



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 25, No. 15 April 13, 2006 Pages 399-436

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State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, May 13, in the 10th floor conference room, City Hall, 455 N. Main, Wichita. Recommendations for the 2006 Heritage Trust Fund grant monies will be presented to the board for their consideration. The Board also will evaluate the following properties for the National Register of Historic places and/or the Register of Historic Kansas Places.

National Register of Historic Places

- Allen's Market, 2938 E. Douglas, Wichita, Sedgwick County
- Comley House, 1137 N. Broadway, Wichita, Sedgwick County
- Belmont Arches, Belmont Ave., Intersections at Central and Douglas, Wichita, Sedgwick County
- Fresh Air Baby Camp, 1229 W. 11th St., Wichita, Sedgwick County
- Fairmont Congregational Church, 1657 N. Fairmount, Wichita, Sedgwick County
- Holyoke Cottage, 1704 N. Holyoke, Wichita, Sedgwick County
- Bond-Sullivan House, 936 Back Bay Blvd., Wichita, Sedgwick County
- Roberts House, 235 N. Roosevelt, Wichita, Sedgwick County
- Market Street Cottage, 1144 N. Market, Wichita, Sedgwick County
- Mohr Barn, 14920 W. 21st St., Wichita, Sedgwick County

- Adeline Apartments, 1304 N. Emporia, Wichita, Sedgwick County
- Stoner Apartment Building, 938-940 N. Market, Wichita, Sedgwick County
- Johnson Drugstore Building, 2329 E. Central, Wichita, Sedgwick County
- Noble House, 1230 N. Waco, Wichita, Sedgwick County
- Roosevelt-Lincoln Junior High School, 210 W. Mulberry St., Salina, Saline County
- Waudby Building No. 1, 719 N. Main St., Russell, Russell County
- Waudby Building No. 2, 713 N. Main St., Russell, Russell County
- Tilley House, 108 W. 2nd St., Ransom, Ness County
- Natoma Presbyterian Church, 408 N. 3rd St., Natoma, Osborne County

Register of Historic Kansas Places

- 20th Century Club, 536 N. Broadway, Wichita, Sedgwick County

Persons requiring special accommodations should contact Wendy Huggins at the Cultural Resources Division, Kansas State Historic Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, by May 5 to discuss the nature of the disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Jennie Chin
Executive Director

Doc. No. 033044

The KANSAS REGISTER (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies may be purchased, if available, for \$2 each. **Periodicals postage paid at Topeka, KS.**

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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PUBLISHED BY
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Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
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State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-10-06 through 4-16-06

Term	Rate
1-89 days	4.78%
3 months	4.70%
6 months	4.87%
1 year	4.91%
18 months	4.89%
2 years	4.88%

Derl S. Treff
Director of Investments

Doc. No. 033039

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for March 2006. Copies may be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

- P-2006-004 Non-profit organization providing a nonsectarian comprehensive multidiscipline youth development program.
- P-2006-006 Small aircraft industry manufacturer; radial fatigue machine.

Opinion Letters

- O-2006-003 Third-party drop shipments.
- O-2006-004 Mine reclamation work including the pumping of concrete and fly ash.

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

No new publications

Joan Wagnon
Secretary of Revenue

Doc. No. 033043

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 30-31 by the 2006 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.

House Resolutions

HR 6021, A resolution congratulating and commending Major General Thomas Romig.

HR 6022, A resolution congratulating and commending the Baldwin High School boys and girls cross country teams and Coach Mike Spielman for winning first place in a sweeping victory at the state meet for both respective teams.

HR 6023, A resolution in memory of Frank C. McMaster.

HR 6024, A resolution requiring the attorney general to bring action to determine certain issues of law concerning unborn children and to seek a permanent injunction to prohibit the expenditure of state funds for the purpose of terminating the lives of innocent human beings including the unborn whether in utero or ex utero.

HR 6025, A resolution in memory of Fred Leo Weaver.

HR 6026, A resolution concerning the capital improvement project for the preservation and restoration of the Kansas Statehouse; relating to the Chamber of the House of Representatives on the third floor of the west wing of the Statehouse; resolving that the portion of the capitol improvement project concerning the Chamber of the House of Representatives be designed and conducted to continue the tiered floor of the Chamber and that nothing be done to level the tiered floor of the Chamber; and directing the Statehouse Architect, project manager, and Treanor Architects, design architects for the capital improvement project, to undertake such redesigning, planning and other matters as may be required to continue the tiered floor of the Chamber of the House of Representatives in existence.

Senate Bills

SB 596, An act concerning schools; relating to accreditation; amending K.S.A. 2005 Supp. 72-6439 and repealing the existing section, by Committee on Ways and Means.

SB 597, An act concerning income taxation; relating to credits; amending K.S.A. 2005 Supp. 74-50,131 and 79-32,160a and repealing the existing sections, by Committee on Federal and State Affairs.

SB 598, An act concerning lotteries; enacting the Kansas expanded lottery act; authorizing operation of certain gaming facilities, electronic gaming machines and other lottery games at certain locations; prohibiting certain acts and providing penalties for violations; relating to administration and enforcement of the bingo act; amending K.S.A. 60-2102, 74-8702, 74-8710, 74-8716, 74-8723, 74-8810, 74-8814, 74-8823, 74-8830, 74-8832 and 74-8838 and K.S.A. 2005 Supp. 12-4516, 19-101a, 21-4619, 74-8711 and 79-4805 and repealing the existing sections, by Committee on Ways and Means.

Senate Resolutions

SR 1833, A resolution congratulating and commending Major General Thomas Romig.

SR 1834, A resolution congratulating and commending the Lindsborg Emergency Medical Service.

SR 1835, A resolution congratulating and commending the Johnson County Library.

SR 1836, A resolution concerning heart disease and Health Day at the Capitol.

SR 1837, A resolution honoring Captain Ryan H. Burke.

SR 1838, A resolution supporting a Taiwan-United States free trade agreement.

Doc. No. 033040

**State of Kansas
Commission on Veterans' Affairs**

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Friday, April 21, at the Kansas Soldiers' Home, Eisenhower Building, Fort Dodge. The public is invited to attend. For more information, call (785) 296-3976.

George S. Webb
Executive Director

Doc. No. 033057

**State of Kansas
Department of Administration**

Public Notice

Under requirements of K.S.A. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$6,381,229.55 in the underground petroleum storage tank release trust fund and \$1,222,170.64 in the aboveground petroleum storage tank release trust fund at March 31, 2006.

Duane Goossen
Secretary of Administration

Doc. No. 033062

**State of Kansas
Real Estate Appraisal Board**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, June 13, in the lower level conference room at 1100 S.W. Wanamaker Road, Topeka, to consider the adoption of a proposed amendment to K.A.R. 117-5-1.

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

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

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

117-5-1. Provisional classification; education and examination requirements. This regulation is being

amended to remove the test as a pre-license requirement of the provisional classification.

Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board at (785) 271-3373, fax (785) 271-3370, or e-mail: cheryl.magathan@kreab.ks.gov, or from the board's Web site at www.accesskansas.org/kreab.

Sally Pritchett
Executive Director

Doc. No. 033042

**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:

04/21/2006	09313	Janitorial Services - Iola
04/24/2006	09340	Aluminum Windows
04/25/2006	09306	Mechanically Guided High Level Order Picker — Library Annex
04/26/2006	09307	Paymaster Services
04/26/2006	09319	Janitorial Services - Wichita

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:

04/27/2006	A-010100	Convert Terrace to Offices, Wescoe Hall, University of Kansas
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Notice: Contract documents for this project are being distributed electronically, utilizing the AEPlans Web site (<http://www.aeplans.com>) in lieu of DFM's traditional plan distribution process. Bidders can view and download the desired range (full or partial sets) of contract documents free of charge.

04/27/2006	A-010163	Interior Remodeling — Gibbon Dining Hall, Pittsburg State University
05/04/2006	A-010190	Halsey Hall Elevator Modernization — Fort Dodge, Kansas Soldiers' Home
05/09/2006	A-010173	Memorial Hall Passive Accessibility, Dept. of Administration

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):

www.aeplans.com

Chris Howe
Director of Purchases

Doc. No. 033061

State of Kansas

Juvenile Justice Authority

Notice of Available Grant Funding

The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention (KAG) and the Kansas Juvenile Justice Authority (JJA) announce that the 2007 Kansas Prevention Trust Fund Grant Application packets and the Juvenile Justice Delinquency Prevention Act (JJDP) Title II and Title V Grant Application packets are available online at <http://jja.state.ks.us>. Applications are due June 9.

A pre-bid teleconference will be held at 10 a.m. April 25 (the dial-in number is 877-278-8686, PIN #292363).

1. Title V—\$48,900 is available for new grant applications
2. Title II Formula—\$360,000 is available for new grant applications.
3. Prevention Trust Fund (only continuation programs are eligible to apply).

Questions about these applications can be addressed to Don Chronister at dchronister@ksjja.org or (785) 296-4213.

Don Chronister
Juvenile Justice Specialist

Doc. No. 033048

State of Kansas

Board of Regents

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1 p.m. Wednesday, June 14, in the Kansas Board of Regents' Conference Room A, Suite 520, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of new regulations to be promulgated under the Kansas Private and Out-of-State Postsecondary Educational Institution Act, K.S.A. 74-32,162 et seq., hereinafter "Private Postsecondary Act." The revocation of related regulations promulgated under two related legislative acts that were repealed and replaced with the Private Postsecondary Act also will be considered.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Brenda Immenschuh, Kansas Board of Regents, 1000 S.W. Jackson, Suite 520, Topeka, 66612-1368. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations and the revocation of related regulations during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Brenda Immenschuh at (785) 296-3689.

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

Proposed Article 28 — Private and Out-of-State Postsecondary Education Institutions

K.A.R. 88-28-1. This regulation would define terms of art applicable to article 28.

K.A.R. 88-28-2. This regulation would establish minimum standards that each institution must meet to operate in Kansas.

K.A.R. 88-28-3. This regulation would describe the application process for receiving a certificate of approval to operate in Kansas, including an enumeration of the items an applicant institution must provide to the board as evidence that the institution meets minimum standards. In addition, the regulation would provide a process for revoking a certificate of approval and for amending a certificate of approval to offer additional degree programs in Kansas.

K.A.R. 88-28-4. This regulation would describe the process to be used for on-site visits to institutions that propose to offer degree programs in Kansas.

K.A.R. 88-28-5. This regulation would describe the application process for registering institutional representatives. It also would describe the process for revoking such registration.

K.A.R. 88-28-6. This regulation would prescribe fees relevant to administering the Private Postsecondary Act.

K.A.R. 88-28-7. This regulation would mandate the contents of enrollment agreements used by approved institutions.

K.A.R. 88-28-8. This regulation would describe how student records from closed institutions are handled.

Proposed Revocations of Articles 15, 16 and 23

Articles 15 and 16 were promulgated under K.S.A. 74-3249 et seq., which gave authority to the Board of Regents to approve private and foreign (out-of-state) institutions to grant degrees within Kansas. Article 23 was promulgated under the Kansas Proprietary School Act, K.S.A. 72-4916 et seq., which authorized the board to approve private career training institutions. Both legislative acts were repealed in 2004 and replaced with the Private Postsecondary Act. Thus, the old regulations are proposed to be revoked and replaced with Article 28, described above. These regulations include **K.A.R. 88-15-1, 88-15-2, 88-16-1, 88-16-1b, 88-16-2, 88-16-5, 88-16-5b, 88-16-6, 88-16-8, 88-23-1, 88-23-2, 88-23-2a, 88-23-3a, 88-23-4, 88-23-5, 88-23-6 and 88-23-7.**

Economic Impact: The adoption of these regulations would result in no economic impact on the Board of Regents, other governmental agencies or units or the regulated institutions, because the new regulations simply update the regulations that are proposed to be revoked. Fees remain equal to those in existing regulations, and procedures are the same as current practice.

Reginald L. Robinson
President and CEO

Doc. No. 033045

State of Kansas

Office of the Securities Commissioner

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, June 13, at the Office of the Securities Commissioner, 618 S. Kansas Ave., first floor, Topeka, to consider the permanent adoption of the following proposed regulations:

K.A.R. 81-2-1	K.A.R. 81-14-3
K.A.R. 81-3-1	K.A.R. 81-14-4
K.A.R. 81-3-2	K.A.R. 81-14-5
K.A.R. 81-3-5	K.A.R. 81-14-6
K.A.R. 81-3-6	K.A.R. 81-14-7
K.A.R. 81-3-7	K.A.R. 81-14-8
K.A.R. 81-14-1	K.A.R. 81-14-9
K.A.R. 81-14-2	K.A.R. 81-14-10

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing by addressing them to the Office of the Securities Commissioner, 618 S. Kansas Ave., 1st Floor, Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commissioner as a basis for making changes to the proposed regulations.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Mary Connolly at (785) 296-5215 or the Kansas Relay Center at (800) 766-3777. Handicapped parking is located on Kansas Ave., and the first floor hearing room is accessible to individuals with disabilities.

On July 1, 2005, the Kansas Securities Act was repealed and replaced with the Kansas Uniform Securities Act (KUSA). The proposed amendments are designed to bring the affected regulations into conformity with KUSA.

The current version of **K.A.R. 81-2-1** contains a list of forms used by the Office of the Securities Commissioner and its registrants. The proposed amendment would update the list of forms and add a new subsection to list all federal rules, regulations and statutes that are incorporated by reference in the regulations of the Office of the Securities Commissioner. Current subsection (a), related to filings, is being deleted because it merely duplicates K.S.A. 2005 Supp. 17-12a102(8). Finally, current subsection (b) is being deleted because it duplicates the specific filing requirements contained in several regulations and the method of fee payment is outdated.

The current version of **K.A.R. 81-3-1** contains the registration procedures, ethical rules and operational

requirements for broker-dealers and agents. The proposed amendment would retain the registration procedures in 81-3-1 but move the ethical rules into new 81-3-6. In addition, operational requirements such as financial reporting, books and records, net capital and confirmation delivery requirements are moved into new 81-3-7.

The amended version of 81-3-1 subdivides broker-dealer and agent registration into two separate subsections and rearranges the registration procedures that apply to each type of registration. The substance of the registration process remains the same, with two exceptions: Former (g)(1) is replaced by (b)(2) and (c)(2)(A), which adopt the 45-day limit for review of registration applications as required by the KUSA. New (c)(2)(B), relating to the effective date of registration when an agent transfers to a new broker-dealer, implements the requirements of KUSA.

The current version of **K.A.R. 81-3-2** contains the registration fees for broker-dealers (\$200) and agents (\$50), and the proposed amendment would retain the same registration fees. The fees are currently paid through the multi-state Central Registration Depository, but K.S.A. 2005 Supp. 17-12a410(b) requires the Securities Commissioner to formally authorize this practice by rule or order. Accordingly, new subsection (c) authorizes the CRD to receive fees on behalf of the Office of the Securities Commissioner.

Current **K.A.R. 81-3-5** governs the sale of securities on the premises of financial institutions. Its purpose is to help bank customers understand that securities transactions are not covered by FDIC insurance. The amendment to 81-3-5 adds a new subsection (d) to specify that a violation of the regulation is deemed a dishonest or unethical practice under the KUSA. However, amended 81-3-5 does not change the substance of the procedures that broker-dealers are expected to follow.

The ethical rules that were previously adopted by reference in 81-3-1(i) are moved into new **K.A.R. 81-3-6**. The text of the ethical rules are compiled in the new regulation rather than merely adopted by reference from multiple statements of policy from the North American Securities Administrators Association (NASAA), but the substance of the rules are intended to remain unchanged. 81-3-6 implements K.S.A. 2005 Supp. 17-12a412(d)(13), which prohibits unethical practices in the securities business, and the proposed regulation clarifies that the securities business includes the sale of federal covered securities as defined by KUSA.

New **K.A.R. 81-3-7** (b) through (e) were moved from current 81-3-1(d) through (f). However, 81-3-7(a) is a new provision. Broker-dealers have historically been required to "reasonably supervise" their agents, but new 81-3-7 (a) would give broker-dealers clearer guidance by setting forth specific supervisory responsibilities. The language of subsection (a) is derived from a proposed NASAA model rule defining branch offices.

The current version of **K.A.R. 81-14-1** contains the registration procedures, ethical rules and financial reporting requirements for investment advisers and investment adviser representatives. The proposed amendment would retain the registration procedures in 81-14-1 but move the ethical rules into 81-14-5 and move the financial reporting

requirements into 81-14-9. New subsection (d) of 81-14-1 adopts a 45-day limit for review of registration applications and sets forth the effective date of registration when an investment adviser representative transfers to a new investment adviser firm, as required by KUSA. In addition, the amended version of 81-14-1 places long-standing policies of the Office of the Securities Commissioner into the regulation. For example, new paragraph (a)(3) requires each investment adviser firm to maintain registration for at least one investment adviser representative, and paragraph (b)(1)(B) specifies the items that must be sent directly to the Office of the Securities Commissioner as part of the registration process.

The current version of **K.A.R. 81-14-2** contains registration fees for investment advisers (\$100) and investment adviser representatives (\$50), as well as the notice filing fee for federal covered investment advisers (\$100). The proposed amendment does not change any of the fees. It merely updates the regulation to implement KUSA.

