostic and statistical manual of mental disorders,” fourth edition, text revision, copyrighted in 2000 and published by the American psychiatric association, is hereby adopted by reference. (Authorized by K.S.A. 65-5802, 65-5804, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-5804; effective Aug. 4, 2000; amended April 22, 2005.)

### Article 4.—MASTER’S LEVEL PSYCHOLOGISTS

**102-4-2. Fees.** (a) Each applicant or licensee shall pay the appropriate fee or fees as set forth below:

- (1) Application for a master’s level psychologist license, \$100;
- (2) application for clinical psychotherapist license, \$100;
- (3) original master’s level psychologist license, \$150;
- (4) original clinical psychotherapy license, \$150;
- (5) renewal of master’s level psychologist license, \$150;

- (6) renewal of a clinical psychotherapist license, \$175;
- (7) replacement of a master’s level psychologist or clinical psychotherapist wall certificate, \$20;
- (8) reinstatement of master’s level psychologist license, \$150;
- (9) reinstatement of clinical psychotherapist license, \$175;
- (10) temporary master’s level psychologist license, \$100; or
- (11) renewal of temporary master’s level psychologist license, \$100.

(b) Each applicant for reinstatement of a master’s level psychologist license after its date of expiration shall pay the renewal fee in addition to the penalty fee of \$150.

(c) Each applicant for reinstatement of a clinical psychotherapist license after its date of expiration shall pay the renewal fee in addition to the penalty fee of \$175.

(d) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2005. (Authorized by K.S.A. 74-5365, 74-5367, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 74-5363, 74-5365, 74-5366, and 74-5367; effective, T-102-2-23-89, Feb. 23, 1989; effective April 3, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005.)

**102-4-15. Designation of referral source for use in the diagnosis and treatment of mental disorders.** The “diagnostic and statistical manual of mental disorders,” fourth edition, text revision, copyrighted in 2000 and published by the American psychiatric association, is hereby adopted by reference. (Authorized by K.S.A. 74-5361, 74-5363, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 74-5363; effective Aug. 4, 2000; amended April 22, 2005.)

### Article 5.—LICENSED MARRIAGE AND FAMILY THERAPISTS

**102-5-2. Fees.** (a) Each applicant or licensee shall pay the appropriate fee or fees as set forth below:

- (1) Application for a marriage and family therapist license, \$100;
- (2) application for a clinical marriage and family therapist license, \$100;
- (3) original marriage and family therapist license, \$150;
- (4) original clinical marriage and family therapist license, \$150;
- (5) renewal of a marriage and family therapist license, \$150;
- (6) renewal of a clinical marriage and family therapist license, \$175;
- (7) replacement of a marriage and family therapist or clinical marriage and family therapist wall certificate, \$20;
- (8) reinstatement of a marriage and family therapist license, \$150;
- (9) reinstatement of a clinical marriage and family therapist license, \$175; or
- (10) temporary marriage and family therapist license, \$150.



(b) Each applicant for reinstatement of a marriage and family therapist or clinical marriage and family therapist license after its date of expiration shall pay the reinstatement fee in addition to a late fee of \$5 for each full 30-day period of delay beyond the expiration date and for each portion of such a 30-day period. The maximum late fee shall be \$150 for each applicant for reinstatement of a marriage and family therapist license and \$175 for each applicant for reinstatement of a clinical marriage and family therapist license.

(c) Fees paid to the board shall not be refundable. This regulation shall be effective on and after July 1, 2005. (Authorized by and implementing K.S.A. 65-6405, K.S.A. 65-6411; effective March 29, 1993; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005.)

**102-5-14. Designation of referral source for use in the diagnosis and treatment of mental disorders.** The “diagnostic and statistical manual of mental disorders,” fourth edition, text revision, copyrighted in 2000 and published by the American psychiatric association, is hereby adopted by reference. (Authorized by K.S.A. 65-6402, 65-6404, and K.S.A. 2004 Supp. 74-7507; implementing K.S.A. 65-6404; effective Aug. 4, 2000; amended April 22, 2005.)

Phyllis Gilmore  
Executive Director

Doc. No. 031766

## State of Kansas

### Department of Commerce

#### Permanent Administrative Regulations

#### Article 11.—KANSAS DOWNTOWN REDEVELOPMENT ACT

**110-11-1. Definitions.** As used in these regulations and for purposes of administering the act, the following terms shall have the meanings specified in this regulation: (a) “Act” means the Kansas downtown redevelopment act, L. 2004, ch. 112, §§ 81 through 85, and amendments thereto.

(b) “Commercial, office, residential and public use,” as that term is used in the definition of “core commercial district” in L. 2004, ch. 112, § 82(b) and amendments thereto, shall include hotels, motels, bed and breakfasts, banks, office buildings, railroad stations, public dining facilities, retail establishments, and public buildings that occupy a collective and facing frontage on one side or both sides of a street within the core commercial district.

(c) “Compact” means that the commercial, office, residential, and public structures within a proposed redevelopment area are contiguous with each other.

(d) “Department” means the department of commerce.

(e) “Investment in improvements to the real property or trade fixtures” of a structure means rehabilitation expenditures.

(f) “Rehabilitation expenditures” and “approved rehabilitation expenditures” mean investments by structure owners that are consistent with the department’s “downtown redevelopment guidelines” for the physical improvement of compact commercial, office, residential, and public use structures within a core commercial district. The department’s “downtown redevelopment guidelines,” as in effect on July 1, 2004, are hereby adopted by reference.

(g) “Residential housing” means structures within a core commercial district once used for hotels, motels, bed and breakfasts, and upstairs apartments within these structures.

(h) “Secretary” means the secretary of the department of commerce.

(i) “Trade fixtures” means machinery and equipment, communication equipment, and office equipment that can be removed from a structure without jeopardizing the structural integrity.

(j) “Unincorporated area of a county” means the portion of a county that is no longer an incorporated city but where there remains a historic or recognizable core commercial district.

