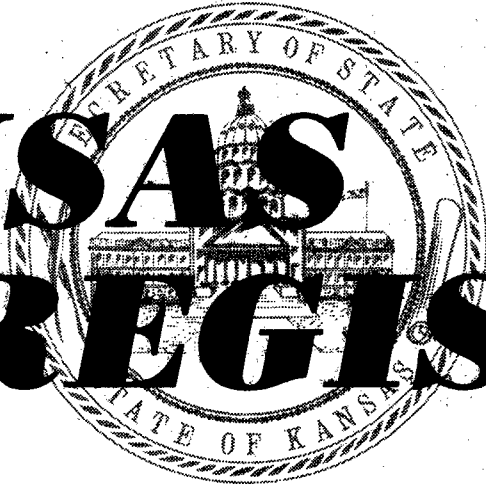


KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

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State of Kansas

Attorney General

Opinion No. 90-132

Schools—Teachers' Certificates—Examination for Certification; Passing Score Determined by State Board. Representative Rick Bowden, 93rd District, Goddard, December 10, 1990.

The Board of Education may set the standards for teacher certification, but it may not supervise or direct the functions delegated by law to the Board of Regents or institutions under the Board of Regents. Since the Board of Education has seen fit to require successful completion of an approved teacher education program and a recommendation by a teacher education institution as requirements for certification, applicants who choose to enroll in Regents institutions must meet the minimum test score established by the Board of Regents in order to receive the recommendation needed for certification. The Board of Regents has the authority to set the minimum score that must be attained in order to receive a recommendation for certification. Cited herein: K.S.A. 72-1388; 76-712; 76-716; 76-717; 76-725; K.A.R. 91-1-27; 91-1-27a; 91-1-27b (1990 Supp.); 91-1-28; Kan. Const., art. 6, § 2. JLM

Robert T. Stephan
Attorney General

Doc. No. 010079

State of Kansas

State Corporation Commission

Notice of Hearing

Participants in certain motor carrier tariffs administered by the Kansas Motor Carriers Association have filed a third application for fuel-based surcharge as follows:

1. KMCA Tariff 40-K (K.C.C. No. 88) Household Goods Carriers, 2.4% on line-haul only.
2. KMCA Tariff 90-E (K.C.C. No. 80) Oil Field fluid Carriers, 5.7% on all rates.
3. KMCA Tariff 50-J (K.C.C. No. 86) Livestock and Farm-to-Market Carriers, 13% on line-haul only.
4. KMCA Tariff 70-F (K.C.C. No. 83) Petroleum Products Carriers 11.4% on line-haul only.

The applications for fuel-based surcharge have been set for hearing at 1:30 p.m. Tuesday, January 15, before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka. Those parties or entities who desire to intervene or take part in the hearing shall submit their petition or protest in writing by January 10 to the presiding officer, Lyn Farmer, hearing examiner at the State Corporation Commission, and the attorney for the applicant, Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka 66614.

Alfonzo A. Maxwell
Administrator
Transportation Division

Doc. No. 010077

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State of Kansas
 Department of Administration
 Division of Architectural Services

Notice of Commencement of
 Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services necessary for the replacement of pre-1981 piping in "C" Cellhouse at the Lansing Correctional Facility.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 4. An SF 255 form should be submitted with letters of interest.

Edward A. Martin, AIA
 Director, Division of
 Architectural Services

Doc. No. 010074

State of Kansas
 State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for January 8, 1991

Application for Certificate of Convenience
 and Necessity:

Michael Mock, dba) Docket No. 173,625 M
 Michael Mock Trucking)
 1411 N.W. 2nd)
 Abilene, KS 67410) MC ID No. 139507

Applicant's Attorney: Clyde Christey, Southwest Plaza
 Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

Grain, hay, dry feed, dry feed ingredients, dry fertilizer (except ammonium nitrate), seeds, salt, building and construction materials, fencing materials and machinery,

Between all points and places in the state of Kansas.

Application for Extension of Certificate of
 Convenience and Necessity:

Tim Beck, dba) Docket No. 155,577 M
 Beck Transportation)
 Route 1, Box 27)
 Corning, KS 66417) MC ID No. 126144

Applicant's Attorney: Clyde Christey, Southwest Plaza
 Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Grain, dry feed, dry feed ingredients, hay, dry fertilizer and dry fertilizer ingredients (except anhydrous ammonia and ammonium nitrate), seeds, salt, building and construction materials, fencing materials and machinery,

Between all points and places in the state of Kansas.

Restricted, however, to transport no hazardous commodities.

General commodities (except household goods, classes A and B explosives, commodities requiring temperature control and commodities in bulk),

Between all points and places in Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Wyandotte, Douglas, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee counties.