The current version of **K.A.R. 81-14-3** permits investment advisers to enter into investment advisory contracts in compliance with federal law. The proposed amendment would simply update the adoption by reference of federal law and change the authorizing section to reference the new KUSA.

The current version of **K.A.R. 81-14-4** contains record-keeping rules for investment advisers that are based upon a model rule adopted by the NASAA on May 3, 1999. On April 18, 2005, NASAA amended its model rule, and the proposed amendments to 81-14-4 are designed to bring it into conformity with the new model rule. Aside from various technical or grammatical changes, the amended version of 81-14-4 no longer requires the investment adviser to keep a memorandum describing disciplinary events in paragraph (b)(14)(B), but paragraphs (b)(22) and (b)(23) and subsection (c) create new recordkeeping requirements under certain circumstances for advisers who obtain custody of client funds or securities.

The current version of **K.A.R. 81-14-5** contains ethical standards for investment advisers, investment adviser representatives and federal covered investment advisers. It includes ethical standards adopted by reference from NASAA model rule 102a-1, and the proposed amendment would compile those ethical standards in new subsections (c) and (d) rather than merely adopting them by reference from 102a-1. The substance of the rules are intended to remain unchanged, with two exceptions: Subsection (b) lists certain unethical practices that rise to the level of fraudulent conduct, including misrepresentations regarding fees or qualifications, failure to disclose conflicts of interest, guaranteeing performance, deceptive advertising, and cash payments for client solicitation. NASAA model rule 102a-1 was written before there was a distinction between investment advisers (firms) and investment adviser representatives (individuals), so subsection (d) clarifies which rules apply to investment adviser representatives.

Like **K.A.R. 81-3-6**, this regulation implements K.S.A. 2005 Supp. 17-12a412(d)(13), which prohibits unethical practices in the securities business. The proposed regulation clarifies that the securities business includes the sale of federal covered securities as defined by the KUSA.

In addition to the rules from 102a-1, the current version of **K.A.R. 81-14-5** contains rules governing financial and disciplinary history disclosure, brochure delivery, cash solicitation, and agency cross transactions. The proposed amendment would move the brochure delivery requirements into 81-14-10, which contains operational requirements for investment advisers, but the substance of the remaining rules in 81-14-5 are unchanged.

The current version of **K.A.R. 81-14-6** requires investment advisers to file registration materials electronically through the Investment Adviser Registration Depository (IARD).

K.A.R. 81-14-7 governs the notice filing process for federal covered advisers. The proposed amendments delete duplicative or outdated language and change the terminology to conform with the new KUSA, but the amendments do not alter the filing requirements or procedures.

K.A.R. 81-14-8 sets forth the conditions under which an employee or associate of a federal covered adviser was considered an investment adviser representative under the Kansas Securities Act. The substance of 81-14-8 was included in KUSA at K.S.A. 2005 Supp. 17-12a102(16), so 81-14-8 merely duplicates the new statute and is being repealed.

New **K.A.R. 81-14-9** provides that if an investment adviser obtains custody of a client's funds or securities, or obtains discretionary authority over the funds or securities, the investment adviser is subject to several special requirements designed to protect the client. Subsections (a) and (b) of the proposed regulation adopt NASAA model rule 102(e)(1)-1. This model rule defines custody and imposes numerous safekeeping requirements upon advisers who have custody. In addition, subsections (d) and (e) of the proposed regulation adopt NASAA model rules 202(d)-1 and 202(e)-1, which require investment advisers with custody to maintain a minimum net worth and be bonded. Finally, the financial reporting requirements of current 81-14-1(f) are moved into subsection (c) of this new regulation, and the threshold for fee prepayment is reduced from \$1,200 to \$500 to conform with corresponding provisions of model rule 202(d)-1.

Investment advisers have historically been required to "reasonably supervise" their investment adviser representatives (see K.S.A. 2005 Supp. 17-12a412(d)(9)), and **K.A.R. 81-14-10** will give investment advisers clearer guidance by setting forth specific supervisory responsibilities in subsection (a). The language of subsection (a) is derived from a proposed NASAA model rule defining branch offices for broker-dealers and investment advisers (see proposed **K.A.R. 81-3-7(a)**). Subsection (b) requires investment advisers to deliver brochures to their clients each year. This requirement was formerly in **K.A.R. 81-14-5** and the substance of the rule remains unchanged.

The proposed regulations have no impact upon other governmental units or agencies.

Copies of the full text of the proposed regulations and the economic impact statements may be obtained by writing to the Office of the Securities Commissioner at the address above or by e-mailing a request to ksc@securities.state.ks.us.

Chris Biggs
Kansas Securities Commissioner

Doc. No. 033047

(Published in the Kansas Register April 13, 2006.)

City of Wichita, Kansas**Notice to Bidders**

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

(KDOT Project No. 87N-0308-01/472-84244/205390)**(OCA Code 706924)****Paving**

Construction of Left Turn Lanes on
Maize Road at Westport

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

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

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

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 033049

State of Kansas**Secretary of State****Notice of Corporations Forfeited**

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 2006 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

Alumni Board of Kansas Eta Chapter of Sigma Phi Epsilon, Inc., Wichita, KS.
American Legion Memorial Association, Goodland, KS.
Architectural Interiors, Inc., Garden City, KS.
Ashland Schools Association, Ashland, KS.
Beefcake Cattle Co., Dighton, KS.
Bullseye Cattle Co., Inc., Girard, KS.
C & J Nordhus Farms, Inc., Baileyville, KS.
C-G Investments, Inc., Wichita, KS.
Cheyenne Country, Inc., Ottawa, KS.
Church of the Nazarene, Palco, KS.
Collaborative Youth Development Services Incorporated, Topeka, KS.
Community Economic Resource Corporation, Wichita, KS.
Congenital Heart Defects Families Association, Shawnee, KS.
Cross-Lines Cooperative Council, Inc., Kansas City, KS.

Dillon's Custom Kitchens, Inc., Eskridge, KS.
Don's Body Shop, Inc., Olathe, KS.
Foundation for Artifacts and Cultural Exchange, Topeka, KS.
Gary R. Cooper Farm Co., Goodland, KS.
Giltner Property Partners Corp., Wichita, KS.
Great Plains Regional Users Group, Inc., Emporia, KS.
Holy Trinity Blue Valley, Inc., Overland Park, KS.
Humboldt Lions Club, Humboldt, KS.
Industrial Roofing & Metal Works, Inc., Goddard, KS.
Johnson County Laser Center, L.L.C., Shawnee Mission, KS.
Junior Achievement of Northeast Kansas, Inc., Topeka, KS.
Kansas Homeschool Family Ministries, Incorporated, Wichita, KS.
Kansas Pilots Association, Inc., Berryton, KS.
Kappa Alpha Theta - Delta Eta Educational Foundation, Manhattan, KS.
Maine Enterprises, Inc., Overland Park, KS.
Mason's Construction Company, Inc., Lee's Summit, MO.
Musical Theater Heritage, Inc., Westwood, KS.
Opportunities for a Fresh Start (O.F.F.S.), Inc., Kansas City, KS.
Ottawa Teens, Inc., Ottawa, KS.
Overmiller Stock Farms, Inc., Smith Center, KS.
Oxford Park Academy, Inc., Shawnee Mission, KS.
Pets for Life, Inc., Kansas City, MO.
R & R Mills Farms, Inc., Friend, KS.
RDC Feeders, Inc., Brewster, KS.
Reach, Inc., Wichita, KS.
Red Carpet Car Wash, Inc., Wichita, KS.
Region IV Emergency Medical Services Council, Inc., Wakefield, KS.
Riverton Community Center Association/Fire Station, Baxter Springs, KS.
Roof Doctors, Inc., Goddard, KS.
San Jose Institute, Tescott, KS.
St. Mark's A. M. E. Church of Topeka, Kansas, Inc., Topeka, KS.
Stilwell Community Organization, Inc., Stilwell, KS.
Stouts' Corner, Inc., Cottonwood Falls, KS.
Tanner-Foster Educational Foundation, Topeka, KS.
Tau Kappa Epsilon Building Association, Manhattan, KS.
The Medicine Lodge Boys Cabin, Incorporated, Medicine Lodge, KS.
The Woodson School District 366 Foundation, Yates Center, KS.
Thunder-Bird Club, Wichita, KS.
Transport Refrigeration & Equipment Co., Inc., Topeka, KS.
University Health Care Associates, Inc., Kansas City, KS.
Updike Paving Corporation, Shawnee, KS.
Violet Society, Atchison, KS.
Wichita Chamber Chorale Incorporated, Wichita, KS.

Foreign Corporations

Accenture LLP, Chicago, IL.
ALLCO Enterprises, Inc., Lake Oswego, OR.
Challenge NA, Inc., Thornwood, NY.
Familia USA Inc., Thornwood, NY.
Growth Opportunity Connection, Inc., Kansas City, MO.
Nautilus Software, Inc., Carson City, NV.
Tools for America Inc., San Juan, Puerto Rico.
WNC & Associates, Inc., Irvine, CA.
Wright Line LLC, Worcester, MA.

Ron Thornburgh
Secretary of State

Doc. No. 033051

State of Kansas

Secretary of State**Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

**Kingman County Commissioner,
District 1**

Earl Reno, 906 N.E. 130 Ave., Cheney, 67025. Succeeds Gary Smith, resigned.

**Kiowa County Commissioner,
District 1**

Dale E. West, Route 1, Greensburg, 67054. Succeeds Manford L. Clark, deceased.

Kansas Council on Developmental Disabilities

Kathleen D. Brennon, 315 N. Butler, Erie, 66733. Term expires August 31, 2008. Succeeds Dr. Penny Massa, resigned.

Kansas Energy Council

Jeffrey L. Kennedy, 8614 Overbrook, Wichita, 67206. Term expires June 30, 2006. Succeeds Spencer Depew, deceased.

**Advisory Council on
Intergovernmental Relations**

Matt Traster, 1010 N. Arapahoe St., Ulysses, 67880. Term expires June 30, 2006. Succeeds Wade Dixon.

Naturopathic Advisory Council

Daphne Roberts, HC 2, Box 14, Bird City, 67731. Term expires December 31, 2008. Succeeds Trista Curzydlo.

**Persian Gulf War Veterans
Health Initiative Board**

Marc A. Kline, 627 N.E. Forest St., Topeka, 66616. Term expires June 30, 2006. Succeeds Michael Clark, resigned.

Gary J. Prescott II, 8607 Parkmont Drive, Wichita, 67207. Term expires June 30, 2006. Succeeds Robert Frandsen, deceased.

**South-Central Kansas Regional
Library System**

Melva Barlow, 213 1st Ave., Inman, 67456. Term expires June 30, 2010. Succeeds Jay Bremyer.

Jane Barnard, 805 Candia Circle, Rose Hill, 67133. Term expires June 30, 2010. Succeeds Jane Williamson.

Kim Bauer, 263 N.E. 150 Road, Harper, 67058. Term expires June 30, 2010. Reappointment.

Deitra Black, 203 E. Main, Sun City, 67143. Term expires June 30, 2010. Succeeds Wayne White.

Greta Hiebert, 204 E. 24th St., North Newton, 67117. Term expires June 30, 2010. Succeeds Joel Kauffman.

Gerry A. Hildebrand, 1133 S.E. 80th St., Turon, 67583. Term expires June 30, 2010. Succeeds Marilyn Teichmann.

Gaylene Larson, 657 S. Milan Road, Milan, 67105. Term expires June 30, 2010. Succeeds Virginia Altman.

Barbara Lilyhorn, 9605 E. Ave. G, Hutchinson, 67501. Term expires June 30, 2010. Succeeds Ronald Allen.

Gaye Mackey, 1048 231st Road, Atlanta, 67008. Term expires June 30, 2010. Succeeds Sharon Olmstead.

Rita Severt, 22015 W. 29th St. North, Andale, 67001. Term expires June 30, 2010. Succeeds Mary Sykes.

Brenda Shipley, 9076 S.E. 160th, Norwich, 67118. Term expires June 30, 2010. Reappointed.

Donna Surprise, 616 S. Purdy, Lyons, 67554. Term expires June 30, 2010. Succeeds Vanora Fry.

Council on Travel and Tourism

Judith Billings, 790 N. 950 Road, Lawrence, 66047. Term expires September 30, 2007. Succeeds Rebecca Blake.

Bob Carmichael, 3041 S.W. Arrowhead Road, Topeka, 66614. Term expires September 30, 2007. Succeeds Ron Barkley.

Ken Corbet, Ravenwood Lodge, 10147 S.W. 61st St., Topeka, 66610. Term expires September 30, 2008. Succeeds Larry Berg.

Ronald W. Holt, 2718 N. Terrace, Wichita, 67220. Term expires September 30, 2008. Succeeds Barbara Hansen.

Sheila Lampe, 108 N. Scott, Piqua, 66761. Term expires September 30, 2007. Succeeds Ben Vidricksen.

Scott O. Nichols, 109 S. McCall, Ulysses, 67880. Term expires September 30, 2008. Succeeds Reba Smotherman.

Olivia Reynolds, 13900 E. Gilbert, Wichita, 67230. Term expires September 30, 2008. Succeeds Mary Lynn Stevenson, resigned.

Bryanna Spafford, 904 18th St., Belleville, 66935. Term expires September 30, 2008. Succeeds Terry Tietjens.

Donovan C. Stucky, 1817 Schippel Road, Salina, 67401. Term expires September 30, 2007. Succeeds Mary Shepherd.

Sabrina Symns, 2524 Vine St., Hays, 67601. Term expires September 30, 2007. Reappointed.

Dennis Vasquez, 427 S.W. Hillside Drive, Topeka, 66611. Term expires September 30, 2008. Succeeds Michael Pickering.

**Unmarked Burial Sites
Preservation Board**

Rose M. Wallen, 116 E. Mill St., Lindsborg, 67450. Term expires July 15, 2007. Succeeds Harold Reed.

Ron Thornburgh
Secretary of State

Doc. No. 033019

State of Kansas
Kansas Health Policy Authority

Notice of Meeting

The Kansas Health Policy Authority board will meet from 8:30 a.m. to 3 p.m. Tuesday, April 18, in the Health Policy and Finance Office, Rooms 9E and 9F, Landon State Office Building, 900 S.W. Jackson, Topeka. Additional information is available at <http://www.da.state.ks.us/hpf/medicalpolicy/HealthPolicyAuthority/KansasHealthPolicyAuthority.htm> or by calling (785) 296-3512.

Dr. Marcia Nelson
Chair

Doc. No. 033056

State of Kansas
Department of Health
and Environment

Notice of Hearings

The Kansas Department of Health and Environment has prepared proposed Kansas Water Pollution Control Permits, A-NEMN-B008, for Doyle Creek Farms, Clarence Busenitz, owner, and A-NEMN-B022, Jeffrey Busenitz, owner, both located near Peabody.

The proposed permit for Doyle Creek Farms is for a waste control system for a confined feeding facility with a maximum capacity of 999 head (999 animal units) of cattle weighing 700 pounds or more. The existing facility is located in the Southwest Quarter of Section 8, Township 22 South, Range 3 East in Marion County. The public was informed of the availability of the proposed agricultural waste control permit for Doyle Creek Farms through Public Notice No. KS-AG-06-016 dated February 2, 2006.

The proposed permit for Jeffrey Busenitz is for a waste control system for a confined feeding facility with a maximum capacity of 999 head (999 animal units) of cattle weighing 700 pounds or more. The existing facility is located in the Northwest Quarter of Section 7, Township 22 South, Range 3 East in Marion County. The public was informed of the availability of the proposed agricultural waste control permit for Jeffrey Busenitz through Public Notice No. KS-AG-06-063 dated March 16, 2006.

In conformance with K.A.R. 28-16-61, two public hearings have been scheduled. The hearings will be May 16 at 5 p.m. for the proposed permit for Doyle Creek Farms and at 7 p.m. for the proposed permit for Jeffrey Busenitz. Both hearings will be at the Peabody Grade School, 506 Elm, Peabody.

Copies of the permit application, the proposed KDHE permit and other pertinent documents may be requested by contacting the KDHE Livestock Waste Management Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-6432 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request. In addition, the same documents may be viewed at the KDHE North Central District Office, 2501 Market Place, Suites D & E, Salina.

Persons wishing to comment on the proposed permits may do so at the public hearing or may submit written statements to KDHE at the Topeka address given above

by May 16. It is recommended that persons wishing to speak at the public hearing supply the hearing officer with a written copy of the testimony the night of the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permits in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the Topeka address given above.

The Secretary of Health and Environment will make a final permit decision after consideration of applicable requirements of state statutes and regulations and comments received during the public notice and public hearing process.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033054

State of Kansas
Department of Health
and Environment

Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications

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, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-06-083/092

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Heinen 326	N/2 of the SE/4 of	Kansas River
Rodney Heinen	Section 36, T03S,	Basin
462 X Road	R14E, Nemaha	
Wetmore, KS 66550	County	

Kansas Permit No. A-KSNM-S026

This is a new permit for a new facility for a maximum of 1,200 head (480 animal units) of swine greater than 55 pounds. The facility will consist of one enclosed swine building with a concrete pit below a slotted floor.