(k)(1) “Vacancy rate” means the square footage of properties within a core commercial district that currently is not utilized for commercial, office, residential or public use, expressed as a percentage of the aggregate properties’ total square footage utilized for commercial, office, residential and public use. This term shall not include square footage devoted solely to storage or warehouse usage if the property owner is compensated by another for the use of the storage or warehousing square footage.

(2) The vacancy rate shall be determined by dividing the aggregate square footage of commercial, office, residential, and public use structures in the redevelopment area, excluding square footage devoted solely to storage or warehousing for a fee, that is not being utilized for ongoing business activities by the aggregate square footage of commercial, office, residential, and public use structures in the redevelopment area, including square footage devoted solely to storage or warehousing for a fee. (Authorized by L. 2004, ch. 183, § 7; implementing L. 2004, ch. 112, §§ 81, 82, 83, and 84; effective April 22, 2005.)

**110-11-2. Application for proposed redevelopment area.** (a) Any governing body may request the secretary’s approval to create a redevelopment area under the act by submitting an application on a form provided by the department.

(b) The secretary’s decision on the application and the controlling facts on which the decision is made shall be communicated in writing to the governing body within 90 days of the secretary’s decision.

(c) The secretary’s decision shall be a final agency action that is subject to review in accordance with the act for judicial review, K.S.A. 77-601 et seq., and amendments thereto. (Authorized by L. 2004, ch. 183, § 7; implementing L. 2004, ch. 112, §§ 81 and 83; effective April 22, 2005.)

**110-11-3. Progress reports.** (a) Each governing body whose application for a redevelopment area is ap-

(continued)

proved by the secretary shall submit annual progress reports on forms provided by the department. Each report shall document and compare the progress actually made by the owners of the structures in the redevelopment area against the proposed redevelopment area plan.

(b) All new assessed valuations of structures within a redevelopment area shall be included in the next progress report submitted to the secretary under subsection (a). The governing body shall identify the affected properties and their previous and current valuations. (Authorized by L. 2004, ch. 183, § 7; implementing L. 2004, ch. 112, § 81 and L. 2004, ch. 183, § 7; effective April 22, 2005.)

Howard R. Fricke  
Secretary of Commerce

Doc. No. 031798

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 2.—LOTTERY RETAILERS

**111-2-167. Social environment Keno retailer incentive and drawing.** (a) During the period beginning March 1, 2005, and ending March 31, 2005, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating social environment lottery retailers located in Kansas an opportunity to participate in a Keno sales incentive promotion.

(b) At the end of the promotion, for every five-percent increase in Keno sales over their base sales period, the retailers shall receive an entry into a drawing for a chance to win prize packages consisting of a credit to their lottery account, along with promotional sports memorabilia items chosen by the lottery. The "base sales period" shall be the average monthly Keno sales for that retailer from November 1, 2004, through January 31, 2005, except that if a retailer did not have Keno sales for at least one full month during said period of time, the base sales period shall be established by calculating that retailer's average daily Keno sales multiplied by 31.

(c) All participating retailer locations with any increase in Keno sales over their base sales period will receive promotional items chosen by the lottery.

(d) The drawing from eligible entrants shall be conducted by the lottery on April 8, 2005, to award a prize package consisting of sports memorabilia chosen by the lottery, along with a credit on the respective retailer account in the following amounts: first entry drawn \$300; second entry drawn \$250; third entry drawn \$200; fourth entry drawn \$150; fifth, sixth, seventh, eighth, and ninth entries drawn \$100 each. Each retailer location may win only one prize package.

(e) At the time of the drawing, the Kansas lottery drawing official shall cause an entry for each five-percent increase in qualifying Keno sales for each retailer to be placed into the drawing receptacle. Each entry shall be of a uniform size and shape. The selection of drawing winners shall be accomplished by the individual designated by the drawing official, using the bare arm technique,

removing one entry from the drawing receptacle. A designated drawing official and a person representing Kansas lottery security, shall review the selected entry to determine if it is determined to be valid and eligible to win. This process shall be repeated until nine valid winners have been selected. Each valid entry drawn shall be marked in the order drawn, 1, 2, 3, 4, 5, 6, 7, 8, and 9. No alternate entries shall be selected in this drawing.

(f) The retailers are not required to be present in order to win the drawing prizes. The lottery shall notify each winner of the prize package won.

(g) The security representative conducting the drawing shall be responsible for the final determination concerning the eligibility of any entry drawn. The first entry drawn for each entrant invalidates all other entries in the drawing for that entrant. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-3-23-05, Feb. 16, 2005.)

#### ZARCO 66 DRAWING

**111-2-168. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Zarco 66 Drawing" and will accept entries starting at the opening of business for each participating Zarco 66 store on March 1, 2005, through the end of business for each store on March 31, 2005, for the drawing to be conducted on April 4, 2005. Rules applicable to the "Zarco 66 Drawing" are contained in K.A.R. 111-2-168 through 111-2-172 and K.A.R. 111-2-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-2-169. Prize.** The six preliminary prize winners selected in the "Zarco 66 Drawing" on the date specified in K.A.R. 111-2-168 shall receive 10 free car washes provided by Zarco 66 stores at no charge to the lottery, and each of said six preliminary prize winners shall then be automatically entered into the drawing for the grand prize. The grand prize shall consist of weekend lodging for two persons at Great Wolf Lodge in Kansas City, Kansas, including a double-occupancy hotel room, room taxes, and standard amenities. The following restrictions shall apply to the "Zarco 66 Drawing" grand prize package:

(a) Prize packages are transferable one time, but cannot be redeemed for cash.

(b) The lottery shall choose and pay for the prize package.

(c) All transportation, meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included in the prize and are the responsibility of the prize winner.

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

(e) The hotel may require the winner to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the grand prize paid for by the lottery.