Name and Address of Applicant	Legal Description	Receiving Water
Theron Culwell Route 2, Box 120 St. Francis, KS 67756	SE/4 of Section 14, T01S, R37W, Cheyenne County	Upper Republican River Basin

Kansas Permit No. A-URCN-B006
This is a new permit for a new facility for 700 head (350 animal units) of cattle weighing less than 700 pounds each. Two earthen wastewater retention structures, two sedimentation basins, and four diversions will be built to control runoff from 7.7 acres of pen area and 9.4 acres of extraneous drainage area.

Name and Address of Applicant	Legal Description	Receiving Water
Prime Pork L.L.C. Kevin Deniston 440 N. Eagle Road Scott City, KS 67871	SW/4 of Section 21, T21S, R32W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-S004
This is a renewal permit with a name change for an existing facility for 2,000 head (800 animal units) of swine greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth Regier 1614 S. Oliver Road Newton, KS 67114	NW/4 of Section 25, T23S, R01E, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S003
This is a renewal permit for an existing facility with an increase in animal units to 696 head [278 animal units (a.u.)] of swine greater than 55 pounds and 588 head (59 a.u.) of swine less than 55 pounds, for a total of 1,284 head (337 a.u.) of swine. The increase is due to a change in law or method of counting baby pigs and to the addition of all animals maintained on site but not included in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
KC Pork, Inc. Kent Condray 451 3rd Road Clifton, KS 66937	NW/4 & SE/4 of Section 15 & NE/4 of Section 21, T05S, R01E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H002 Federal Permit No. KS0085740
This is a renewal and modified permit for an existing, expanding facility for 14,522 head (3,309.2 animal units) of swine. The modification is in the NE/4 of Section 21 and includes removing one building and one lagoon, and constructing a new building and lagoon. The modification will add 340 head (136 animal units) of swine weighing more than 55 pounds each and 152 head (15.2 animal units) of swine weighing 55 pounds or less each.

Name and Address of Applicant	Legal Description	Receiving Water
Huck Farm Feedlot 5503 E. Road 210 Scott City, KS 67871	SW/4 of Section 29, T17S, R31W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C021 Federal Permit No. KS0095869
This is a renewal permit with modification for an existing facility for 4,500 head (4,500 animal units) of cattle weighing more than 700 pounds. The permit is being modified to reflect the current facility description based on recently submitted as-built plans.

Name and Address of Applicant	Legal Description	Receiving Water
Medway Replacement Heifers George Kohman P.O. Box 52 Syracuse, KS 67878	NW/4 of Section 21, T24S, R39W, Hamilton County	Upper Arkansas River Basin

Kansas Permit No. A-UAHM-C008 Federal Permit No. KS0115592
This is a permit for an expanding facility for 7,000 head (3,500 animal units) of cattle weighing 700 pounds or less and 7,000 head (7,000 animal units) of cattle weighing more than 700 pounds, for a total

of 14,000 head (10,500 animal units) of cattle. Phased construction is proposed for additional pen area and wastewater retention structures on the east side of the operation.

Name and Address of Applicant	Legal Description	Receiving Water
Double D Hogs, Inc. Jeff Dohrman 2425 4th Road Bushton, KS 67427	NE/4 of Section 33 & NW/4 of Section 34, T17S, R10W, Ellsworth County	Lower Arkansas River Basin

Kansas Permit No. A-AREW-S001
This is a renewal permit for an existing facility expanding from a maximum capacity of 2,900 head (920 animal units) to 3,090 head (921 animal units) of swine. The new maximum capacity includes 2,040 head (816 animal units) of swine weighing more than 55 pounds each and 1,050 head (105 animal units) of swine weighing 55 pounds or less each. The expansion consists of the construction of one previously approved, but not constructed, hoop barn, plus one additional hoop barn. No changes in the operation or the waste control system are being proposed.

Name and Address of Applicant	Legal Description	Receiving Water
Smith Brothers Feeders, LLC Box 1350 Elkhart, KS 67950	N/2 of Section 36, T32S, R43W, Morton County	Cimarron River Basin

Kansas Permit No. A-CIMT-C001 Federal Permit No. KS0055077
This is a renewal permit for an existing, expanding facility to a maximum capacity of 6,000 head (3,000 animal units) of cattle weighing less than 700 pounds. The facility is proposing the addition of new pens and additional wastewater controls to serve the expansion area.

Name and Address of Applicant	Legal Description	Receiving Water
Osage Ranch Joe Mushrush Rural Route 1, Box 9A Strong City, KS 66869	NW/4 of Section 12, T19S, R07E, Chase County	Neosho River Basin

Kansas Permit No. A-NECS-B002
This is a new, first time permit for an existing facility which is making waste system improvements for 999 head (999 animal units) of beef cattle. The improvements consist of the construction of a sediment basin and wastewater retention structure to control the runoff from existing pens. The improvements include modifications to the south pens, which will decrease the number of acres the facility uses for confined feeding.

Public Notice No. KS-06-043/049

Name and Address of Applicant	Waterway	Type of Discharge
Coffeyville, City of P.O. Box 1629 Coffeyville, KS 67337	Verdigris River via Storm Sewer	Cooling Water

Kansas Permit No. I-VE09-PO04 Federal Permit No. KS0080039
Legal Description: NW¼, S1, T35S, R16E, Montgomery County
Facility Name: Coffeyville Municipal Power Plant

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater discharge. This facility is a standby generating station used for peaking and emergency power that is normally operated during the months of April through September each year. Wastewater consists of cooling tower and boiler blowdown discharges. The process wastewater flow is about 91,700 gallons per day. The proposed permit includes limits for total suspended solids, oil and grease, total residual chlorine and pH. Monitoring of temperature 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.

(continued)

Name and Address of Applicant
 El Paso Merchant Energy
 P.O. Box 751
 El Dorado, KS 67042

Waterway
 East Fork
 Chisholm Creek

Type of Discharge
 Groundwater
 Remediation

Kansas Permit No. I-AR94-PO78 Federal Permit No. KS0092118
 Legal Description: W½, SE¼, S4, T27S, R1E, Sedgwick County
 Facility Name: Wichita Terminal

Facility Description: The proposed action consists of modifying an existing permit for an existing facility. The modification consists of modifying hydraulic control of stormwater discharges from Outfall 001, Outfall 002 and Outfall 003, and adding two additional stormwater outfalls, Outfall 005 and Outfall 006. The monitoring frequency and analytical parameters for these stormwater outfalls also are modified. There are no changes in regard to the air stripper-treated groundwater discharge at Outfall 004. This facility is a former petroleum refinery and a former asphalt blending and terminal operation. The modifications include limits for the stormwater outfalls for benzene, oil and grease, arsenic, lead, ammonia, total petroleum hydrocarbons (gasoline and diesel range) and pH. Monitoring for chromium, stormwater flow and other potential pollutants listed in the permit also will be required. All other terms, conditions and provisions of the permit shall remain in full force and effect. 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
 Neodesha, City of
 P.O. Box 336
 Neodesha, KS 66757

Waterway
 Verdigris River

Type of Discharge
 Treated Domestic
 Wastewater

Kansas Permit No. M-VE29-OO01 Federal Permit No. KS0025658
 Legal Description: W½, NW¼, S28, and E½, NE¼, S29, T30S, R16E, Wilson County

Facility Description: The proposed action is to reissue a permit for an existing facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform 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 technology based.

Name and Address of Applicant
 Olathe, City of
 P.O. Box 768
 Olathe, KS 66051-0768

Waterway
 Kansas River via
 Mill Creek

Type of Discharge
 Treated Domestic
 and Industrial
 Wastewater

Kansas Permit No. M-KS52-IO01 Federal Permit No. KS0045802
 Legal Description: SE¼, S23, T13S, R23E, Johnson County

Facility Description: The proposed action is to reissue a permit for an existing facility treating primarily domestic wastewater. The facility is a mechanical treatment plant consisting of bar screening, aerated grit removal, first- and second-stage trickling filters, intermediate and final clarification, and UV disinfection of effluent. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. Sludge is anaerobically digested and dried on a belt filter press or drying beds. An extraneous flow holding basin is present to control discharge from high rainfall events. Effluent from the flow basin is disinfected via chlorination. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, dissolved oxygen and pH. Monitoring for chlorides, zinc, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus and effluent flow also will be required. The permittee will be required to perform a chronic whole effluent toxicity test annually and a priority pollutant scan once during the term of the permit. Included in this permit is a schedule of compliance requiring the permittee to conduct a study, within two years of the effective date of the permit, to assess the cost and feasibility for this facility to achieve total nitrogen and phosphorus reductions pursuant to the Kansas Nutrient Reduction Plan. 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
 Pretty Prairie, City of
 P.O. Box 68
 Pretty Prairie, KS 67570-0068

Waterway
 Ninnescah River
 via Smoots Creek
 via Unnamed
 Tributary

Type of Discharge
 Treated Domestic
 Wastewater

Kansas Permit No. M-AR75-OO02
 Federal Permit No. KS0098639
 Legal Description: SW¼, SW¼, SE¼, S19, T26S, R6W, Reno County

Facility Description: The proposed action is to issue a new permit for a new facility treating primarily domestic wastewater. This new three-cell discharge lagoon system will replace an existing mechanical process wastewater treatment plant. Three groundwater monitoring wells will be installed adjacent to the facility and will be monitored on a regular basis to evaluate and protect groundwater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and fecal coliform. Monitoring of ammonia, pH and effluent flow from the facility also will be required. Monitoring for chlorides, nitrate and specific conductivity will be required at each of the groundwater monitoring wells. Contained in the permit is a schedule of compliance requiring the permittee to complete the new facility by February 28, 2007, and to achieve compliance with the permit limits by April 30, 2007. 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
 Wescon Products Company
 P.O. Box 7710
 Wichita, KS 67217

Waterway
 Arkansas River via
 Storm Sewer

Type of Discharge
 Noncontact
 Cooling Water

Kansas Permit No. I-AR94-PO62 Federal Permit No. KS0000825
 Legal: NW¼, S3, T28S, R1E, Sedgwick County

Facility Description: The proposed action consists of modifying an existing permit for an existing facility. This facility manufactures outdoor equipment and proprietary injection molded plastic items. 648,000 gallons of groundwater used for noncontact cooling discharge daily to the storm sewer. The modification consists of adding Aqua Mag and sodium hypochlorite being injected for one hour every 12 hours to treat iron-reducing bacteria (Gallionella) in the well water. The modification includes limits for total residual chlorine and increased monitoring of chloride. All other terms, conditions and provisions of the permit shall remain in full force and effect. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-e), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant
 Wichita-Sedgwick County
 Dept. of Community
 Health
 1900 E. 9th St.
 Wichita, KS 67214

Waterway
 Arkansas River

Type of Discharge
 Process
 Wastewater

Facility Name: Gilbert & Mosley Remediation Site
 Kansas Permit No. I-AR94-PO80 Federal Permit No. KS0092762
 Legal: NE¼, S5, T28S, R1E, Sedgwick County

Facility Description: The proposed action is to issue a new permit for the discharge of process wastewater. This facility is for a groundwater cleanup project consisting of 13 extraction wells located throughout downtown Wichita. The groundwater is contaminated primarily with chlorinated volatile organic chemicals and is treated by an air stripper. A sequestering agent is added to the influent of the air stripper. The facility design flow rate is 1.325MGD. The proposed permit includes limits for tetrachloroethylene, trichloroethylene, cis-1,2 dichloroethene and pH, as well as monitoring of effluent flow. The permittee is required to perform a volatile organic compounds (VOC) scan annually on both outfall 001 and 002. The permit requirements are pursuant to the Kansas Surface Water Qual-

ity Standards, KAR 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-PT-06-002

Name and Address of Applicant	Receiving Facility	Type of Discharge
A-1 Plank & Scaffold Mfg. Inc. 500 Commerce Parkway Hays, KS 67601	Hays, MWWTP	Process Wastewater
Kansas Permit No. P-SH16-0001	Federal Permit No. KSP000016	

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility manufactures scaffold frames constructed of steel. A conversion coating (phosphating) operation is used to prepare the steel tubing for painting. Outfall 001 represents treated wastewater from the conversion coating operation. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH. The monitoring of flow also will be required. The permit limits are pursuant to state and federal pretreatment requirements.

Persons wishing to comment on the draft documents 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 considered in the decision making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section 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 documents or application notices received on or before May 13 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-083/092, KS-06-043/049, KS-PT-06-002) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033053

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment has reviewed an application from Waste Corporation of Kansas, Inc. to operate a municipal solid waste transfer station. The facility is located in the Northwest Quarter of Section 21, Township 21 South, Range 30 East in Labette County, at 21075 S. Highway 59, Parsons. KDHE has reviewed the application and found it to be in conformance with state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to the Waste Corporation of Kansas, Inc. for the proposed municipal solid waste transfer station described herein. A copy of the administrative record, including the permit application, drawings, draft permit and other information regarding this permit action, will be available for public review through May 15 during normal business hours at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Joe Cronin
(785) 296-1667

Parsons Public Library
311 S. 17th St.
Parsons, 67357
Contact: Dana Williams-Capone
(620) 421-5920

In addition, an informational meeting and public hearing will be held May 9 at the Parsons Public Library meeting room in conjunction with the public comment period. The meeting will be held from 6 to 7 p.m. and will provide an informal setting for concerned individuals to ask KDHE personnel questions regarding the municipal solid waste transfer station. The hearing will begin immediately following the meeting and will provide a format for individuals to make formal comments that will be recorded by KDHE. KDHE will subsequently respond to all formal comments in writing.

Additionally, the application form is available for public viewing via the Internet at www.kdhe.state.ks.us/waste. Anyone wishing to comment on the facility application should submit written statements postmarked not later than May 15 to Joe Cronin of KDHE (at the address listed above). Comments also will be accepted via facsimile to (785) 296-1592 or e-mail to jcronin@kdhe.state.ks.us, provided the comments are received by 5 p.m. May 15. Comments that are postmarked by May 15 and received within one week thereafter also will be considered. KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received during the public notice period, KDHE will make a final decision on whether to issue the new permit. Notice of the decision will be given to the applicant, to anyone who

(continued)

submitted written comments during the comment period, and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033058

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2006-2008 by adding the following project:

Project KA-0566-06, Program Coordinator Position for the Statewide Safe Routes to Schools Program

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude May 15.

Deb Miller
Secretary of Transportation

Doc. No. 033059

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. A response may be submitted by e-mail to neil@ksdot.org or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages. Responses must be received by 5 p.m. May 11 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three and not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

106 AV-0001-02 Statewide

The scope of services is to evaluate 40 airports that currently have no instrument approach procedures (IAPs) or has IAPs that are reliant on obsolete nondirectional beacon (NDB) equipment being taken out of service by the Federal Aviation Administration (FAA). This study will closely examine each airport to determine the feasibility of establishing IAPs based on Global Positioning System (GPS) technology with specific emphasis on determining:

- (1) The preferred/appropriate IAP based on desktop Terminal Instrument Procedures (TERPS) analysis including the final and missed approach segments;
- (2) the controlling and/or limiting obstacles along with viable mitigation strategies;
- (3) the achievable visibility and ceiling minimums for various aircraft categories;
- (4) the level of compliance with FAA facility design standards and the impact on preferred IAPs and minimums;
- (5) the benefit vs. cost of installing any approach lighting system, and Automatic Weather Observation System (AWOS) and/or a Ground Communication Outlet (GCO); and
- (6) the most appropriate level of FAA Aeronautical (405) Survey to support the preferred IAPs. Both ends of the primary runway will be evaluated at each study location.

There are currently 37 airports in Kansas with paved runways that have no IAPs and another 11 served only by approaches dependent on obsolete ground equipment. In the past seven years, KDOT has spent \$21 million upgrading the runways at these and other airports to enable access by air ambulances and corporate aircraft to our rural communities. Lack of instrument approach procedures limits accessibility to these airports to visual meteorological conditions only (visibility not less than 3 miles and cloud ceiling not less than 1,000 feet). The ultimate goal is to maximize the number of all-weather airports in the state. Ninety-five percent of the costs for this study will be funded by the FAA through an Airport Improvement Program grant.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

Deb Miller
Secretary of Transportation

Doc. No. 033052

(Published in the Kansas Register April 13, 2006.)

**Summary Notice of Bond Sale
City of Garden City, Kansas
\$1,370,000
General Obligation Bonds
Series 2006**

Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated March 28, 2006, of the city of Garden City, Kansas, bids to purchase the city's General Obligation Bonds, Series 2006, will be received at the City Administrative Center, 301 N. 8th, Garden City, KS 67846, or by telefacsimile at (620) 276-1169, until 11 a.m. Tuesday, April 25, 2006. Bids received will be considered by the governing body at its meeting at 1 p.m. on the sale date.

No oral or auction bids for the bonds will be considered, and no bid for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery will be considered.