(f) No later than 5:00 p.m. on the fourteenth calendar day following the drawing, the winner of the grand prize as the result of this drawing shall return to the lottery a completed claim form as provided by the lottery or the

person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (d) of K.A.R. 111-2-172 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-2-170. Method of entry.** (a) Entry into the "Zarco 66 Drawing" shall be accomplished as follows:

(1) With every single purchase of \$2 or more of any Kansas lottery product, along with any car wash from participating Zarco 66 stores in Kansas, from the opening of business of that store on March 1, 2005, through the end of business for that store on March 31, 2005, the purchaser shall receive from the Zarco 66 store one entry form for the "Zarco 66 Drawing"; however, the purchase of a car wash shall not be necessary to obtain an entry for this drawing, which fact shall be disclosed in all promotional materials related to the drawing. Participating retailers shall provide an entry form for this drawing without purchase of a car wash to each person who so requests.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at each Zarco 66 store no later than the close of business for that store on March 31, 2005.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing will be conducted at the Zarco 66 corporate office located in Lawrence, Kansas, on the day set forth in K.A.R. 111-2-168. Six entries will be drawn.

(6) Entry forms obtained during the stated period of time may be entered in the drawing.

(7) In the sole discretion of the lottery, all entry forms shall either be provided to the Zarco 66 stores by the lottery, or the lottery shall approve the entry form prior to commencement of the promotion, all of which entry forms shall be of a uniform size and shape.

(b) There is no limit on the number of entries a person may make, but each person may only win one preliminary prize and one grand prize.

(c) All eligible entry forms which are deposited into the drawing receptacles by the end of business for that store on March 31, 2005, shall be entered into the drawing.

(d) Eligible entrants in the "Zarco 66 Drawing" must be 18 years of age or older, and may not be an employee of any Zarco 66 store in Kansas.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-2-171. Certification of drawing.** (a) The "Zarco 66 Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing or sales department or other person or persons designated by the exec-

utive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-2-172. Selection of winners.** The following process shall be used for the selection of winners in the "Zarco 66 Drawing":

(a) Personnel of the Zarco 66 stores shall pick up all drawing receptacles containing "Zarco 66 Drawing" entries after the deadline for entry into the drawing, and transport the receptacles to the Zarco 66 corporate office in Lawrence, Kansas, where they shall be secured by personnel at Zarco 66 stores.

(b) On April 4, 2005, the drawing shall be held at the Zarco 66 corporate office in Lawrence, Kansas, in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the start of the drawing, lottery security personnel shall present the six drawing receptacles to the person designated by the executive director to perform the drawing. The receptacles for the drawing shall contain all entries eligible for the drawing from each of the six stores. The contents of the receptacle shall be mixed or shaken thoroughly. The designated individual shall then using the bare-arm technique, while looking away, remove one valid entry from each receptacle. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-2-169, subject to validation by the lottery as set forth in these rules.

(d) After one entry has been drawn from each receptacle and verified as valid by lottery security, all six entries so drawn shall be placed into another drawing receptacle. The contents of the receptacle shall be mixed or shaken thoroughly. The designated individual shall then using the bare-arm technique, while looking away, remove one valid entry from the receptacle. The person whose name appears on the entry shall be the winner of the grand prize identified in K.A.R. 111-2-169. After one valid entry has been drawn, two more entries shall be drawn in the same manner and marked in the order drawn as 1A and 2A to act as alternate entries to be used in the order drawn in the event the grand prize winner fails to claim the prize as provided herein.

(e) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Zarco 66 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. The winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

(f) If the entry is determined to be ineligible, it shall be discarded by the security person present and another en-

*(continued)*

try drawn. This procedure will be repeated until valid selections are obtained.

(g) All "Zarco 66 Drawing" entries remaining in the receptacles after the winners and alternates have been selected and certified and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

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

**111-4-2236. "Hit \$200!" instant ticket lottery game number 454.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Hit \$200!" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2236.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$4. <sup>00</sup>	FOUR\$
10. <sup>00</sup>	TEN\$
50. <sup>00</sup>	FIFTY
\$200\$	TWO-HUN
\$2000	TWOTHOU
Symbol of a dollar bill	BILL
GOOD LUCK	
MAYBE NEXT TIME	

(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 149.

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

FRE	=	Free Ticket
FOR	=	\$4.00
TEN	=	\$10.00
TWY	=	\$20.00
TRY	=	\$30.00
FTY	=	\$50.00
THN	=	\$200.00

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

(g) "Hit \$200!" is a ticket with two play areas. Game 1 is a match three game. If a player gets three like prize amounts, the player wins that amount. Game 2 is an instant win game. If a player reveals a "DOLLAR BILL" symbol, the player wins \$20 instantly.

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	72,000	\$0
3 - \$4.00's	\$4	24,000	96,000
3 - \$10.00's	\$10	12,000	120,000
	\$20	2,000	40,000
3 - \$10.00's	\$20	\$30	2,000
3 - \$50.00's	\$50	1,200	60,000
3 - \$200.00's	\$200	1,200	240,000
3 - \$2,000.00's	\$2,000	<u>10</u>	<u>20,000</u>
TOTAL		<u>114,410</u>	<u>\$636,000</u>

(k) The odds of winning a prize in this game are approximately one in 5.24. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-4-2237. "Bubble Bucks" instant ticket lottery game number 455.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bubble Bucks" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2237.

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

Play Symbols	Play Symbol Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EIGHTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THIRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
35	THR FIV
36	THRSIX
37	THRSEV

38	THREGT
39	THRIN
40	FORTY

(c) For this game, a play symbol shall appear in each of 37 play spots within the play area or areas.

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

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

TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Bubble Bucks" is a number match game consisting of two play areas. A player will remove the latex covering the "TUB NUMBERS" play area. The player will then scratch all the "BUBBLE NUMBERS" one at a time, which exactly match any of the "TUB NUMBERS." The player will win a prize as shown in the prize legend based on the number of bubbles matched.

(h) Each ticket in this game may win up to one time. Only the top prize will be paid per ticket.