Good Faith Deposit

Each bidder must submit a good faith deposit in the form of a certified or cashier's check made payable to the order of the city or a financial surety bond in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds are dated May 1, 2006, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on May 1 and November 1 of each year, beginning May 1, 2007. Principal of the bonds becomes due on November 1 in the years and amounts shown below:

Maturity Schedule

Principal Amount	Maturity Date
\$ 90,000	2007
120,000	2008
125,000	2009
130,000	2010
135,000	2011
140,000	2012
150,000	2013
155,000	2014
160,000	2015
165,000	2016

Payment of Principal and Interest

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

Book-Entry Bonds

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York (DTC).

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to the successful bidder on or about May 24, 2006, through the facilities of DTC.

Legal Opinion

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

Financial Matters

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$156,586,866. As of May 1, 2006, the city's total outstanding general obligation debt (including the bonds) is \$9,010,000.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below or the city's financial advisor, Chuck Bouilly, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

City of Garden City, Kansas
By Stacey L. Frizzell
City Clerk
City Administrative Center
301 N. 8th
Garden City, KS 67846
(620) 276-1100
Fax (620) 276-1169

Doc. No. 033060

State of Kansas

**Department of Health
and Environment**

**Permanent Administrative
Regulations**

Article 1.—DISEASES

28-1-2. Designation of infectious or contagious diseases. (a) The following diseases shall be designated as infectious or contagious in their nature, and cases or suspect cases shall be reported within seven days, unless otherwise specified, in accordance with K.S.A. 65-118 and K.S.A. 65-128, and amendments thereto.

- (1) Amebiasis;
- (2) anthrax (report by telephone within four hours to the secretary);
- (3) arboviral disease, including West Nile virus, western equine encephalitis (WEE), and St. Louis encephalitis (SLE);
- (4) botulism (report by telephone within four hours to the secretary);
- (5) brucellosis;
- (6) campylobacter infections;
- (7) chancroid;
- (8) *Chlamydia trachomatis* genital infection;
- (9) cholera (report by telephone within four hours to the secretary);
- (10) cryptosporidiosis;
- (11) cyclospora infection;
- (12) diphtheria;
- (13) ehrlichiosis;
- (14) *Escherichia coli* enteric infection from *E. coli* O157:H7 and other shiga toxin-producing *E. coli*, also known as STEC;

(continued)

- (15) giardiasis;
 - (16) gonorrhea;
 - (17) *Haemophilus influenzae*, invasive disease;
 - (18) hemolytic uremic syndrome, post-diarrheal;
 - (19) hepatitis B in pregnancy (report the pregnancy of each woman with hepatitis B);
 - (20) hepatitis, viral;
 - (21) hantavirus pulmonary syndrome;
 - (22) influenza, if the disease results in the death of any child under 18 years of age;
 - (23) legionellosis;
 - (24) leprosy or Hansen's disease;
 - (25) listeriosis;
 - (26) Lyme disease;
 - (27) malaria;
 - (28) measles or rubeola (report by telephone within four hours to the secretary);
 - (29) meningitis, bacterial (indicate causative agent, if known, and report by telephone within four hours to the secretary);
 - (30) meningococemia (report by telephone within four hours to the secretary);
 - (31) mumps (report by telephone within four hours to the secretary);
 - (32) pertussis or whooping cough (report by telephone within four hours to the secretary);
 - (33) plague or *Yersinia pestis* (report by telephone within four hours to the secretary);
 - (34) poliomyelitis (report by telephone within four hours to the secretary);
 - (35) psittacosis;
 - (36) rabies, animal and human (report by telephone within four hours to the secretary);
 - (37) Rocky Mountain spotted fever;
 - (38) rubella, including congenital rubella syndrome (report by telephone within four hours to the secretary);
 - (39) salmonellosis, including typhoid fever;
 - (40) severe acute respiratory syndrome (SARS) (report by telephone within four hours to the secretary);
 - (41) shigellosis;
 - (42) streptococcal invasive, drug-resistant disease from group A *Streptococcus* or *Streptococcus pneumoniae*;
 - (43) syphilis, including congenital syphilis;
 - (44) tetanus;
 - (45) toxic-shock syndrome, streptococcal and staphylococcal;
 - (46) any transmissible spongiform encephalopathy (TSE) or prion disease (indicate causative agent, if known);
 - (47) trichinosis;
 - (48) tuberculosis, active and latent (report active disease by telephone within four hours to the secretary);
 - (49) tularemia;
 - (50) varicella or chickenpox;
 - (51) yellow fever; and
 - (52) any exotic or newly recognized disease, and any disease unusual in incidence or behavior, known or suspected to be infectious or contagious and constituting a risk to the public health (report by telephone within four hours to the secretary).
- (b) The occurrence of a single case of any unusual disease or manifestation of illness that the health care pro-

vider determines or suspects could be caused by or related to a bioterrorism act shall be reported within four hours by telephone to the secretary. The term "bioterrorism act," as used in this article, shall mean a dispersion of biological or chemical agents with the intention to harm. Each bioterrorism act shall be reported within four hours by telephone to the secretary. The following shall be considered bioterrorism agents when identified in the course of a possible bioterrorism act:

- (1) Anthrax;
- (2) plague;
- (3) smallpox;
- (4) tularemia;
- (5) botulism;
- (6) viral hemorrhagic fever;
- (7) Q fever or *Coxiella burnetii*;
- (8) brucellosis; and
- (9) any other infectious or toxic agent that can be intentionally dispersed in the environment. (Authorized by K.S.A. 65-101 and 65-128; implementing K.S.A. 65-118 and 65-128; effective May 1, 1982; amended May 1, 1986; amended Dec. 24, 1990; amended April 19, 1993; amended Jan. 12, 1996; amended Dec. 1, 1997; amended Feb. 18, 2000; amended, T-28-11-20-03, Nov. 20, 2003; amended March 5, 2004; amended April 28, 2006.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033055

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-30. Retailer bonus. (a) On all Powerball, Hot Lotto, and Super Kansas Cash drawings in which the prize claimed and awarded is the "jackpot prize" offered in the game it represents, the Kansas lottery retailer(s) selling the ticket(s) shall receive \$10,000 for Powerball, \$2,500 for Hot Lotto, and \$1,000 for Super Kansas Cash, or share equally in a bonus if there are multiple winners and the prize is paid on a parimutuel basis. The bonus shall be in addition to compensation specified in K.A.R. 111-2-4.

(b) A "jackpot prize" is the highest prize awarded in the prize structure of the Powerball, Hot Lotto, or Super Kansas Cash game it represents.

(c) On all Powerball drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$200,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(d) On all Keno drawings where the prize claimed and awarded is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(e) In addition to other commissions and bonuses received, each retailer shall receive a sales bonus of one percent (1%) of each instant and online tickets sold by the retailer where the prize claimed and awarded is over

\$599, with a minimum bonus of \$10 and a maximum bonus of \$100. A retailer receiving a bonus pursuant to subsections (a), (b), (c) or (d) above shall not be entitled to this bonus.

(f) A bonus as provided in subsections (a), (b), (c), (d), or (e) above shall only be paid to a Kansas lottery retailer that, at the time the qualifying prize is claimed and awarded, is not delinquent in any payments due the lottery, is a certified lottery retailer, is not suspended or on "hold" status, and is otherwise in compliance with retailer's contract with the lottery. In the event a bonus is earned but the retailer is not at that time eligible to receive the bonus, the lottery will withhold payment or credit for up to 90 days to allow the retailer to cure any such delinquency or other deficiency. If after 90 days the retailer fails to cure said delinquency or deficiency, the retailer shall forfeit said bonus. Under extenuating circumstances, as determined by the executive director, the time for curing said delinquency or deficiency may be extended. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-8-5-94, July 15, 1994; amended, T-111-3-22-95, March 16, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-5-28-98, May 15, 1998; amended, T-111-7-19-99, June 17, 1999; amended, T-111-6-8-00, May 12, 2000; amended, T-111-7-31-00, July 21, 2000; amended, T-111-11-14-00, Oct. 20, 2000; amended, T-111-3-30-06, March 15, 2006.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2394. "Bonus Crossword" instant ticket lottery game number 563. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2394.

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

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

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

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

FRE	=	Free ticket
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
HUN	=	\$100.00
FHN	=	\$500.00

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

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

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

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
- (5) every single letter in the unbroken string must be revealed in "YOUR LETTERS," or "BONUS" areas and be included to form a word; and

(6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Bonus Crossword."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 3,600,000 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.

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - words	FREE TICKET	600,000	\$0
4 - words	\$5	156,000	780,000
5 - words	\$10	82,800	828,000
6 - words	\$20	27,600	552,000
7 - words	\$100	3,600	360,000
8 - words	\$500	552	276,000
9 - words	\$2,000	132	264,000
10 - words	\$20,000	24	480,000
TOTAL		<u>870,708</u>	<u>\$3,540,000</u>

(l) The odds of winning a prize in this game are ap-
(continued)

proximately one in 4.13. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2395. "Diggin' For Dollars" instant ticket lottery game number 564. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Diggin' For Dollars" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2395.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$4 ⁰⁰	FOUR\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
20 ⁰⁰	TWENTY
40 ⁰⁰	FORTY
50 ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$200\$	TWOHUN
\$400\$	FORHUN
\$4000	FOURTHOU
Symbol of a dog	DOG
Symbol of a dog dish	DISH
Symbol of a bone	BONE
Symbol of a dog collar	COLLAR
Symbol of a dog house	HOUSE
Symbol of a fire hydrant	HYDRT
Symbol of a ball	BALL
Symbol of a paw print	PAW

(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
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
HUN	=	\$100.00
FRH	=	\$400.00

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

(g) "Diggin' For Dollars" is a match three play symbols or a match four play symbols to win double the prize amount. A player will remove the latex covering the play area to reveal six play symbols and one prize amount. If the player matches three like play symbols, the player wins the prize amount shown. If the player matches four

like play symbols, the player wins double the prize amount.

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

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

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

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free	56,000	\$0
Free Ticket	24,000	24,000
\$1	17,000	34,000
\$1.00 (D)	16,400	32,800
\$2	6,400	25,600
\$2.00	6,000	24,000
\$2.00 (D)	6,800	34,000
\$4	2,800	28,000
\$4.00	2,600	26,000
\$5.00	1,000	20,000
\$5.00(D)	800	16,000
\$10	180	7,200
\$10.00	180	7,200
\$10.00(D)	60	6,000
\$20	60	6,000
\$20.00	4	1,600
\$20.00(D)	4	1,600
\$40	6	6,000
\$40.00	6	6,000
\$50.00(D)	4	1,600
\$100	4	1,600
\$100.00	6	6,000
\$400	4	1,600
\$400 (D)	4	1,600
\$4,000	6	24,000
TOTAL	<u>140,294</u>	<u>\$318,000</u>

(D) denotes doubled prize

(k) The odds of winning a prize in this game are approximately one in 4.28. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2396. "Money Multiplier" instant ticket lottery game number 565. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Money Multiplier" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2396.

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

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$3000	THRTHOU
1X	1XPRIZE
2X	2XPRIZE
3X	3XPRIZE
4X	4XPRIZE
5X	5XPRIZE

(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:

ONE	=	\$1.00
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
NIN	=	\$9.00
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) "Money Multiplier" is a match three of six prize amounts game with a multiplier feature. A player will remove the latex covering the play area to reveal six prize amounts and a multiplier. If the player matches three prize amounts, the player wins that amount. The winning prize amount is then multiplied by the multiplier to determine the player's total winning prize.

(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
\$1	61,000	\$61,000
\$1(2X)	27,000	54,000
\$3	9,800	29,400
\$1(3X)	9,800	29,400
\$5	4,600	23,000
\$1(5X)	4,700	23,500
\$3(3X)	2,000	18,000
\$10	1,500	15,000
\$5(2X)	1,500	15,000
\$2(5X)	1,500	15,000
\$25	360	9,000
\$5(5X)	360	9,000
\$50	150	7,500
\$25(2X)	150	7,500
\$100	16	1,600
\$50(2X)	16	1,600
\$25(4X)	16	1,600
\$500	6	3,000
\$250(2X)	6	3,000
\$3,000	8	24,000
TOTAL	<u>124,488</u>	<u>\$351,100</u>

"X" - denotes multiplier symbol

(k) The odds of winning a prize in this game are approximately one in 4.82. (Authorized by K.S.A. 74-8710;

implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2397. "Line 'Em Up" instant ticket lottery game number 566. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Line 'Em Up" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2397.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
\$6. ⁰⁰	SIX\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$2000	TWOTHOU
Symbol of a bunch of cherries	CHRRY
Symbol of a bar	BAR
Symbol of a diamond	DIMND
Symbol of a plum	PLUM
Symbol of a crown	CROWN
Symbol of a horseshoe	HSHOE
Symbol of a shamrock	SHMRK
Symbol of a pot of gold	GOLD
Symbol of the moon	MOON
Symbol of a pear	PEAR
Symbol of a strawberry	STBRY

(c) For this game, a play symbol shall appear in each of 12 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) "Line 'Em Up" is a symbol match game. A player will remove the latex covering the play area to reveal three "SPINS." Each "SPIN" contains three play symbols
(continued)

and one prize amount. If a player reveals three identical play symbols in any one "SPIN," the player wins the prize amount shown for that "SPIN."

(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 Ticket	52,000	\$0
\$1	34,800	34,800
\$2	13,000	26,000
\$2 (\$1 x 2)	13,000	26,000
\$5	3,500	17,500
\$5 (\$2 x 2) + \$1	3,500	17,500
\$5 (\$2 x 1) + \$3	3,400	17,000
\$10	2,200	22,000
\$10 (\$2 x 2) + \$6	2,200	22,000
\$10 (\$5 x 2)	2,200	22,000
\$25	600	15,000
\$25 (\$10 x 2) + \$5	600	15,000
\$25 (\$10 + \$15)	600	15,000
\$50	340	17,000
\$50 (\$25 x 2)	340	17,000
\$100	30	3,000
\$100 (\$50 x 2)	30	3,000
\$100 (\$25 x 2) + \$50	30	3,000
\$500	12	6,000
\$500 (\$250 x 2)	12	6,000
\$2,000	8	16,000
TOTAL	132,402	\$320,800

(k) The odds of winning a prize in this game are approximately one in 4.53. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2398. "Blackjack" instant ticket lottery game number 567. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blackjack" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2398.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOUR\$
\$6 ⁰⁰	SIX\$
\$8 ⁰⁰	EGT\$
12 ⁰⁰	TWLV
24 ⁰⁰	TWNFOR
50 ⁰⁰	FIFTY
70 ⁰⁰	SEVENTY
\$210\$	TWOTEN
\$700\$	SEVHUN
\$10000	10-THOU
2	TWO

3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
SIX	=	\$6.00
TWL	=	\$12.00
TFO	=	\$24.00
FTY	=	\$50.00
THT	=	\$210.00

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

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

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

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

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

Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	60,000	\$0
\$1	18,000	18,000
\$2	15,000	30,000
\$1 Doubled	16,000	32,000
\$4	6,600	26,400

\$2 + \$2	\$4	6,600	26,400
\$2 Doubled	\$4	8,040	32,160
\$1 + \$1 + \$2	\$4	8,800	35,200
\$6	\$6	850	5,100
\$3 + \$3	\$6	850	5,100
\$2 x 3 (Bust)	\$6	850	5,100
\$12	\$12	350	4,200
\$6 + \$6	\$12	350	4,200
\$4 x 3 (Bust)	\$12	350	4,200
\$4 Doubled + \$4	\$12	360	4,320
\$24	\$24	240	5,760
\$12 + \$12	\$24	280	6,720
\$8 x 3 (Bust)	\$24	300	7,200
\$50	\$50	100	5,000
\$2 + \$24 + \$24	\$50	132	6,600
\$210	\$210	4	840
\$70 + \$70 + \$70	\$210	8	1,680
\$700 x 3 (Bust)	\$2,100	4	8,400
\$10,000	\$10,000	4	40,000
TOTAL		<u>144,072</u>	<u>\$314,580</u>

(k) The odds of winning a prize in this game are approximately one in 4.16. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2399. "Word Bank" instant ticket lottery game number 568. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Word Bank" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2399.

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

(c) For this game, a play symbol shall appear in each of 18 play spots within the "CALL LETTERS" play area and in 42 play spots within the puzzle grid.

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

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

FRE	=	Free ticket
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Word Bank" consists of two play areas. In the top half of the ticket, there are eight "WORDS" covered with transparent latex. In the "CALL LETTERS" play area, located in the bottom half of the ticket, there are 18 letters located under the latex. A player will remove the latex from the "CALL LETTERS." For each letter found in the "CALL LETTERS" area, the player scratches off any matching letters found in "WORDS 1 through 8." If a player uncovers a complete "WORD," the player wins

the prize shown for that "WORD." The prizes on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

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

(1) cannot be formed diagonally, run right to left or from bottom to top;

(2) must appear in an unbroken horizontal string of letters that complete the word in the puzzle;

(3) every single letter in the unbroken string must be revealed in the "CALL LETTERS," and be included to form a word; and

(4) the three small letters outside the squares in the "CALL LETTERS" area are for validation purposes and cannot be used to play "Word Bank."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 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.

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

Complete	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Word 1	FREE TICKET	100,000	\$0
Word 2	\$5	26,000	130,000
Word 3	\$10	13,800	138,000
Word 4	\$20	4,600	92,000
Word 5	\$100	600	60,000
Word 6	\$500	92	46,000
Word 7	\$2,000	22	44,000
Word 8	\$20,000	4	80,000
TOTAL		<u>145,118</u>	<u>\$590,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2400. "Tic Tac Two" instant ticket lottery game number 569. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Tic Tac Two" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2400.

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

Play Symbols	Play Symbol Captions
Free	TICKET
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$4 ⁰⁰	FOUR\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
\$100\$	ONE-HUN

(continued)

\$250\$	TWOFIFTY	\$4.00	\$4	6,000	24,000
\$500\$	FIVE-HUN	\$5.00	\$5	7,000	35,000
\$2222	TWTOTWTO	\$5.00 (D)	\$10	3,000	30,000
1	ONE	\$10.00	\$10	2,600	26,000
3	THR	\$10.00 (D)	\$20	1,120	22,400
4	FOR	\$20.00	\$20	800	16,000
5	FIV	\$25.00 (D)	\$50	180	9,000
6	SIX	\$50.00	\$50	160	8,000
7	SEV	\$50.00 (D)	\$100	24	2,400
8	EGT	\$100.00	\$100	24	2,400
9	NIN	\$250 (D)	\$500	12	6,000
2	TWO	\$500	\$500	12	6,000
		\$2,222	\$2,222	8	17,776
SINGLE	PRIZE	TOTAL		134,740	321,176
DOUBLE	PRIZE				

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
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 \$1.00 each.

(g) "Tic Tac Two" is a "Tic-Tac-Toe" game. A player will remove the scratch-off material to reveal one prize amount, one "BONUS" symbol, and a tic-tac-toe grid including nine play symbols. If a player reveals three "2" play symbols in the same row, column, or diagonal straight line of the tic-tac-toe grid, the player wins the prize amount. If a player has a winning combination in the tic-tac-toe grid, and uncovers "DOUBLE PRIZE" in the "BONUS" area, the player wins double the prize amount. Numbers appearing below the horizontal line in the play area are ineligible to play the game.

(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	52,000
\$1.00	\$1	21,000
\$1.00 (D)	\$2	18,000
\$2.00	\$2	16,000
\$2.00 (D)	\$4	6,800

(k) The odds of winning a prize in this game are approximately one in 4.45. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2401. "Fishing For Fifties" instant ticket lottery game number 570. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fishing For Fifties" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2401.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2 ⁰⁰	TWO\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
15 ⁰⁰	FIFTEEN
50 ⁰⁰	FIFTY
\$500\$	FIVE-HUN

(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
FTN	=	\$15.00
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) "Fishing For Fifties" is a match three of six game. A player will remove the scratch-off material over the game play area to reveal six prize amounts. If three of the six prize amounts are identical, the player wins that prize amount.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall

have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	72,000	\$0
3 - \$2.00's	\$2	28,000	56,000
3 - \$5.00's	\$5	13,600	68,000
3 - \$10.00's	\$10	3,700	37,000
3 - \$15.00's	\$15	2,198	32,970
3 - \$50.00's	\$50	2,200	110,000
3 - \$500.00's	\$500	10	5,000
TOTAL		<u>121,708</u>	<u>\$308,970</u>

(k) The odds of winning a prize in this game are approximately one in 4.93. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2402. "The Duke" instant ticket lottery game number 416. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "The Duke" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2402.

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

Play Symbols	Play Symbol Captions
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOR\$
\$7 ⁰⁰	SVN\$
\$10 ⁰⁰	TEN\$
\$30 ⁰⁰	THIRTY
\$100	ONEHUND
\$500	FIVHUND
\$10,000	TENTHOU
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SVN
8	EGT
9	NINE
10	TEN
11	ELVN
12	TWLV
13	TRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGTTN
19	NINTN
20	TWTY
21	TWONE
22	TWTWO
23	TWTHR
24	TWFOR

25

TWFIV

Symbol of a coin

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

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

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

TWO	=	\$2.00
THR	=	\$3.00
FOR	=	\$4.00
SEV	=	\$7.00
TEN	=	\$10.00
TRY	=	\$30.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "The Duke" is a key number match game. A player will remove the scratch-off material over the game play area to reveal 10 "YOUR NUMBERS" with a prize amount below each number and two "WINNING NUMBERS." If a player matches any of the "YOUR NUMBERS" to either of the "WINNING NUMBERS," the player wins the prize shown below that number. If a player reveals a coin symbol, the player wins the prize shown below the coin symbol automatically.

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

(i) Approximately 720,000 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 240,000 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
\$2	98,400	\$196,800
\$3	44,400	133,200
\$4	13,200	52,800
(\$2 x 2)	20,400	81,600
\$7	6,000	42,000
(\$2 x 2) + \$3	6,000	42,000
\$4 + \$3	8,400	58,800
\$10	2,400	24,000
(\$2 x 5)	4,800	48,000
(\$3 x 2) + (\$2 x 2)	6,000	60,000
\$30	650	19,500
(\$3 x 10)	650	19,500
(\$2 x 5) + (\$4 x 5)	650	19,500
\$100	22	2,200
(\$10 x 10)	22	2,200
\$500	8	4,000
\$10,000	5	50,000
TOTAL	<u>212,007</u>	<u>\$856,100</u>

(k) The odds of winning a prize in this game are approximately one in 3.40. (Authorized by K.S.A. 74-8710; *(continued)*)

implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2403. "Beetle Bailey" instant ticket lottery game number 417. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Beetle Bailey" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2403.

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

Play Symbols	Play Symbol Captions
\$2 ⁰⁰	TWO\$
\$4 ⁰⁰	FOR\$
\$8 ⁰⁰	EGT\$
\$16 ⁰⁰	SIXTN\$
\$25 ⁰⁰	TWNFIV\$
\$50 ⁰⁰	FIFTY\$
\$100	ONEHUN
\$2,000	TWOTHOU
FREE	TICKET
Symbol of Beetle Bailey	BEETLE

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

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

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

TWO	=	\$2.00
FOR	=	\$4.00
EGT	=	\$8.00
SXN	=	\$16.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Beetle Bailey" is a match three of six plus a doubler feature. A player will remove the scratch-off material over the game play area to reveal six prize amounts. If a player matches three like prize amounts, the player wins that amount. If a player matches two like prize amounts plus a "Beetle Bailey" symbol, the player wins double the amount.

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

(i) Approximately 960,000 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 240,000 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 Ticket	108,800	\$0
\$2	75,200	150,400
\$2 Doubler	24,800	99,200
\$4	20,000	80,000
\$8	5,600	32,000

\$4 Doubler	\$8	4,000	44,800
\$16	\$16	800	12,800
\$8 Doubler	\$16	1,600	25,600
\$50	\$50	225	11,250
\$25 Doubler	\$50	225	11,250
\$100	\$100	35	3,500
\$50 Doubler	\$100	35	3,500
\$2,000	\$2,000	6	12,000
TOTAL		241,326	\$486,300

(k) The odds of winning a prize in this game are approximately one in 3.98. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

111-4-2404. "Diamond Slingo" instant ticket lottery game number 418. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Diamond Slingo" commencing on or after April 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2404.

(b) The "YOUR SLINGO NUMBERS" play symbols for this game are as follows:

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

The "SLINGO CARD" play number symbols for this game are as follows:

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

(c) For this game, a play symbol shall appear in each of 65 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
THR	=	\$3.00
FIV	=	\$5.00
EGT	=	\$8.00
TEN	=	\$10.00
FTN	=	\$15.00
EGN	=	\$18.00
TWF	=	\$25.00
FRY	=	\$40.00
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) "Diamond Slingo" has two game play areas, "YOUR SLINGO NUMBERS" containing eight horizontal lines with five spaces on each line, (the horizontal lines are designated "SPIN 1," "SPIN 2," "SPIN 3," "SPIN 4," "SPIN 5," "SPIN 6," "SPIN 7," and "SPIN 8"), and a "SLINGO GRID" that is five spaces wide and five spaces high containing 21 numbers and four randomly placed symbols of a jester. The "YOUR SLINGO NUMBERS" spaces shall contain numbers, symbols of a gold coin, or symbols of a diamond. A player scratches off the protective coating on each "SPIN" of the "YOUR SLINGO NUMBERS" and for each of those numbers revealed scratches off the protective coating on the corresponding numbers appearing in the "SLINGO GRID." If a player matches all five numbers in one or more complete horizontal, vertical or diagonal straight lines in the "SLINGO GRID," the player wins the prize indicated on the "SLINGO LEGEND" on the front of the ticket. Each jester symbol may be used as a "free space" to complete a line. Based upon the numbers of lines completed, only the highest prize for which a ticket is eligible will be awarded. In addition, for each gold coin symbol revealed in any "SPIN" on the "YOUR SLINGO NUMBERS," the player wins \$3.00, and if one, two, three, or four diamond symbols are revealed, the player wins the highest prize shown in that prize legend.

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

(i) Approximately 720,000 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 240,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Diamond Bonus	Prizes	Expected Number of Prizes in Game	Expected Value in Game
1 line		Free Ticket	63,600	\$0
1 coin		\$3	28,800	86,400
1 diamond symbol	\$5	\$5	13,200	66,000
1 line + 1 coin		\$5	7,200	36,000
2 lines		\$5	7,200	36,000
2 lines + 1 coin		\$8	7,200	57,600
2 diamond symbols	\$10	\$10	8,400	84,000
3 lines		\$10	4,800	48,000
4 lines		\$15	2,400	36,000
3 diamond symbols	\$15	\$15	4,800	72,000
4 lines + 1 coin		\$18	2,400	43,200
5 lines		\$25	3,600	90,000
5 lines + 3 coins		\$40	712	28,480
4 diamond symbols	\$50	\$50	250	12,500
6 lines		\$50	88	4,400
7 lines		\$100	35	3,500
8 lines		\$500	6	3,000
9 lines		\$1,000	5	5,000
10 lines		\$2,500	6	15,000
Blackout (all spaces)		\$10,000	5	50,000
TOTAL			<u>154,707</u>	<u>\$777,080</u>

(k) The odds of winning a prize in this game are approximately one in 4.65. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-30-06, March 15, 2006.)

Article 5.—MULTI-STATE ON-LINE GAMES

111-5-139. Kwik Shop buy \$5 in Hot Lotto tickets, get one \$1 eScratch ticket free. During the term of this

promotion at participating chain number 1035 Kwik Shop Kansas stores only, for every Kansas Hot Lotto single ticket purchase of \$5.00 or more, a player will receive a \$1.00 eScratch quick pick free play up to a chain-wide maximum of \$5,000 worth of free \$1.00 eScratch plays for each day of the promotion. Lottery terminals will automatically dispense a \$1.00 eScratch quick pick for every \$5.00 or more Kansas Hot Lotto single ticket purchase during the term of this promotion, irrespective of whether said Hot Lotto purchase is for a single draw or multiple draws. The term of this promotion shall be April 5, 12, 19, and 26, 2006, beginning at 5:00 a.m. each day to the close of business each day as defined in subsection (p) of K.A.R. 111-6-1. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-30-06, March 15, 2006.)

Ed Van Petten
Executive Director

Doc. No. 033041

**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 13, 2006.)

SENATE BILL No. 544

AN ACT concerning motor-vehicle fuel taxation; relating to the importation of motor fuels; relating to rates; ethanol blends; amending K.S.A. 79-3401, 79-3410, 79-3415, 79-3416, 79-3420, 79-3424, 79-3426 and 79-3464e and K.S.A. 2005 Supp. 79-3408, 79-3464c and 79-34,141 and repealing the existing sections.

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

Section 1. On January 1, 2007, K.S.A. 79-3401 is hereby amended to read as follows: 79-3401. This act, and amendments thereto, shall be known and may be cited as the "motor-fuel tax law," and as so constituted is hereinafter referred to as "this act." The following words, terms and phrases, when used in this act, shall have the meanings ascribed to them in this section, except in those instances clearly indicating a different meaning:

- (a) "Aviation fuel" means motor fuels for use as fuel for aircraft;
- (b) "agricultural ethyl alcohol" means a motor-vehicle fuel component with a purity of at least 99%, exclusive of any added denaturants, denatured in conformity with one of the methods approved by the United States department of the treasury, bureau of alcohol, tobacco and firearms, and distilled in the United States of America from grain produced in the United States of America;
- (c) "bulk plant" means a motor fuels storage facility, other than a terminal, that is primarily used to redistribute motor fuels;
- (d) "dealer" means any person engaged in the retail sale of motor-vehicle fuels or special fuels;
- (e) "director" means the director of taxation, a duly authorized deputy, agent or representative;
- (f) "distributor" means any person, who:

(continued)

(1) Imports or causes to be imported from any other state or territory of the United States motor-vehicle fuels or special fuels for such person's own use in the state of Kansas, or for sale and delivery therein, after the same shall have come to rest or storage therein, whether or not in the original package, receptacle or container; or

(2) imports or causes to be imported, from a foreign country, motor-vehicle fuels or special fuels for such person's own use in the state of Kansas, or for sale and delivery therein, after the same shall have come to rest or storage, whether or not in the original package, receptacle or container;

(3) purchases or receives motor-vehicle fuels or special fuels in the original package, receptacle or container in the state of Kansas for such person's own use therein, or for sale and delivery therein, from any person who has imported the same from any other state or territory of the United States, or any other nation, in case such motor-vehicle fuels or special fuels have not, prior to such purchase or receipt, come to rest or storage in the state of Kansas; or

(4) received and, in any manner, uses, sells or delivers motor-vehicle fuels or special fuels in the state of Kansas on which the tax provided for in this act has not been previously paid;

(g) "exporter" means any person who exports or causes to be exported motor vehicle fuels or special fuels from Kansas to any other state or territory of the United States or to a foreign country, for such person's own use or for sale or delivery therein, whether or not in the original package, receptacle or container;

(h) "importer" means any person who imports or causes to be imported motor-vehicle fuels or special fuels from any other state or territory of the United States or from a foreign country, for such person's own use in the state of Kansas or for sale or delivery therein, whether or not in the original package, receptacle or container;

(i) "liquid fuels" or "motor fuels" means any inflammable liquid by whatever name such liquid shall be known or sold, which is used, or practically or commercially usable, either alone or when mixed or combined in an internal-combustion engine for the generation of power;

(j) "manufacturer" or "refiner" means any person who or which produces, refines, prepares, blends, distills, manufactures or compounds motor-vehicle fuels or special fuels in the state of Kansas for such person's own use therein, or for sale or delivery therein. The term "manufacturer" shall not include any person who or which mechanically separates liquids from natural gas at production facilities or gathering system pipelines on the lease. No person who produces, refines, prepares, blends, distills, manufactures, or compounds motor-vehicle fuels or special fuels shall be required to render a distributor's (manufacturer's) report as to any particular lot or lots of motor-vehicle fuels or special fuels until such motor-vehicle fuels or special fuels have been loaded at a refinery or other place of production into tank cars, or placed in any tank at such refinery or other place of production from which any withdrawals are made direct into tanks, tank wagons or other types of transportation equipment, containers or facilities;

(k) "motor vehicle" means a motor vehicle as defined by K.S.A. 8-126, and amendments thereto, and which is required to be registered pursuant to K.S.A. 8-126 et seq., and amendments thereto;

(l) "motor-vehicle fuels" means gasoline, casinghead gasoline, natural gasoline, drip gasoline, aviation gasoline, gasohol, gasoline-oxygenate blend and any other spark-ignition motor fuel as defined by the 1995 United States department of commerce, national institute of standards and technology handbook 130 issued December of 1994, and as may subsequently be defined in rules and regulations which the director may adopt pursuant to K.S.A. 79-3419, and amendments thereto;

(m) "oil inspector" means the director of taxation, a duly authorized deputy, agent or representative;

(n) "person" means every natural person, association, partnership, limited partnership, limited liability company or corporation. When used in any statute, prescribing and imposing a fine or imprisonment, or both, the term "person" as applied to firms and as-

sociations means the partners or members thereof and, as applied to corporations, the corporation and the officers thereof;

(o) "public highways" means and includes every way or place, of whatever nature, generally open to the use of the public as a matter of right, for the purposes of vehicular travel and notwithstanding that the same shall have been temporarily closed for the purpose of construction, reconstruction or repair;

(p) "received" means motor-vehicle fuel or special fuel produced, refined, prepared, distilled, manufactured, blended or compounded at any refinery or other place, in the state of Kansas by any person, or imported into this state from any other state, territory, or foreign country by pipeline or connecting pipeline at a pipeline terminal or pipeline tank farm for storage, shall be deemed to be "received" by such person thereat when the same shall have been loaded at such refinery, pipeline terminal, pipeline tank farm or other place, into tank cars, tank trucks or other container, or placed in any tank from which any withdrawals are made direct into tank cars, tank trucks or other types of transportation equipment, containers or facilities;

(q) "retailer" means a person that engages in the business of selling or distributing motor fuels to the end user;

(r) "school bus" means every bus, as defined by K.S.A. 8-1406, and amendments thereto, which is: (1) Privately owned and contracted for, leased or hired by a school district or nonpublic school for the transportation of pupils, students or school personnel to or from school or to or from school-related functions or activities; or (2) owned and operated by a school district or nonpublic school which is registered under the provisions of K.S.A. 8-126 et seq., and amendments thereto, used for the transportation of pupils, students or school personnel to or from school or to or from school-related functions or activities;

(s) "special fuels" means all combustible liquids suitable for the generation of power for the propulsion of motor vehicles including, but not limited to, diesel fuel, alcohol and such fuels not defined under the motor-vehicle fuels definition, hereinafter referred to as motor-vehicle fuel;

(t) "terminal" means a fuel storage and distribution facility that is supplied by motor vehicle, pipeline or marine vessel, and from which motor fuels may be removed at a rack. "Terminal" does not include any facility at which motor fuel blend stocks and additives are used in the manufacture of products other than motor fuels and from which no motor fuels are removed;

(u) "terminal operator" means the person who by ownership or contractual agreement is charged with the responsibility for, or physical control over, and operation of a terminal;

(v) "transporter" means a person who has been issued a liquid-fuels carrier's license pursuant to K.S.A. 55-506 et seq., and amendments thereto; and

(w) "E85 fuels" means an alternative fuel that is a blend of denatured ethanol and hydrocarbon that typically contains 85% ethanol by volume, but at a minimum must contain 70% ethanol by volume, and complies with ASTM specification D5798-99.