(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:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
7 matches	\$2	84,000	\$168,000
8 matches	\$5	44,000	220,000
9 matches	\$10	8,000	80,000
10 matches	\$20	3,400	68,000
11 matches	\$50	1,150	57,500
12 matches	\$100	300	30,000
13 matches	\$500	30	15,000
14 matches	\$1,000	10	10,000
15 matches	\$10,000	6	60,000
TOTAL		<u>140,896</u>	<u>\$708,500</u>

(k) The odds of winning a prize in this game are approximately one in 4.26. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-4-2238. "Cash In" instant ticket lottery game number 456.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cash In" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2238.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
25. <sup>00</sup>	TWNFIV
50. <sup>00</sup>	FIFTY
\$500\$	FIVEHUN
\$1000	ONETHOU
01¢	PENNY
05¢	NICKEL
10¢	DIME
25¢	QRTER
50¢	HALF

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

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00
FHN	=	\$500.00

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

(g) "Cash In" is an add-up game. A player will remove the latex material covering the game play area to reveal five play symbols (coins) and one prize symbol. If the five coins add up to \$1.00 or more, the player wins the prize in the prize box.

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

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

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free Ticket	86,000	\$0
\$2	\$2	24,740	49,480
\$5	\$5	16,000	80,000
\$10	\$10	6,800	68,000
\$25	\$25	1,680	42,000
\$50	\$50	770	38,500
\$500	\$500	18	9,000
\$1,000	\$1,000	6	6,000
TOTAL		<u>136,014</u>	<u>\$292,980</u>

(k) The odds of winning a prize in this game are approximately one in 4.41. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

(continued)

**111-4-2239. "Pair-A-Dice" instant ticket lottery game number 457.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Pair-A-Dice" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2239.

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

Play Symbols	Play Symbol Captions
One dot	ONE
Two dots	TWO
Three dots	THR
Four dots	FOR
Five dots	FIV
Six dots	SIX
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$150\$	ONEFIFTY
\$500\$	FIVHUN
\$3000	THRTHOU

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Pair-A-Dice" is a dice game. The player will remove the scratch-off material covering the play area to reveal three "ROLLS," "ROLL 1," "ROLL 2," and "ROLL 3." If the "DICE TOTAL" in a single "ROLL" adds up to seven (7), the player wins the prize for that "ROLL." If the "DICE TOTAL" in a single "ROLL" adds up to eleven (11), the player wins double the prize amount for that "ROLL."

(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:

Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free Ticket	66,000
\$1	\$1	34,800
\$2	\$2	8,000
\$2 (\$1D)	\$2	8,000
\$2 (\$1 x 2)	\$2	8,000
\$5	\$5	3,000
\$5 (\$1D x 2) + \$1	\$5	3,000
\$5 (\$2 x 2) + \$1	\$5	3,000
\$10	\$10	2,000
\$10 (\$2D) + \$1 + \$5	\$10	2,000
\$10 (\$5D)	\$10	2,000
\$25	\$25	550
\$25 (\$5D x 2) + \$5	\$25	600
\$25 (\$10 x 2) + \$5	\$25	600
\$50	\$50	350
\$50 (\$10D x 2) + \$10	\$50	350
\$100	\$100	20
\$100 (\$50D)	\$100	20
\$100 (\$25 x 2) + (\$25D)	\$100	20
\$500	\$500	14
\$500 (\$150 x 2) + (\$100D)	\$500	14
\$3000	\$3,000	6
TOTAL		<u>142,344</u>
		<u>\$304,550</u>

D - Denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.22. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-4-2240. "Big Bang Bucks" instant ticket lottery game number 458.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Big Bang Bucks" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2240.

(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>	THREE\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$1000	ONETHOU

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
TRY	=	\$30.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Big Bang Bucks" is a ticket with two games. Game 1 is a match three of six prize amounts. The player will remove the latex covering the play area to reveal six prize amounts. If the player matches three like prize amounts, the player wins that amount. A player can win one time in this play area. Game 2 is a bonus play area. If a player reveals any prize amount, the player wins that amount. A player can win one time in this play area.

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3-Free's	Free Ticket	60,000	\$0
3 - \$1.00's	\$1	14,400	14,400
	\$1.00	\$1	14,400
3 - \$1.00's	\$1.00	\$2	12,000
3 - \$2.00's	\$2	7,000	14,000
	\$2.00	\$2	7,000
3 - \$5.00's	\$5	3,520	17,600
	\$5.00	\$5	3,520
3 - \$2.00's	\$3.00	\$5	3,520
3 - \$10.00's	\$10	1,200	12,000
	\$10.00	\$10	1,200
3 - \$5.00's	\$5.00	\$10	2,600
3 - \$5.00's	\$10.00	\$15	2,400
3 - \$25.00's	\$25	250	6,250
	\$25.00	\$25	250
3 - \$25.00's	\$5.00	\$30	450
3 - \$50.00's	\$50	200	10,000
	\$50.00	\$50	200
3 - \$25.00's	\$25.00	\$50	200
3 - \$100.00's	\$100	100	10,000
3 - \$50.00's	\$50.00	\$100	100
3 - \$500.00's	\$500	6	3,000
3 - \$250.00's	\$250.00	\$500	6
3 - \$1,000.00's	\$1,000	6	6,000
TOTAL		<u>134,528</u>	<u>\$307,600</u>

(k) The odds of winning a prize in this game are approximately one in 4.46. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-4-2241. "Pirate's Gold Tripler" instant ticket lottery game number 460.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Pirate's Gold Tripler" commencing on or after March 5, 2005. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2241.

(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\$
\$3. <sup>00</sup>	THR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
15. <sup>00</sup>	FIFTEEN
20. <sup>00</sup>	TWENTY
30. <sup>00</sup>	THIRTY
60. <sup>00</sup>	SIXTY
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$3000	THRTHOU
Symbol of a pirate face	TRIPLER
GOOD LUCK	
MAYBE NEXT TIME	

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
NIN	=	\$9.00
FTY	=	\$15.00
TRY	=	\$30.00
SXY	=	\$60.00
FHN	=	\$500.00

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

(g) "Pirate's Gold Tripler" is a ticket with two games. Game 1 is a match three of six dollar amounts or a match two dollar amounts plus a "PIRATE FACE" symbol to win triple the dollar amount. The player will remove the latex covering the play area to reveal six prize amounts or five prize amounts and a "PIRATE FACE" symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus a "PIRATE FACE" symbol, the player wins triple the prize amount. Game 2 is a bonus instant win game. A player will remove the scratch-off material covering the bonus play area. If a player reveals any prize amount, the player wins that amount.