Sec. 2. On January 1, 2007, K.S.A. 2005 Supp. 79-34,141 is hereby amended to read as follows: 79-34,141. (a) ~~On and after July 1, 2002, until July 1, 2003, the tax imposed under this act shall be not less than:~~

~~(1) On motor-vehicle fuels, \$.23 per gallon, or fraction thereof;~~

~~(2) on special fuels, \$.25 per gallon, or fraction thereof; and~~

~~(3) on LP-gas, \$.22 per gallon, or fraction thereof.~~

~~(b) On and after July 1, 2003 January 1, 2007, until July 1, 2020, the tax imposed under this act shall be not less than:~~

(1) On motor-vehicle fuels *other than E85 fuels*, \$.24 per gallon, or fraction thereof;

(2) on special fuels, \$.26 per gallon, or fraction thereof; ~~and~~

(3) on LP-gas, \$.23 per gallon, or fraction thereof; ~~and~~

(4) *on E85 fuels*, \$.17 per gallon, or fraction thereof.

~~(b) On and after July 1, 2020, the tax rates imposed under this act shall be not less than:~~

(1) On motor-vehicle fuels *other than E85 fuels*, \$.18 per gallon, or fraction thereof;

(2) on special fuels, \$.20 per gallon, or fraction thereof; ~~and~~

(3) on LP-gas, \$.17 per gallon, or fraction thereof; *and*

(4) on E85 fuels, \$.11 per gallon, or fraction thereof.

Sec. 3. K.S.A. 2005 Supp. 79-3408 is hereby amended to read as follows: 79-3408. (a) A tax per gallon or fraction thereof, at the rate computed as prescribed in K.S.A. 79-34,141, and amendments thereto, is hereby imposed on the use, sale or delivery of all motor-vehicle fuels or special fuels which are used, sold or delivered in this state for any purpose whatsoever.

(b) Unless otherwise specified in K.S.A. 79-3408c, and amendments thereto, the incidence of this tax is imposed on the distributor of the first receipt of the motor fuel and such taxes shall be paid but once. Such tax shall be computed on all motor-vehicle fuels or special fuels received by each distributor, manufacturer or importer in this state *or imported by any distributor, manufacturer or importer into this state* and paid in the manner provided for herein, except that an allowance of 2.5% shall be made and deducted by the distributor to cover all ordinary losses which may have resulted from physical loss while handling such motor-vehicle fuels or special fuels. No such allowance shall be made on any motor-vehicle fuel or special fuel exported from the state or sold to the United States of America or any of its agencies or instrumentalities as are now or hereinafter exempt by law from liability to state taxation. No such allowance shall be made for any motor-vehicle fuel or special fuel sold or disposed of to a consumer in tank car, transport or pipeline lots. *As used in this subsection, the term "distributor of the first receipt" shall include distributors, manufacturers and importers that import motor-vehicle fuels or special fuels into Kansas.*

(c) No tax is hereby imposed upon or with respect to the following transactions:

(1) The sale or delivery of motor-vehicle fuel or special fuel for export from the state of Kansas to any other state or territory or to any foreign country.

(2) The sale or delivery of motor-vehicle fuel or special fuel to the United States of America and such of its agencies as are now or hereafter exempt by law from liability to state taxation.

(3) The sale or delivery of motor-vehicle fuel or special fuel to a contractor for use in performing work for the United States or those agencies of the United States above mentioned, provided such contractor has in effect with the United States or any such agency a cost-plus-a-fixed-fee contract covering the work.

(4) The sale or delivery of motor-vehicle fuel or special fuel which is aviation fuel.

(5) The first sale or delivery of motor-vehicle fuel or special fuel from a refinery, pipeline terminal, pipeline tank farm or other place to a duly licensed distributor who in turn resells to another duly licensed distributor.

(6) The sale or delivery of special fuel which is indelibly dyed in accordance with regulations prescribed pursuant to 26 U.S.C. 4082 and such special fuel is only used for nonhighway purposes.

(7) The sale of kerosene used as a fuel only to power antique steam motor vehicles first manufactured prior to 1940.

(d) Each distributor, manufacturer, importer, exporter or retailer shall make full reports and furnish such further information as the director may require with reference to all transactions upon which no tax is to be paid.

Sec. 4. K.S.A. 79-3410 is hereby amended to read as follows: 79-3410. (a) Except as hereinafter provided, every distributor, manufacturer, importer, exporter or retailer of motor-vehicle fuels or special fuels, on or before the 25th day of each month, shall render to the director at the director's office in Topeka, Kansas, upon a form prescribed, prepared and furnished by the director a report certified to be true and correct showing the number of gallons of motor-vehicle fuels or special fuels received *or imported* by such distributor, manufacturer, importer, exporter or retailer during the preceding

calendar month, and such further information as the director shall require. Every distributor and importer shall be exempt from reporting to the director exempt sales to the end user of special fuel which is indelibly dyed in accordance with regulations prescribed pursuant to 26 U.S.C. 4082. Every distributor, manufacturer or importer within the time herein fixed for the rendering of such reports, shall compute and shall pay to the director at the director's office the amount of taxes due to the state on all motor-vehicle fuels or special fuels received *or imported* by such distributor, manufacturer or importer during the preceding calendar month.

(b) The director may waive the requirement for monthly reports from licensed manufacturers, who are also licensed distributors, when all taxes accrued under either or both licenses or which might accrue are paid under the distributor license. All taxes imposed under the provisions of this act not paid on or before the 25th day of the month succeeding the calendar month in which the motor-vehicle fuels or special fuels were received *or imported* by the distributor, manufacturer or importer shall be deemed delinquent and shall bear interest at the rate per month, or fraction thereof, prescribed by subsection (a) of K.S.A. 79-2968, and amendments thereto, from such due date until paid, and in addition thereto there is hereby imposed upon all amounts of such taxes remaining due and unpaid after such due date a penalty in the amount of 5%, and the penalty shall be by the director added to and collected as a part of the taxes. If the distributor, manufacturer or importer furnishes evidence to the director that the delinquency was due to causes beyond such person's reasonable control, and if in the opinion of the director the delinquency was not the result of willful negligence of the distributor, manufacturer or importer the penalty or interest or both may be waived or reduced by the director.

If any person shall file a false or fraudulent return or fail to file a return with intent to evade the tax imposed by this act, there shall be added to the amount of deficiency determined by the director a penalty equal to 100% of the deficiency together with the interest at the rate per month or fraction thereof, prescribed by subsection (a) of K.S.A. 79-2968, and amendments thereto, on such deficiency from the date such tax was due to the date of payment, in addition to all other penalties prescribed by law. Every manufacturer, refiner or terminal operator of motor-vehicle fuels or special fuels shall daily send reports to the director of all sales of liquid fuels. The reports are to be made on forms prescribed, prepared and furnished by the director or on forms furnished by the manufacturer and approved by the director.

(c) Whenever the secretary or the secretary's designee determines that the failure of the taxpayer to comply with the provisions of subsection (b) was due to reasonable causes, the secretary or the secretary's designee may waive or reduce any of the penalties and may reduce the interest rate to the underpayment rate prescribed and determined for the applicable period under section 6621 of the federal internal revenue code as in effect on January 1, 1994, upon making a record of the reasons therefor.

Sec. 5. K.S.A. 79-3415 is hereby amended to read as follows: 79-3415. Each distributor, manufacturer, importer, exporter, retailer or user shall maintain and keep, for a period of three years, a full record or records of all motor-vehicle fuels or special fuels received, *imported*, used or sold and delivered within this state by such distributor, manufacturer, importer, exporter, retailer or user, together with invoices and bills of lading thereof, and such other pertinent papers as may be required by the director.

Sec. 6. K.S.A. 79-3416 is hereby amended to read as follows: 79-3416. Every railroad, street railroad, interurban railroad or suburban railroad, every pipeline company, every common carrier, and every carrier for hire, who shall transport any liquid fuels, motor-vehicle fuels or special fuels, from any point outside of this state into this state, or between any two points in this state, or from any point in this state to any point outside this state, and every private carrier

(continued)

or other person who shall transport any liquid fuels, motor-vehicle fuels or special fuels from any other state into this state, or from this state into another state, or shall transport any liquid fuels, motor-vehicle fuels or special fuels exceeding 500 gallons in amount, for any distance exceeding 25 miles within this state, shall render a written report, under oath, to the director, on forms prescribed and furnished by the director, of all such transportation of liquid fuels, motor-vehicle fuels or special fuels so made to or from points within this state. Every such report shall cover a period of one calendar month and shall be rendered to the director on or before the 15th day of the month succeeding the month covered by such report, and shall show the true name and address of the consignor and the consignee, and if delivery has been to some person other than the original consignee, the name and address of the person to whom delivery was actually made, the date and the point of delivery, and the name and the number of gallons of the liquid fuels, the motor-vehicle fuels or the special fuels delivered. If such transportation was by tank car, such report shall also show the number and initials of each tank car, if such transportation was by motor truck such report shall show the motor and license number of each truck, and if such delivery was made by any other means the report shall show the manner in which such transportation and delivery was made; such records and reports are required pursuant to the police and taxing powers of this state for the purpose of promoting the public health and safety and of aiding in the administration of the tax on motor-vehicle fuels or special fuels.

Every carrier or other person transporting motor-vehicle fuel or special fuel by tank car, tank truck or trailer from a refinery, place of manufacture or production, or pipeline terminal, or importing motor-vehicle fuel or special fuel into this state by tank car, tank truck or trailer for use, sale, or delivery in the state of Kansas shall carry a manifest on forms prescribed, prepared and furnished by the director or on forms furnished by the manufacturer, refiner or terminal operator and approved by the director showing the date of the use, sale, or delivery, the purchaser and the purchaser's address, the point of delivery, the product type or types and the quantity sold corrected to 60 degrees Fahrenheit, the means of delivering, including the license number, if any, liquid-fuels carrier's license number, and other number and description of such tank car, tank truck or trailer. Any manifest, bill of lading, shipping paper or invoice for special fuel which is indelibly dyed in accordance with regulations prescribed pursuant to 26 U.S.C. 4082 shall include the statement "DYED DIESEL FUEL, NONTAXABLE USE ONLY, PENALTY FOR TAXABLE USE." Every person receiving or importing motor-vehicle fuel or special fuel or any part of the same shall receipt at the place provided on such manifest for the quantity received or imported by such person. The director may prescribe the number of copies of such manifest and the manner and time of delivering the same to the director, ports of entry, or other disposition of copy by the carrier, consignor, consignee, distributor, or other person in any manner connected with or dealing with such shipment.

For the period July 1, 1995 through June 30, 1996, the point of delivery referred to in this section shall include at a minimum the city and state of actual delivery. On and after July 1, 1996, the point of delivery referred to in this section shall include at a minimum the address, city and state of actual delivery. The facility number issued by the Kansas department of health and environment, authorized under K.S.A. 65-34,100 et seq., and amendments thereto, may be substituted in lieu of the point of delivery.

Sec. 7. K.S.A. 79-3420 is hereby amended to read as follows: 79-3420. The director, or any deputy or agent appointed in writing by the director, is hereby authorized to examine the books, papers, records, storage tanks, tank wagons, trucks and any other equipment of any distributor, dealer, transporter, manufacturer, importer, exporter, retailer, user or any other person, pertaining to the use, storage, transportation or sale and delivery of liquid fuels, motor-vehicle fuels or special fuels, to verify the accuracy of any report, statement or payment made under the provisions of this act, or to ascertain

whether or not all reports and tax payments required by this act have been made. Any information gained by the director, the director's deputies or agents, as the result of the reports, investigations and verifications herein required to be made, shall be confidential, and shall not be divulged by any person except as herein provided. Every distributor, dealer, transporter, manufacturer, importer, exporter, retailer or user and every person handling or possessing any liquid fuels, motor-vehicle fuels or special fuels shall give the director, or the director's deputy or agent appointed in writing, full and free access during reasonable business hours to all the papers, records and property mentioned, with full opportunity to examine the same. The director, or any deputy or agent appointed in writing by the director, shall examine returns and shall determine the correct amount of the tax. If the tax found due shall be greater than the amount paid, or if a claim for a refund is denied, notice shall be mailed to the taxpayer. Within 60 days after the mailing of such notice, the taxpayer may request an informal conference with the secretary of revenue or the secretary's designee relating to the tax liability by filing a written request with the secretary of revenue or the secretary's designee. Based on the evidence presented at such informal conference, the secretary of revenue or the secretary's designee shall make a final determination within the period prescribed by K.S.A. 79-3226, and amendments thereto, and shall notify the taxpayer of such decision and, if additional amounts are found to be due, such decision shall be accompanied by a notice and demand for payment. Notice under this section shall be sent by first-class mail. The tax shall be paid within 20 days thereafter, together with interest at the rate per month prescribed by subsection (a) of K.S.A. 79-2968, and amendments thereto, on the additional tax from the date the tax was due unless an appeal is taken in the manner provided by law, but no additional tax shall be assessed for less than \$5. Interest at such rate shall continue to accrue on any additional tax liability during the course of any appeal.

Whenever the director of taxation has reason to believe that a person liable for tax under any provisions of the motor-fuel tax law is about to depart from the state or to remove such person's property therefrom, or to conceal oneself or such person's property therein, or to do any other act tending to prejudice, jeopardize or render wholly or partly ineffectual the collection of such motor-fuel tax unless proceedings be brought without delay, the director shall immediately make an assessment for all motor-fuel tax due from such taxpayer, noting such finding on the assessment. The assessment shall be made on the basis of emergency proceedings in accordance with the provisions of K.S.A. 77-536, and amendments thereto. Thereupon, a warrant shall be issued for the collection of the tax as provided in K.S.A. 79-3412, and amendments thereto, except that there shall be no 10-day waiting period before assessment is issued. The taxpayer, within 15 days from the date of filing of such warrant, may request an informal conference with the secretary of revenue or the secretary's designee on the correctness of the assessment. The director may publish the gallons received or imported by each licensed motor-vehicle fuel or special fuel distributor and the deductions claimed by such distributor and such publication shall be an exception to the confidentiality provisions of K.S.A. 75-5133, and amendments thereto. The director may also make available or furnish information to the taxing officials of any other state or of the federal government, or the director of property valuation, in the manner as provided in K.S.A. 74-2424, and amendments thereto.

Sec. 8. K.S.A. 79-3424 is hereby amended to read as follows: 79-3424. The business of using, manufacturing or selling of motor-vehicle fuels or special fuels shall not be subject to any excise, license, privilege or occupation tax other than the one herein imposed, whether such tax be imposed by the state of Kansas or by any municipal corporation or other political subdivision of this state; and no municipal corporation, or other political subdivision of this state, shall levy or collect any tax upon, or measured by, the sale, receipt, importation, distribution or use of motor-vehicle fuel or special fuel, or any excise, license, privilege, or occupational tax upon the business

of manufacturing, using, selling or delivering motor-vehicle fuels or special fuels.

Sec. 9. K.S.A. 79-3426 is hereby amended to read as follows: 79-3426. (a) The director, upon the request of the official of any other state entrusted with the enforcement of the motor-vehicle-fuels tax law of such other state, may forward to such official any information which the director may have in the director's possession relative to the manufacture, receipt, sale, delivery, use, transportation or shipment by any person of liquid fuels, and the director, upon request of any distributor, importer, exporter or retailer holding a valid license, shall furnish to such distributor, importer, exporter or retailer a list of the names and addresses of all the persons holding distributor's, importer's, exporter's or retailer's licenses issued and outstanding in this state.

(b) The director, upon the request of the official entrusted with the enforcement of the fuel tax laws of any other state, the District of Columbia, the United States, its territories and possessions, the provinces of the Dominion of Canada, may forward to such official any information which the director may have in the director's possession relative to the manufacture, receipt, importation, sale, delivery, use, transportation or shipment by any person of special fuel as defined in this act.