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

(continued)

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	52,000	\$0
	\$1.00 \$1	28,000	28,000
3 - \$1.00's	\$1.00 \$2	16,000	32,000
2 - \$1.00's & (T)	\$3	12,000	36,000
	\$3.00 \$3	8,000	24,000
2 - \$5.00's	\$5	4,200	21,000
	\$5.00 \$5	4,200	21,000
2 - \$3.00's & (T)	\$9	2,800	25,200
3 - \$5.00's	\$10.00 \$15	1,000	15,000
2 - \$5.00's & (T)	\$15	1,000	15,000
3 - \$30.00's	\$30	440	13,200
2 - \$10.00's & (T)	\$30	440	13,200
2 - \$5.00's & (T)	\$15.00 \$30	280	8,400
2 - \$20.00's & (T)	\$60	180	10,800
3 - \$60.00's	\$60	180	10,800
3 - \$500.00's	\$500	30	15,000
2 - \$1,000.00's & (T)	\$3,000	4	12,000
3 - \$3,000.00's	\$3,000	4	12,000
TOTAL		<u>130,758</u>	<u>\$312,600</u>

T - Denotes tripler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.59. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

## Article 7.—ON-LINE GAMES

### BUY \$3 GET AN ENTRY FREE DRAWING

**111-7-193. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Buy \$3 Get an Entry Free Drawing" and will accept entries starting February 27, 2005, for the drawing to be conducted on Friday, May 27, 2005. Rules applicable to the "Buy \$3 Get an Entry Free Drawing" are contained in K.A.R. 111-7-193 through 111-7-197 and K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-7-194. Prize.** The 45 prize winners selected in the "Buy \$3 Get an Entry Free Drawing" on the date specified in K.A.R. 111-7-193 shall receive two tickets for each day of the 2005 races conducted at the Kansas Speedway in Kansas City, Kansas, on July 2, 2005, and July 3, 2005, one double occupancy hotel room and room taxes at Great Wolf Lodge in Kansas City, Kansas, for the evenings of July 1, 2005, and July 2, 2005, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet during said races at the Kansas Speedway, \$300 cash, and automatic entry into the "Kansas Speedway \$200 Grand Second Chance Drawing" conducted by the Kansas lottery on July 2, 2005, pursuant to the rules of said drawing. The following restrictions shall apply to the "Buy \$3 Get an Entry Free Drawing" prize packages:

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

(b) Prize packages, except cash, are transferable one time, but cannot be redeemed for cash.

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

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

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

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

(g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge, and parking.

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

(i) No later than 5:00 p.m. on the fourteenth calendar day following the drawing, the winner of a prize as the result of the "Buy \$3 Get an Entry Free Drawing" shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (d) of K.A.R. 111-7-197 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.

(j) A total of 45 prize packages shall be awarded. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-7-195. Method of entry.** (a) Entry into the "Buy \$3 Get an Entry Free Drawing" shall be accomplished as follows:

(1) With every single purchase of \$3 or more for the Kansas lottery "Super Kansas Cash" game from February 27, 2005, through May 21, 2005, the purchaser shall receive one entry form for the "Buy \$3 Get an Entry Free Drawing."

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) Place one or more entry form(s) into an envelope with proper postage and mail it to: "Buy \$3 Get an Entry Free Drawing," c/o Kansas lottery, P. O. Box 750980, Topeka, KS 66675-0980. Mailed entries must be received by morning mail pickup on Tuesday, May 24, 2005.

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

(5) The drawing will be conducted at the approximate times listed in K.A.R. 111-7-193. Forty-five entries and 10 alternate entries will be drawn.

(6) Entry forms obtained during the stated period of time may be entered in the drawing.

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

(c) All eligible entry forms which are mailed and received by the morning mail pickup in Topeka, Kansas, on Tuesday, May 24, 2005, shall be entered into the drawing to be conducted on Friday, May 27, 2005.

(d) Eligible entrants in the "Buy \$3 Get an Entry Free Drawing" must be 18 years of age or older.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)



**111-7-196. Certification of drawing.** (a) The "Buy \$3 Get an Entry Free Drawing" shall all be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-7-197. Selection of winners.** The following process shall be used for the selection of winners in the "Buy \$3 Get an Entry Free Drawing":

(a) Kansas lottery personnel shall pick up all mail containing "Buy \$3 Get an Entry Free Drawing" entries at the United States Post Office in Topeka, Kansas, with final pick up for the drawing after the morning mail delivery on Tuesday, May 24, 2005, prior to the drawing on Friday, May 27, 2005.

(b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum.

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

(d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the drawing shall contain all entries eligible for the drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove 45 valid entries, one at a time, from the receptacle or drum and mark them in order drawn from one through and including 45. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-7-194, subject to validation by the lottery as set forth in these rules.

(e) After 45 entries have been drawn and verified as valid by lottery security, 10 more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate ticket entries will be used only if one or more of the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by K.A.R. 111-7-194(i). The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Buy \$3 Get an Entry Free Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the se-

curity person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

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

(h) All "Buy \$3 Get an Entry Free Drawing" entries remaining in the drum or receptacle after the winners have been selected and certified and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-23-05, Feb. 16, 2005.)

#### Article 9.—PULL-TAB GAMES

**111-9-124. "Casino Thrills" pull tab ticket lottery game number 461.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Casino Thrills" commencing on or after March 6, 2005. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-124.

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

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 100 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 099. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

- Symbol of a shamrock
- Symbol of a lemon
- Symbol of dollar bills with money clip
- Symbol of a roulette wheel
- Symbol of a 7
- Symbol of a horseshoe

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

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

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

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

(continued)

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - horseshoes	\$1	240,000	\$240,000
3 - 7s	\$5	57,400	287,000
3 - roulette wheels	\$10	13,600	136,000
3 - dollar bills with money clip	\$25	3,000	75,000
3 - lemons	\$100	580	58,000
3 - shamrocks	\$1,000	20	20,000
TOTAL		<u>314,600</u>	<u>\$816,000</u>

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

(j) The overall odds of winning a prize in this game are approximately one in 3.81. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-9-125. "Money Money Money" pull tab ticket lottery game number 462.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Money Money Money" commencing on or after March 6, 2005. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-125.