Sec. 10. K.S.A. 2005 Supp. 79-3464c is hereby amended to read as follows: 79-3464c. (a) The director may require a licensed distributor receiving or importing 50,000 gallons of motor fuel or more in a calendar month to file by electronic or magnetic media, in a standard format, such information as specified by the director. A licensed distributor, that can show just cause, may request a waiver from these requirements.

(b) Any distributor filing information prescribed by the director in accordance with subsection (a), who continues to file in accordance with subsection (a), shall be entitled to a onetime tax credit against the motor fuel tax imposed by article 34 of chapter 79 of the Kansas Statutes Annotated. Distributors filing in accordance with subsection (a):

(1) On or before July 1, 1999, shall be entitled to an amount equal to \$8,000;

(2) after July 1, 1999, but on or before July 1, 2000, shall be entitled to an amount equal to \$6,400; and

(3) after July 1, 2000, but on or before June 30, 2001, shall be entitled to an amount equal to \$4,000.

(c) Any distributor electing to cease filing in accordance with subsection (a) within 10 years of the taxable year in which the taxpayer claimed the credit pursuant to subsection (b), shall be liable to reimburse the state for the amount of any such credit claimed.

(d) The secretary of revenue shall adopt rules and regulations establishing the criteria and procedures for claiming the tax credit under subsection (b).

Sec. 11. K.S.A. 79-3464e is hereby amended to read as follows: 79-3464e. (a) It shall be unlawful for any distributor, importer, exporter, manufacturer, retailer, user, carrier, transporter or any other person to:

(1) Use, sell, manufacture or deliver any motor-vehicle fuels or special fuels at any place without having a valid, unsuspended and unrevoked license as required by this act;

(2) fail, neglect or refuse to render to the director at the director's office, within the time required by the provisions of this act, any report or statement required by or purporting to be under the provisions of this act, or purporting to be under the rules and regulations promulgated by the director under such provisions;

(3) fail, neglect or refuse to pay the director, within the time required by this act, any tax, taxes, interest or penalties for which such person is liable under the provisions of this act;

(4) fail, neglect or refuse to keep and maintain for a period of three years, or fail to make fully and freely accessible during business hours to the director, the director's deputy or agent, all books, papers

and records required by this act to be kept and maintained and so made accessible;

(5) use any motor fuels purchased as exempt in a taxable manner;

(6) sell, receive, import or transport motor fuels without proper and correct manifests;

(7) sell or hold for sale dyed fuel that such person knows or has reason to know will not be used for a nontaxable purpose;

(8) violate any other provision of this act not specified in this section;

(9) aid and abet in violations contained in paragraphs (1) through (8);

(10) falsify, forge or willfully conceal from the director or director's agent, any books, papers and records required by this act;

(11) knowingly submit a false or forged application for licensure under this act;

(12) knowingly make any false or forged application for a refund permit or claim for refund or to knowingly make any false statement in any application for a refund permit, or in any claim for a refund;

(13) present, or cause to be presented, to the director for credit, or for refund, any false, forged or altered invoice of refund;

(14) falsify, forge or alter any documents associated with the use, sale, manufacture or delivery of any motor fuels;

(15) deliver or accept delivery, with the intent to evade the obligation of collecting, remitting or accounting for motor fuel tax to this state, any motor fuel, knowing that the manifest or bill of lading indicates that the motor fuel was intended to be delivered to a tax exempt entity or intended to be delivered to a location outside the state of Kansas;

(16) use dyed fuel other than for a nontaxable use;

(17) willfully alters or attempts to alter, the strength or composition of any dye in any dyed fuel; or

(18) aid and abet in violations contained in paragraphs (10) through (17).

(b) Violation of paragraphs (1) through (9) is a misdemeanor. Any person convicted of such violation shall be punished by a fine of not less than \$1,000 nor more than \$10,000, or imprisoned in the county jail for not less than 30 days nor more than one year, or by both such fine and imprisonment. Upon a second or subsequent conviction, such person shall be punished by a fine of not less than \$5,000 nor more than \$50,000, or by imprisonment in the county jail for not less than 60 days nor more than two years, or by both such fine and imprisonment.

(c) Violation of paragraphs (10) through (18) is a severity level 10, nonperson felony.

(d) For any violations of this section, the director may suspend or revoke any license issued to any person found to be in violation and assess an administrative penalty of \$10 per gallon of motor fuels involved, or a penalty of not less than \$1,000 nor more than \$10,000; and upon a second or subsequent violation, a penalty of \$25 per gallon of motor fuels involved or a penalty of not less than \$5,000 nor more than \$50,000.

New Sec. 12. No claim for refund of tax imposed by the Kansas motor-fuel tax law based upon any decision of the Kansas supreme court or any federal court that importers are not subject to any provision of the motor-fuel tax law, including but not limited to the remittance and payment provisions of the motor-fuel tax law, shall be allowed for tax paid prior to the date of such decision.

Sec. 13. K.S.A. 79-3410, 79-3415, 79-3416, 79-3420, 79-3424, 79-3426 and 79-3464e and K.S.A. 2005 Supp. 79-3408 and 79-3464c are hereby repealed.

Sec. 14. On January 1, 2007, K.S.A. 79-3401 and K.S.A. 2005 Supp. 79-34,141 are hereby repealed.

Sec. 15. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 13, 2006.)

SENATE BILL No. 361

AN ACT amending the Kansas air quality act; providing judicial review of agency action to court of appeals; when; amending K.S.A. 65-3008a and 65-3013 and repealing the existing sections.

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

Section 1. K.S.A. 65-3008a is hereby amended to read as follows: 65-3008a. (a) No permit shall be issued, modified, renewed or reopened without first providing the public an opportunity to comment and request a public hearing on the proposed permit action. The request for a public hearing on the issuance of a permit shall set forth the basis for the request and a public hearing shall be held if, in the judgment of the secretary, there is sufficient reason.

(b) The secretary shall affirm, modify or reverse the decision on such permit after the public comment period or public hearing. Any person, ~~other than the applicant for or holder of the permit,~~ who participated in the public comment process or the public hearing ~~who otherwise would have standing under K.S.A. 77-611, and amendments thereto,~~ shall have standing to obtain judicial review of the secretary's final action on the permit pursuant to the act for judicial review and civil enforcement of agency actions ~~and in the court of appeals. Any such person other than the applicant for or holder of the permit shall not be required to have exhausted administrative remedies in order to be entitled to review. The court of appeals shall have original jurisdiction to review any such final agency action. The record before the court shall of appeals shall be confined to the agency record for judicial review and consist of the documentation relied upon submitted to or developed by the secretary in making the final permit decision, including the permit application and any addenda or amendments thereto, the permit summary, the draft permit, all written comments properly submitted to the secretary, all testimony presented at any public hearing held on the permit application, all responses by the applicant or permit holder to any written comments or testimony, the secretary's response to the public comments and testimony and the final permit.~~

(c) When determined appropriate by the secretary, the procedures set out ~~above in subsection (a)~~ may be required prior to the issuance, modification, renewal or reopening of an approval.

Sec. 2. K.S.A. 65-3013 is hereby amended to read as follows: 65-3013. (a) Any person who owns or is in control of any plant, building, structure, process or equipment may apply to the secretary for a variance from rules and regulations governing the quality, nature, duration or extent of emissions. The application shall be accompanied by such information and data as the secretary may reasonably require. The secretary may grant such variance if the secretary finds that:

(1) The emissions occurring or proposed to occur do not endanger or tend significantly to endanger human health or safety; and

(2) Compliance with the rules and regulations from which variance is sought would produce serious hardships without equal or greater benefits to the public.

(b) No variance shall be granted pursuant to this section except after public hearing on due notice and until the secretary has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(c) Any variance or renewal thereof shall be granted within the requirements of subsection (a) and for time periods and under conditions consistent with the reasons therefor, and within the following limitations:

(1) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement or control of the air pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available and subject to the taking of any substitute or alternate measures that the secretary may prescribe.

(2) If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as the secretary finds is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

(3) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in subsections (c)(1) and (2), it shall be for not more than one year.

(d) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the secretary on account of the variance, no renewal thereof shall be granted, unless following public hearing on the complaint on due notice, the secretary finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least 60 days prior to the expiration of the variance. Immediately upon receipt of an application for renewal the secretary shall give public notice of such application in accordance with rules and regulations of the secretary.

(e) A variance or renewal shall not be a right of the applicant or holder thereof but shall be in the discretion of the secretary. ~~However, any person adversely affected by any action of the secretary pursuant to this section may obtain review of such action in accordance with the act for judicial review and civil enforcement of agency actions. Within 15 days after the secretary's written decision to grant or deny a variance or renewal thereof, the applicant or holder of a variance or renewal may file a request for a hearing with the secretary. Such hearing shall be conducted in accordance with the Kansas administrative procedure act. However, any person who participated in the public comment process or the public hearing or who otherwise would have standing under K.S.A. 77-611, and amendments thereto, and is adversely affected by any final action of the secretary pursuant to this section shall have standing to obtain judicial review of the secretary's final action on the variance or renewal in the court of appeals. Any such person other than the applicant for or holder of the permit shall not be required to have exhausted administrative remedies in order to be entitled to review. The court of appeals shall have original jurisdiction to review any such final agency action. The record before the court of appeals shall be confined to the agency record for judicial review and consist of the documentation submitted to or developed by the secretary in making the final variance or renewal decision, including the variance or renewal application and any addenda or amendments thereto, the variance or renewal summary, the draft variance or renewal, all written comments properly submitted to the secretary, all testimony presented at any public hearing held on the variance or renewal application, all responses by the applicant or holder of a variance or renewal to any written comments or testimony, the secretary's response to the public comments and testimony and the final variance or renewal.~~

(f) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of K.S.A. 65-3012, and amendments thereto, to any person or any person's property.

~~(g) Hearings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.~~

Sec. 3. K.S.A. 65-3008a and 65-3013 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 13, 2006.)

HOUSE BILL No. 2602

AN ACT relating to energy conservation projects of technical and community colleges; amending K.S.A. 2005 Supp. 75-37,125 and repealing the existing section.

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

Section 1. K.S.A. 2005 Supp. 75-37,125 is hereby amended to read as follows: 75-37,125. (a) As used in this act:

(1) "Municipality" shall have the meaning ascribed thereto in K.S.A. 75-1117, and amendments thereto.

(2) "State agency" shall have the meaning ascribed thereto in K.S.A. 75-3049, and amendments thereto.

(3) "Energy conservation measure" means an energy study, audit, improvement or equipment which is designed to provide energy and operational cost savings at least equivalent to the amount expended by a participating municipality or state agency for such energy study, audit, improvement or equipment over a period of not more than 20 years after the date such improvement or equipment is installed or becomes operational, as the case may be.

(b) Subject to the provisions of subsection (c), a municipality or state agency may enter into a contract or lease-purchase agreement for an energy conservation measure which meets the criteria of this section. In addition to any other authority provided by law a municipality may solicit proposals to contract for an energy conservation measure by advertising for proposals and qualifications in a newspaper of general circulation or the Kansas register, and by sending requests for proposals to at least three vendors and negotiating a lease-purchase agreement with one or more vendors submitting a proposal thereto. Negotiations entered into pursuant to this section with individual vendors shall not be subject to the provisions of the open meetings act. After an agreement has been executed, the agreement and all proposals from vendors shall be open records available for public inspection in accordance with the open records act. A state agency may utilize the procedures prescribed in K.S.A. 75-37,102, and amendments thereto, by the procurement negotiating committee to negotiate and contract for energy conservation measures. Each state agency shall provide copies of plans of the proposed energy conservation measure to the secretary of administration, or such secretary's designee, for review. No state agency may enter into a contract for an energy conservation measure unless such measure has

been approved by the secretary of administration. Plans submitted under this section shall be retained and maintained by the secretary of administration.

(c) Before executing any contract or lease-purchase agreement under this section, the energy conservation contractor shall provide the municipality or state agency with plans for the proposed energy conservation measures prepared by an engineer licensed to practice in Kansas. The energy conservation contractor shall also provide a report of the calculations showing the estimated energy and operational cost savings that would result from the proposed energy conservation measures. Notwithstanding any provision contained in K.S.A. 71-201 and 72-8225, and amendments thereto or other provisions of law, the board of education of any school district and the board of any community college or technical college may enter into a contract or lease-purchase agreement for an energy conservation measure for a period exceeding 10 years. Municipalities and state agencies may include a provision in the contract with an entity providing the energy conservation measure requiring such entity to guarantee that the actual amount of savings of energy and operational costs attributable to the energy conservation measure be not less than the cost of the energy conservation measure over the time specified including financing costs.

(d) Within the limits of appropriations available therefor, the state corporation commission is authorized to provide grants for engineering studies and energy conservation measures for municipalities and state agencies.

(e) The secretary of administration may provide administrative support and resources available under the facility conservation improvement program under this section or K.S.A. 75-37,111 et seq., and amendments thereto, as requested by school districts, private and public colleges in Kansas, municipalities and state agencies for purposes of this section. The secretary of administration may fix, charge and collect reasonable fees for any administrative support and resources or other services provided by the secretary under this subsection.

(f) The provisions of the cash basis law and K.S.A. 79-2925, and amendments thereto, shall not apply to any contract or lease-purchase agreement entered into pursuant to this section.

Sec. 2. K.S.A. 2005 Supp. 75-37,125 is hereby repealed.

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

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26-39-441	New	V. 24, p. 1243

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-1400	New (T)	V. 24, p. 1142
28-4-1400	New	V. 24, p. 1531
28-16-28g	Amended	V. 24, p. 753
28-16-58	Amended	V. 24, p. 52
28-16-160		
through		
28-16-174	New	V. 24, p. 754-764
28-17-1	Amended	V. 24, p. 178
28-17-6	Amended	V. 24, p. 179
28-17-20	Amended	V. 24, p. 179
28-17-22	New	V. 24, p. 181
28-19-22	Revoked	V. 24, p. 1437
28-19-517	Amended	V. 24, p. 1437
28-19-542	Amended	V. 24, p. 1438
28-19-546	Amended	V. 24, p. 1438
28-19-561	Amended	V. 24, p. 1438
28-19-562	Amended	V. 24, p. 1439
28-19-563	Amended	V. 24, p. 1440
28-19-575		
through		
28-19-578	Revoked	V. 24, p. 1440
28-30-200		
through		
28-30-207	New	V. 24, p. 1470-1474
28-35-135	Revoked	V. 24, p. 1830
28-35-135a		
through		
28-35-135i	New	V. 24, p. 1830
28-35-135k		
through		
28-35-135y	New	V. 24, p. 1830
28-35-136	Revoked	V. 24, p. 1830
28-35-148	New	V. 24, p. 1830
28-35-154	Amended	V. 24, p. 1830
28-35-160	Amended	V. 24, p. 1830
28-35-162	Amended	V. 24, p. 1830
28-35-167	New	V. 24, p. 1830
28-35-168	New	V. 24, p. 1830
28-35-169	New	V. 24, p. 1830
28-35-175a	Amended	V. 24, p. 1830
28-35-176a	Amended	V. 24, p. 1830
28-35-177a	Amended	V. 24, p. 1830
28-35-178a	Amended	V. 24, p. 1830
28-35-178b	Amended	V. 25, p. 256
28-35-178j	New	V. 24, p. 1830
28-35-180a	Amended	V. 24, p. 1830
28-35-180b	New	V. 24, p. 1830
28-35-181e	Amended	V. 24, p. 1830
28-35-181g	Amended	V. 24, p. 1830
28-35-181h	Amended	V. 24, p. 1830
28-35-181i	Amended	V. 24, p. 1830
28-35-181m	Amended	V. 24, p. 1830
28-35-181s	New	V. 24, p. 1830
28-35-184a	Amended	V. 24, p. 1830
28-35-184b	Amended	V. 24, p. 1830
28-35-185a	Amended	V. 24, p. 1830
28-35-193b	Revoked	V. 24, p. 1830
28-35-195a	Amended	V. 24, p. 1830
28-35-199a	Revoked	V. 24, p. 1830
28-35-204	New	V. 24, p. 1830
28-35-205	New	V. 24, p. 1830
28-35-205a	New	V. 24, p. 1830
28-35-205b	New	V. 24, p. 1830
28-35-206	New	V. 24, p. 1830
28-35-211c	New	V. 24, p. 1831