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

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 100 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 099. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

- Symbol of \$1,000 within a hexagon
- Symbol of \$100 within a quadrilateral
- Symbol of \$25 within a circle
- Symbol of \$10 within a rectangle
- Symbol of \$5 within a triangle
- Symbol of \$1 within a star

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

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

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

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

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1 stars	\$1	240,000	\$240,000
3 - \$5 triangles	\$5	57,400	287,000
3 - \$10 rectangles	\$10	13,600	136,000
3 - \$25 circles	\$25	3,000	75,000
3 - \$100 quadrilaterals	\$100	580	58,000
3 - \$1,000 hexagons	\$1,000	20	20,000
TOTAL		<u>314,600</u>	<u>\$816,000</u>

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

(j) The overall odds of winning a prize in this game are approximately one in 3.81. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

**111-9-126. "Hot Slots" pull tab ticket lottery game number 463.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Hot Slots" commencing on or after March 6, 2005. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-126.

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

(c) Approximately 600,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 50 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 049. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

- Symbol of a bunch of cherries
- Symbol of a 7
- Symbol of an orange
- Symbol of a bag of money
- Symbol of a diamond
- Symbol of a stack of coins
- Symbol of a gold bar
- Symbol of a bell

(e) For this game, three play symbols shall appear under each of eight tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three bunches of cherries equal \$2.00; three 7 symbols equal \$5.00; three oranges equal \$10.00; three bags of money equal \$25.00; three diamonds equal \$50.00; three stacks of coins equal \$100.00; three gold bars equal \$250.00; and three bells equal \$2,500.00.

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

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO =	\$2.00
FOR =	\$4.00
FIV =	\$5.00
SEV =	\$7.00
TEN =	\$10.00
TWF =	\$25.00
FTY =	\$50.00
HUN =	\$100.00
THY =	\$250.00

\$5 + \$5	\$10	5,000	50,000
\$25	\$25	1,800	45,000
\$5 + \$10 + \$10	\$25	1,800	45,000
\$5 + \$5 + \$5 + \$10	\$25	1,650	41,250
\$50	\$50	400	20,000
\$100	\$100	100	10,000
\$250	\$250	40	10,000
\$2,500	\$2,500	10	25,000
<b>TOTAL</b>		<u>168,020</u>	<u>\$815,730</u>

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	82,000	164,000
\$2 + \$2	\$4	28,120	112,480
\$5	\$5	26,000	130,000
\$5 + \$2	\$7	16,000	112,000
\$10	\$10	5,100	51,000

(i) Each ticket in this game may have up to four winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 3.57. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-05, Feb. 16, 2005.)

Ed Van Petten  
Executive Director

Doc. No. 031776

**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
5-3-50	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
7-34-2	New	V. 24, p. 332

**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
28-15-15a	Revoked	V. 23, p. 1367
28-15-16	Amended	V. 23, p. 1367

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28-15-18	Amended	V. 23, p. 1367	28-31-10	Amended	V. 23, p. 1486	66-8-8	New	V. 24, p. 80
28-15-20	Revoked	V. 23, p. 1368	28-35-145	Amended	V. 23, p. 1404	66-9-6	Amended	V. 24, p. 80
28-15-21	Revoked	V. 23, p. 1368	28-35-146	Amended	V. 23, p. 1404	66-9-7	New	V. 24, p. 80
28-15-22	Revoked	V. 23, p. 1368	28-35-146a	New	V. 23, p. 1404	66-10-14	New	V. 24, p. 80
28-15-35	Amended	V. 23, p. 305	28-35-147	Revoked	V. 23, p. 1404	66-14-3	Amended	V. 24, p. 80
28-15-36	Amended	V. 23, p. 309	28-35-147a	New	V. 23, p. 1404	66-14-5	Amended	V. 24, p. 81
28-15a-2	New	V. 23, p. 1368	<b>(By Department of Agriculture)</b>			<b>AGENCY 68: BOARD OF PHARMACY</b>		
28-15a-3	New	V. 23, p. 1368	28-36-1	Revoked	V. 24, p. 146	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-4	New	V. 23, p. 1368	28-36-32	Revoked	V. 24, p. 146	68-1-3a	Amended	V. 23, p. 1739
28-15a-6	New	V. 23, p. 1369	28-36-60	Revoked	V. 24, p. 146	68-7-20	New	V. 23, p. 382
28-15a-11	New	V. 23, p. 1369	28-36-120	Revoked	V. 24, p. 146	<b>AGENCY 69: BOARD OF COSMETOLOGY</b>		
28-15a-21	New	V. 23, p. 1369	<b>AGENCY 30: SOCIAL AND REHABILITATION SERVICES</b>			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-23 through			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	69-1-4	Amended (T)	V. 24, p. 14
28-15a-29	New	V. 23, p. 1369, 1370	30-4-50	Amended	V. 23, p. 894	69-1-4	Amended	V. 24, p. 392
28-15a-31	New	V. 23, p. 1370	30-4-90	Amended (T)	V. 23, p. 897	<b>AGENCY 70: BOARD OF VETERINARY EXAMINERS</b>		
28-15a-33	New	V. 23, p. 1370	30-4-90	Amended	V. 23, p. 1104	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-41	New	V. 23, p. 1370	30-5-59	Amended	V. 23, p. 1637	70-5-1	Amended	V. 23, p. 360
28-15a-42	New	V. 23, p. 1370	30-5-64	Amended	V. 24, p. 333	<b>AGENCY 71: KANSAS DENTAL BOARD</b>		
28-15a-43	New	V. 23, p. 1370	30-5-71	Amended	V. 23, p. 1211	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-60 through			30-5-81u	Amended	V. 24, p. 271	71-1-1	Revoked	V. 23, p. 151
28-15a-66	New	V. 23, p. 1370	30-6-91	New	V. 23, p. 894	71-1-2	Revoked	V. 23, p. 151
28-15a-70	New	V. 23, p. 1370	30-10-18	Amended (T)	V. 24, p. 23	71-1-3	Revoked	V. 23, p. 151
28-15a-72 through			30-10-18	Amended	V. 24, p. 334	71-1-8	Revoked	V. 23, p. 151
28-15a-76	New	V. 23, p. 1370, 1371	30-46-10	Amended	V. 23, p. 977	71-1-10	Revoked	V. 23, p. 151
28-15a-80 through			30-46-13	Amended	V. 23, p. 978	71-1-11	Revoked	V. 23, p. 151
28-15a-91	New	V. 23, p. 1371	30-46-15	Amended	V. 23, p. 978	71-1-15	Amended	V. 23, p. 151
28-15a-100	New	V. 23, p. 1371	30-46-16	Amended	V. 23, p. 978	71-2-1	Revoked	V. 23, p. 151
28-15a-101	New	V. 23, p. 1371	30-46-17	Amended	V. 23, p. 978	71-2-2	Amended	V. 24, p. 338
28-15a-110	New	V. 23, p. 1371	<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>			71-2-4	Revoked	V. 23, p. 151
28-15a-111	New	V. 23, p. 1371	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	71-2-5	Amended	V. 23, p. 717
28-15a-130 through			36-41-1 through			71-2-6	Revoked	V. 23, p. 718
28-15a-135	New	V. 23, p. 1371, 1372	36-41-5	New (T)	V. 24, p. 273, 274	71-2-7	Amended	V. 23, p. 718
28-15a-151 through			<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>			71-2-9	Revoked	V. 23, p. 151
28-15a-155	New	V. 23, p. 1372	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	71-2-11	Amended	V. 23, p. 1286
28-15a-170	New	V. 23, p. 1372	40-1-48	Amended	V. 23, p. 426	71-2-12	Revoked	V. 23, p. 151
28-15a-172 through			40-1-50	New (T)	V. 23, p. 244	71-3-2	Amended	V. 23, p. 1286
28-15a-175	New	V. 23, p. 1372, 1373	40-1-50	New	V. 23, p. 951	71-3-4	Amended	V. 23, p. 1286
28-15a-201 through			40-1-51	New	V. 23, p. 361	71-3-5	Revoked	V. 23, p. 151
28-15a-210	New	V. 23, p. 1373	40-2-26	Amended	V. 23, p. 151	71-3-9	New	V. 23, p. 1286
28-15a-500 through			40-2-27	New	V. 23, p. 825	71-4-1	Amended	V. 23, p. 151
28-15a-503	New	V. 23, p. 1373, 1374	40-3-6	Amended	V. 23, p. 1212	71-4-3	Revoked	V. 23, p. 152
28-15a-530 through			40-3-20	Revoked	V. 23, p. 693	71-6-1	Amended	V. 23, p. 383
28-15a-536	New	V. 23, p. 1374	40-3-53	New (T)	V. 24, p. 15	71-6-5	Amended	V. 23, p. 718
28-15a-540 through			<b>AGENCY 44: DEPARTMENT OF CORRECTIONS</b>			71-7-1	New	V. 23, p. 152
28-15a-544	New	V. 23, p. 1374	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	<b>AGENCY 82: STATE CORPORATION COMMISSION</b>		
28-15a-550 through			44-5-115	Amended (T)	V. 23, p. 384	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-15a-553	New	V. 23, p. 1374	44-5-115	Amended	V. 23, p. 952	82-3-101	Amended	V. 23, p. 426
28-15a-560 through			44-7-104	Amended (T)	V. 23, p. 385	82-3-108	Amended	V. 23, p. 1739
28-15a-564	New	V. 23, p. 1374, 1375	44-7-104	Amended	V. 23, p. 953	82-3-123	Amended	V. 23, p. 1740
28-15a-570	New	V. 23, p. 1375	44-7-113	Amended (T)	V. 23, p. 386	82-3-123a	Amended	V. 23, p. 1740
28-15a-571	New	V. 23, p. 1375	44-7-113	Amended	V. 23, p. 955	82-3-138	Amended	V. 23, p. 1741
28-16-28b through			44-12-313	Amended (T)	V. 23, p. 386	82-3-208	Amended	V. 23, p. 1741
28-16-28f	Amended	V. 24, p. 42-51	44-12-313	Amended	V. 23, p. 955	82-3-301	Revoked	V. 23, p. 1742
28-16-28g	New	V. 24, p. 52	44-12-601	Amended (T)	V. 23, p. 387	82-3-304	Amended	V. 23, p. 1742
28-16-58	Amended	V. 24, p. 52	44-12-601	Amended	V. 23, p. 955	82-3-312	Amended	V. 23, p. 1742
28-17-1	Amended (T)	V. 23, p. 1597	<b>AGENCY 63: BOARD OF MORTUARY ARTS</b>			82-3-314	New	V. 23, p. 1743
28-17-1	Amended	V. 24, p. 178	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-600	Amended	V. 23, p. 429
28-17-6	Amended (T)	V. 23, p. 1598	63-1-4	Amended	V. 23, p. 1533	82-3-600a	Amended	V. 23, p. 430
28-17-6	Amended	V. 24, p. 179	63-3-21	Amended	V. 23, p. 1533	82-3-600b	Revoked	V. 23, p. 430
28-17-20	Amended (T)	V. 23, p. 1598	63-5-1	Amended	V. 23, p. 1534	82-3-601a	Amended	V. 23, p. 430
28-17-20	Amended	V. 24, p. 179	63-6-1	Amended	V. 23, p. 1534	82-3-601b	Amended	V. 23, p. 431
28-17-22	New (T)	V. 23, p. 1600	<b>AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY</b>			82-3-602	Amended	V. 23, p. 431
28-17-22	New	V. 24, p. 181	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-603	Amended	V. 23, p. 431
28-19-202	Amended	V. 23, p. 70	65-4-3	Amended	V. 23, p. 893	82-3-604	Amended	V. 23, p. 432
28-19-720	Amended	V. 23, p. 1596	65-5-5	Revoked	V. 23, p. 1596	82-3-605	Revoked	V. 23, p. 432
28-19-735	Amended	V. 23, p. 1596	65-5-11	New	V. 23, p. 893	82-3-606	Amended	V. 23, p. 432
28-19-750	Amended	V. 23, p. 1596	65-5-12	New	V. 23, p. 1596	82-3-607	New	V. 23, p. 433
28-19-750a	New	V. 23, p. 1596	65-8-5	Revoked	V. 23, p. 893	<b>AGENCY 82: STATE CORPORATION COMMISSION</b>		
28-29-75 through			<b>AGENCY 66: BOARD OF TECHNICAL PROFESSIONS</b>			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-29-82	Amended	V. 23, p. 203-205	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	82-3-700 through		
			66-6-4	Amended	V. 24, p. 79	82-3-704	Amended (T)	V. 23, p. 152-155
			66-8-5	Amended	V. 23, p. 95	82-3-700 through		
						82-3-704	Amended	V. 23, p. 538-541
						82-3-705 through		
						82-3-710	New (T)	V. 23, p. 155-158