28-35-211d	Amended	V. 24, p. 1831
28-35-212a	Amended	V. 24, p. 1831
28-35-212b	Amended	V. 24, p. 1831
28-35-212d	Amended	V. 24, p. 1831
28-35-212e	Amended	V. 24, p. 1831
28-35-213b	Amended	V. 24, p. 1831
28-35-216a	Amended	V. 24, p. 1831
28-35-217a	Amended	V. 24, p. 1831
28-35-219a	Amended	V. 24, p. 1831
28-35-220a	Amended	V. 24, p. 1831
28-35-222a	Amended	V. 24, p. 1831
28-35-223a	Amended	V. 24, p. 1831
28-35-224a	Amended	V. 24, p. 1831
28-35-227d	Amended	V. 24, p. 1831
28-35-227f	Amended	V. 24, p. 1831
28-35-227g	Amended	V. 24, p. 1831
28-35-227h	Amended	V. 24, p. 1831
28-35-227j	Amended	V. 24, p. 1831
28-35-228a	Amended	V. 24, p. 1831
28-35-230a	Amended	V. 24, p. 1831
28-35-230b	Revoked	V. 24, p. 1831
28-35-230d	Amended	V. 24, p. 1831
28-35-231a	Amended	V. 24, p. 1831
28-35-231b	New	V. 24, p. 1831
28-35-231c	New	V. 24, p. 1831
28-35-241	Amended	V. 24, p. 1831
28-35-242	Amended	V. 24, p. 1831
28-35-242a	New	V. 24, p. 1831
28-35-242b	New	V. 24, p. 1831
28-35-243	Revoked	V. 24, p. 1831
28-35-243a	New	V. 24, p. 1831
28-35-244	Revoked	V. 24, p. 1831
28-35-244a	New	V. 24, p. 1831
28-35-247	Revoked	V. 24, p. 1831
28-35-247a	New	V. 24, p. 1831
28-35-248a	New	V. 24, p. 1831
28-35-249	Revoked	V. 24, p. 1831
28-35-250a	Revoked	V. 24, p. 1831
28-35-251	Amended	V. 24, p. 1831
28-35-252	Revoked	V. 24, p. 1831
28-35-253	Revoked	V. 24, p. 1831
28-35-254	Revoked	V. 24, p. 1831
28-35-255	Amended	V. 24, p. 1831
28-35-256	New	V. 25, p. 116
28-35-261	Revoked	V. 24, p. 1831
28-35-262	Revoked	V. 24, p. 1831
28-35-263	Revoked	V. 24, p. 1831
28-35-264	New	V. 24, p. 1831
28-35-274	Amended	V. 24, p. 1831
28-35-276	Amended	V. 24, p. 1831
28-35-277	Revoked	V. 24, p. 1831
28-35-277a	New	V. 24, p. 1831
28-35-278	Amended	V. 24, p. 1831
28-35-279	Amended	V. 24, p. 1831
28-35-280	Amended	V. 24, p. 1831
28-35-281	Amended	V. 24, p. 1831
28-35-282	Amended	V. 24, p. 1831
28-35-282a	New	V. 24, p. 1831
28-35-282b	New	V. 24, p. 1831
28-35-282c	New	V. 24, p. 1831
28-35-282d	New	V. 24, p. 1831
28-35-283	Amended	V. 24, p. 1831
28-35-284	Amended	V. 24, p. 1831
28-35-285	Amended	V. 24, p. 1831
28-35-287	Amended	V. 24, p. 1831
28-35-288	Amended	V. 24, p. 1831
28-35-289	Amended	V. 24, p. 1831
28-35-290	Amended	V. 24, p. 1831
28-35-291	Amended	V. 24, p. 1831
28-35-292	New	V. 24, p. 1831
28-35-293	New	V. 24, p. 1831
28-35-298	Amended	V. 24, p. 1831
28-35-299	Amended	V. 24, p. 1831
28-35-308	Amended	V. 24, p. 1831
28-35-312	Revoked	V. 24, p. 1831
28-35-314	Amended	V. 24, p. 1831
28-35-316	Amended	V. 25, p. 116
28-35-318	Amended	V. 24, p. 1831
28-35-319	Amended	V. 24, p. 1831
28-35-333	Amended	V. 24, p. 1831
28-35-342	Amended	V. 24, p. 1831
28-35-343	Amended	V. 24, p. 1831
28-35-345	Amended	V. 24, p. 1831
28-35-346	Amended	V. 24, p. 1831
28-35-349	Amended	V. 24, p. 1831

28-35-350	Amended	V. 24, p. 1831
28-35-351	Amended	V. 24, p. 1831
28-35-352	Amended	V. 24, p. 1831
28-35-353	Amended	V. 24, p. 1831
28-35-354	Amended	V. 24, p. 1831
28-35-355	Amended	V. 24, p. 1831
28-35-357	Amended	V. 24, p. 1831
28-35-359	Amended	V. 24, p. 1831
28-35-359a	New	V. 24, p. 1831
28-35-360	Amended	V. 24, p. 1831
28-35-375	New	V. 24, p. 1832
28-35-400		
through		
28-35-411	New	V. 24, p. 1832
28-35-450	New	V. 24, p. 1832
28-35-500		
through		
28-35-505	New	V. 24, p. 1832
28-36-1	Revoked	V. 24, p. 146
28-36-32	Revoked	V. 24, p. 146
28-36-60	Revoked	V. 24, p. 146
28-36-120	Revoked	V. 24, p. 146
28-61-1	Amended	V. 24, p. 1242
28-70-1	Amended	V. 24, p. 1177
28-70-2	Amended	V. 24, p. 1177
28-70-3	Amended	V. 24, p. 1178
28-73-1		
through		
28-73-7	New	V. 25, p. 307-311

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-5-64	Revoked	V. 24, p. 1595
30-5-81u	Amended	V. 24, p. 271
30-10-1a	Amended	V. 24, p. 489
30-10-1b	Amended	V. 24, p. 491
30-10-1d	Amended	V. 24, p. 492
30-10-11	Amended	V. 24, p. 492
30-10-17	Amended	V. 24, p. 494
30-10-18	Amended (T)	V. 24, p. 23
30-10-18	Amended	V. 24, p. 334
30-10-19	Amended	V. 24, p. 495
30-10-20	Amended	V. 24, p. 496
30-10-23a	Amended	V. 24, p. 496
30-10-23b	Amended	V. 24, p. 497

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-41-1		
through		
36-41-5	New (T)	V. 24, p. 273, 274
36-41-1		
through		
36-41-5	New	V. 24, p. 1111, 1112

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-42	Amended	V. 24, p. 1734
40-1-44	Amended	V. 24, p. 848
40-1-48	Amended	V. 25, p. 210
40-1-51	Amended	V. 24, p. 1735
40-2-14a	Amended	V. 24, p. 1735
40-2-14b	Revoked	V. 24, p. 1735
40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-13	Amended	V. 24, p. 1371
40-3-18	Amended	V. 24, p. 1371
40-3-22	Amended	V. 25, p. 210
40-3-24	Amended	V. 24, p. 1371
40-3-40	Amended	V. 25, p. 212
40-3-43	Amended	V. 25, p. 183
40-3-44	Amended	V. 25, p. 212
40-3-46	Revoked	V. 25, p. 183
40-3-47	Amended	V. 25, p. 183
40-3-48	Amended	V. 25, p. 212
40-3-53	New (T)	V. 24, p. 15
40-3-53	New	V. 24, p. 615
40-4-25	Amended	V. 25, p. 278
40-4-35	Amended	V. 24, p. 1264
40-7-7	Amended	V. 24, p. 1829
40-7-7a	Revoked	V. 24, p. 1829

40-7-9	Amended	V. 24, p. 1829
40-7-22	Amended	V. 24, p. 1371
40-7-23	Amended	V. 24, p. 1371

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-2-5	Amended	V. 24, p. 1647
51-9-7	Amended	V. 24, p. 1734

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-106a	Amended	V. 24, p. 1145
60-3-107	Amended	V. 24, p. 1145
60-3-108	Amended	V. 24, p. 1145
60-3-112	Amended	V. 24, p. 1145
60-11-113	Amended	V. 24, p. 1145
60-11-120	Amended	V. 24, p. 1145
60-11-121	Amended	V. 24, p. 1145
60-13-112	Amended	V. 24, p. 1146
60-15-101	Amended	V. 24, p. 1146
60-15-104	Amended	V. 24, p. 1147
60-16-103	Amended	V. 24, p. 1147
60-16-104	Amended	V. 24, p. 1148
60-17-111	Amended	V. 24, p. 1149

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-4-1	Amended	V. 24, p. 1629

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 24, p. 79
66-8-4	Amended	V. 25, p. 44
66-8-8	New	V. 24, p. 80
66-9-4	Amended	V. 25, p. 73
66-9-6	Amended	V. 24, p. 80
66-9-7	New	V. 24, p. 80
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 44
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-5	Amended	V. 25, p. 45
66-14-3	Amended	V. 24, p. 80
66-14-5	Amended	V. 24, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-16	New (T)	V. 24, p. 1377

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended (T)	V. 24, p. 14
69-1-4	Amended	V. 24, p. 392

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-2-2	Amended	V. 24, p. 1828
71-8-1		
through		
71-8-9	New	V. 25, p. 99, 100

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-1a	Amended	V. 24, p. 794
74-4-8	Amended	V. 24, p. 794
74-5-2	Amended	V. 24, p. 795
74-5-101	Amended	V. 24, p. 795
74-5-102	Amended	V. 24, p. 796
74-5-103	Amended	V. 24, p. 796
74-5-104	Amended	V. 24, p. 796
74-5-201	Amended	V. 24, p. 796
74-5-202	Amended	V. 24, p. 796
74-5-203	Amended	V. 24, p. 797
74-5-205	Revoked	V. 24, p. 797
74-5-301	Amended	V. 24, p. 797

74-5-401	Amended	V. 24, p. 797
74-5-403	Amended	V. 24, p. 797
74-11-6	Amended	V. 24, p. 797
74-11-15	Amended	V. 24, p. 798

AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—DIVISION OF CONSUMER AND MORTGAGE LENDING

Reg. No.	Action	Register
75-6-30	Amended	V. 24, p. 1849
75-6-31	Amended	V. 24, p. 1849
75-6-35	New	V. 24, p. 1849

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-4-4	New (T)	V. 24, p. 1372
81-4-4	New	V. 24, p. 1775
81-5-15	New (T)	V. 24, p. 1372
81-5-15	New	V. 24, p. 1775

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3	Amended (T)	V. 24, p. 97
82-4-3	Amended	V. 24, p. 463
82-4-3a		
through		
82-4-3m	New (T)	V. 24, p. 97-122
82-4-3a		
through		
82-4-3m	New	V. 24, p. 463-488
82-4-3a	Amended	V. 25, p. 101
82-4-3a	Amended (T)	V. 25, p. 378

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-29	New (T)	V. 24, p. 959
86-3-29	New	V. 24, p. 1690

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-203	Amended	V. 24, p. 1178
91-1-213	Revoked	V. 24, p. 1181
91-1-220	New	V. 24, p. 1181
91-1-221	New	V. 24, p. 1182
91-15-1	Amended	V. 24, p. 272
91-35-1		
through		
91-35-4	Revoked	V. 24, p. 272

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-4	Revoked	V. 25, p. 252
92-12-4a	New	V. 25, p. 252
92-12-5	Revoked	V. 25, p. 254
92-12-113	New	V. 24, p. 423
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-19-22a	Amended	V. 25, p. 254
92-19-49a	Revoked	V. 24, p. 798
92-19-49b	New	V. 24, p. 798
92-19-49c	New	V. 24, p. 799
92-19-49d	New	V. 24, p. 801
92-19-81	Amended	V. 24, p. 802
92-51-34a	Amended	V. 24, p. 423
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

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

Reg. No.	Action	Register
99-25-1	Amended	V. 24, p. 1264
99-25-9	Amended	V. 24, p. 1265
99-25-10	New	V. 24, p. 1265

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-15-2	Revoked	V. 24, p. 1113
100-15-4		
through		
100-15-7	New	V. 24, p. 1113, 1114

(continued)

100-25-1 through 100-25-5	New (T)	V. 24, p. 1874-1877
100-25-1 through 100-25-5	New	V. 25, p. 213-216
100-26-1	Amended (T)	V. 24, p. 1877
100-26-1	Amended	V. 25, p. 217
100-26-2	New (T)	V. 24, p. 1877
100-26-2	New	V. 25, p. 217
100-26-3	New (T)	V. 24, p. 1878
100-26-3	New	V. 25, p. 217
100-28a-14	Amended	V. 24, p. 1114
100-28a-17	New	V. 24, p. 1114
100-28a-18	New	V. 24, p. 1115
100-54-1	Amended	V. 24, p. 1441
100-54-6	Amended	V. 24, p. 1441
100-54-8	Amended	V. 24, p. 1441
100-54-10	New	V. 24, p. 1442
100-54-11	New	V. 24, p. 1442
100-69-1	Amended	V. 24, p. 1346
100-69-2	Amended	V. 24, p. 1347
100-69-3	Amended	V. 24, p. 1347
100-69-4	Revoked	V. 24, p. 1347
100-69-6	Amended	V. 24, p. 1347
100-69-7	Amended	V. 24, p. 1347
100-69-8	Revoked	V. 24, p. 1347
100-69-9	Amended	V. 24, p. 1347
100-69-10	Amended	V. 24, p. 1348
100-69-11	Amended	V. 24, p. 1349
100-72-6	Amended	V. 24, p. 1115
100-73-1 through 100-73-6	New (T)	V. 24, p. 1142-1144
100-73-1 through 100-73-6	New	V. 24, p. 1443, 1444

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-12	Amended	V. 25, p. 184
102-1-13	Amended	V. 24, p. 424
102-1-18	Amended	V. 24, p. 424
102-2-3	Amended	V. 24, p. 424
102-2-8	Amended	V. 24, p. 424
102-2-12	Amended	V. 24, p. 426
102-2-14	Amended	V. 24, p. 427
102-3-2	Amended	V. 24, p. 428
102-3-3a	Amended (T)	V. 24, p. 330
102-3-4a	Amended	V. 24, p. 1211
102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-5	Amended	V. 25, p. 187
102-5-14	Amended	V. 24, p. 429

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 24, p. 1597
105-4-1	Amended	V. 25, p. 101
105-11-1	New (T)	V. 24, p. 1598
105-11-1	New	V. 25, p. 101

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 24, p. 1846
108-1-4	Amended	V. 25, p. 180

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1 through 110-9-8	New	V. 25, p. 373-375
110-11-1	New	V. 24, p. 429
110-11-2	New	V. 24, p. 429
110-11-3	New	V. 24, p. 429
110-12-1 through 110-12-6	New	V. 24, p. 371

110-13-1 through 110-13-10	New	V. 24, p. 1209-1211
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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. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-187	New	V. 25, p. 381
111-4-2342 through 111-4-2349	New	V. 25, p. 217-221
111-4-2350 through 111-4-2362	New	V. 25, p. 311-319
111-4-2363 through 111-4-2382	New	V. 25, p. 339-351
111-4-2383 through 111-4-2387	New	V. 25, p. 381-384
111-4-2389 through 111-4-2393	New	V. 25, p. 385, 386
111-5-126 through 111-5-138	New	V. 25, p. 386-390
111-6-1	Amended	V. 25, p. 222
111-7-81	Amended	V. 25, p. 319
111-9-130 through 111-9-133	New	V. 25, p. 351-353
111-11-1	Amended	V. 25, p. 223

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	Amended	V. 24, p. 1851
112-10-5	Amended	V. 24, p. 1263
112-11-20	Amended	V. 24, p. 1852

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 335
115-2-4	Amended	V. 25, p. 336
115-3-2	Amended	V. 24, p. 148
115-4-2	Amended	V. 24, p. 420
115-4-4	Amended	V. 24, p. 421
115-4-4a	New	V. 24, p. 422
115-4-6	Amended	V. 25, p. 336
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-13	Amended	V. 24, p. 422
115-5-1	Amended	V. 24, p. 152
115-5-4	New	V. 24, p. 752
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-9-9	New	V. 24, p. 1112
115-11-1	Amended	V. 24, p. 752
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 24, p. 753
115-18-14	Amended	V. 24, p. 1689
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160
115-21-1	Revoked	V. 24, p. 1690
115-21-2	Revoked	V. 24, p. 1690
115-21-4	Revoked	V. 24, p. 1690

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2a	New	V. 24, p. 1079
117-2-3	Amended (T)	V. 24, p. 1141
117-2-3	Amended	V. 24, p. 1595
117-3-2a	New	V. 24, p. 1079
117-3-3	Amended (T)	V. 24, p. 1141
117-3-3	Amended	V. 24, p. 1595
117-4-2a	New	V. 24, p. 1080
117-4-3	Amended (T)	V. 24, p. 1141
117-4-3	Amended	V. 24, p. 1595
117-5-2a	New	V. 24, p. 1080
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 24, p. 78

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-10	Amended	V. 24, p. 1632

AGENCY 120: HEALTH CARE DATA GOVERNING BOARD

Reg. No.	Action	Register
120-1-1	Revoked (T)	V. 24, p. 1377
120-1-1	Revoked	V. 24, p. 1734
120-1-2	New (T)	V. 24, p. 1377
120-1-2	New	V. 24, p. 1734

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
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123-2-105	New	V. 24, p. 338
123-2-110	New	V. 24, p. 338
123-5-101	New	V. 24, p. 339
123-5-106	New	V. 24, p. 339
123-5-111	New	V. 24, p. 339
123-5-112	New	V. 24, p. 340
123-5-505	New	V. 24, p. 340
123-12-101 through 123-12-107	New	V. 24, p. 301, 302
123-12-201 through 123-12-210	New	V. 24, p. 302, 303
123-12-301 through 123-12-315	New	V. 24, p. 303-305
123-12-317	New	V. 24, p. 305
123-12-318	New	V. 24, p. 305
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123-12-321 through 123-12-325	New	V. 24, p. 306
123-12-327	New	V. 24, p. 306
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123-12-401	New	V. 24, p. 307
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123-12-506	New	V. 24, p. 308
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