82-3-705		
through		
82-3-710	New	V. 23, p. 541-544
82-3-1005	Amended	V. 23, p. 1743
82-4-3	Amended (T)	V. 24, p. 97
82-4-3a		
through		
82-4-3m	New (T)	V. 24, p. 97-122

**AGENCY 88: BOARD OF REGENTS**

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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
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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
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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
102-3-3a	Amended (T)	V. 24, p. 330
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
110-12-1		
through		
110-12-6	New	V. 24, p. 371

**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
111-2-165	New	V. 24, p. 296
111-2-166	New	V. 24, p. 296
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
111-4-2228		
through		
111-4-2235	New	V. 24, p. 297-300
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

(continued)

115-15-2	Amended	V. 24, p. 155	123-12-301			123-13-201	New	V. 24, p. 343
115-18-1	Amended	V. 24, p. 156	through			123-13-201b	New	V. 24, p. 344
115-18-7	Amended	V. 24, p. 159	123-12-315	New	V. 24, p. 303-305	123-13-202	New	V. 24, p. 345
115-18-10	Amended	V. 23, p. 1043	123-12-317	New	V. 24, p. 305	123-13-203	New	V. 24, p. 345
115-18-14	Amended	V. 23, p. 1585	123-12-318	New	V. 24, p. 305	123-13-306	New	V. 24, p. 345
115-20-1	Amended	V. 24, p. 159	123-12-319	New	V. 24, p. 306	123-13-307	New	V. 24, p. 346
115-20-2	Amended	V. 24, p. 160	123-12-321			123-13-401		
<b>AGENCY 117: REAL ESTATE APPRAISAL BOARD</b>			through			through		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	123-12-325	New	V. 24, p. 306	123-13-404	New	V. 24, p. 346-348
117-2-2	Amended	V. 23, p. 1407	123-12-327	New	V. 24, p. 306	123-13-405a	New	V. 24, p. 349
117-3-2	Amended	V. 23, p. 1408	123-12-328	New	V. 24, p. 307	123-13-406	New	V. 24, p. 349
117-4-2	Amended	V. 23, p. 1408	123-12-401	New	V. 24, p. 307	123-13-408	New	V. 24, p. 350
117-6-3	Amended	V. 24, p. 77	123-12-501			123-13-409	New	V. 24, p. 350
117-7-1	Amended	V. 24, p. 78	through			123-13-501	New	V. 24, p. 350
117-8-1	Amended	V. 24, p. 78	123-12-505	New	V. 24, p. 307, 308	123-13-502a	New	V. 24, p. 350
117-9-1	Amended	V. 23, p. 150	123-12-505b	New	V. 24, p. 308	123-13-505		
<b>AGENCY 123: JUVENILE JUSTICE AUTHORITY</b>			123-12-506	New	V. 24, p. 308	through		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	123-12-601	New	V. 24, p. 308	123-13-509	New	V. 24, p. 350, 351
123-1-101	New	V. 24, p. 301	123-12-602	New	V. 24, p. 310	123-13-601	New	V. 24, p. 351
123-2-105	New	V. 24, p. 338	123-12-702	New	V. 24, p. 310	123-13-602	New	V. 24, p. 351
123-2-110	New	V. 24, p. 338	123-12-801	New	V. 24, p. 310	123-13-603	New	V. 24, p. 351
123-5-101	New	V. 24, p. 339	123-12-901	New	V. 24, p. 310	123-13-610	New	V. 24, p. 351
123-5-106	New	V. 24, p. 339	123-12-902	New	V. 24, p. 310	123-13-701		
123-5-111	New	V. 24, p. 339	123-12-1001	New	V. 24, p. 311	through		
123-5-112	New	V. 24, p. 340	123-12-1002	New	V. 24, p. 311	123-13-704	New	V. 24, p. 352, 353
123-5-505	New	V. 24, p. 340	123-12-1002	New	V. 24, p. 311	123-13-706	New	V. 24, p. 353
123-12-101			123-12-1101	New	V. 24, p. 311	123-13-707	New	V. 24, p. 353
through			123-12-1201	New	V. 24, p. 312	123-15-101	New	V. 24, p. 353
123-12-107	New	V. 24, p. 301, 302	123-12-1202	New	V. 24, p. 312	123-15-101a	New	V. 24, p. 354
123-12-201			123-12-1301	New	V. 24, p. 312	123-15-101b	New	V. 24, p. 354
through			123-12-1302	New	V. 24, p. 312	123-15-102	New	V. 24, p. 354
123-12-210	New	V. 24, p. 302, 303	123-12-1303	New	V. 24, p. 312	123-15-104	New	V. 24, p. 355
			123-12-1306	New	V. 24, p. 312	123-15-105	New	V. 24, p. 355
			123-12-1308	New	V. 24, p. 313	123-15-105a	New	V. 24, p. 356
			123-13-101	New	V. 24, p. 342	123-15-106	New	V. 24, p. 356
			123-13-101a	New	V. 24, p. 343	123-15-201	New	V. 24, p. 356
			123-13-103	New	V. 24, p. 343	123-16-102	New	V. 24, p. 356
			123-13-105	New	V. 24, p. 343	123-16-105	New	V. 24, p. 357
			123-13-106	New	V. 24, p. 343			

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