Also,

Between all points and places in the above-described counties, on the one hand, and all points and places in the state of Kansas, on the other hand.

Restricted, however, to transport no hazardous commodities.

Application for Extension of Certificate of
 Convenience and Necessity:

Kansas Feeds, Inc.) Docket No. 154,843 M
 1110 E. Trail)
 Dodge City, KS 67801) MC ID No. 117266

Applicant's Attorney: Clyde Christey, Southwest Plaza
 Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Grain, feed, feed ingredients, fertilizer and fertilizer ingredients (except anhydrous ammonia and ammonium nitrate), fat, tallow, building materials, construction materials, fencing materials, machinery, molasses, seeds, salt and hay, meat scraps and blood meal,

Between all points and places in the state of Kansas.

Alfonzo A. Maxwell
 Administrator
 Transportation Division

Doc. No. 010076

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations to update an engineering study for the use of alternative fuel systems for the University of Kansas, Lawrence.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before January 4. An SF 255 form should be submitted with letters of interest.

Edward A. Martin, AIA
Director, Division of
Architectural Services

Doc. No. 010075

State of Kansas

**Department of Health
and Environment**

Notice Concerning Proposed Permit Action

The secretary of the Kansas Department of Health and Environment is proposing to issue a permit in accordance with K.A.R. 28-19-14 (permits required) to Killough, Inc. (KI), Ottawa, to install and operate a portable asphalt concrete mixing plant to be initially located at Section 1, T17S, R20E, Franklin County.

Written materials, including the permit application and information relating to the application submitted by KI, draft permit, permit summary and analysis of KDHE describing the basis for the proposed permit are available for public inspection during normal business hours through January 21 by contacting Pat Simpson, KDHE, 808 W. 24th, Lawrence 66046, (913) 842-4600. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L.C. Hinther, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request for hearing must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication.

A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, KDHE, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before January 21.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 010068

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas
Water Pollution Control Permit**

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for discharges to the waters of the United States and the state of Kansas for the applicant described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Green Valley Mobile Home Court Attn: John D. Powers 728 Lincoln Wamego, KS 66547	Elbow Creek, Big Blue River Basin	Secondary wastewater treatment facility
Pottawatomie County, Kansas		
Kansas Permit No. C-BB25-0003		Fed. Permit No. KS-0119181

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to January 18 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-260) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 010078

**State of Kansas
Board of Technical Professions**

Notice of Meeting

The Board of Technical Professions will meet Thursday, January 3, and Friday, January 4, in Topeka. The Architect and Landscape Architect Section and the Professional Engineering and Land Surveyor Section will meet at 10 a.m. January 3 at the board office, Room 507, Landon State Office Building, 900 S.W. Jackson.

The full board will meet at 1 p.m. January 3 and at 9 a.m. January 4 in Room 108 of the Landon Building. The meetings are open to the public.

Betty L. Rose
Executive Secretary

Doc. No. 010084

**State of Kansas
Department of Transportation
Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking qualified consultant engineering firms for the following six packages of projects. Responses must be received by December 27 for any or all projects for which the consultant engineering firm wishes to be considered. Seven signed copies of responses need to be mailed to Al Cathcart, P.E., Project Control Engineer, Office of Engineering Support, K.D.O.T., 7th Floor, Docking State Office Building, Topeka 66612.

All projects will require surveys to be completed by the consulting engineering firm. Items such as seeding and erosion control, right of way procurement activities, geology, permit development, traffic data, utility and railroad agreement efforts, etc., may require consultant firm involvement. It has been established that all pavement marking, lighting, traffic signals, traffic control plans and permanent signing plans necessary will be designed by the consultant. Information on other activities that will be performed by either K.D.O.T. or the consultant will be established and furnished to the consulting engineering firms who are short listed by the K.D.O.T. selection committee prior to interview by the K.D.O.T. negotiating committee.

Package #1

Seward—54-88 K-4437-01 SE (FY 94)—Widen U.S. 54 (Pancake Boulevard) to four lanes with center left-turn lane (Pershing Avenue to Country Estates Road) in the city of Liberal, including pedestrian overpass .15 mile east of Kansas Avenue. Project length approximately 1.5 miles.

Package #2

Seward—83-88 K-3370-01 SE (FY 94)—Construct east Liberal bypass (from the junction of U.S. 83/Country Estates Road southeast of Liberal, north on Country Estates Road to Tucker Road northeast of Liberal, then west to U.S. 83). The railroad overpass bridge is being constructed under Project No. 88 U-1245-01. Project length approximately 5.0 miles.

Package #3

Grant—160-34 K-4444-01 SE (FY 94)—Reconstruct to four lanes with curb and gutter from the west city limits of Ulysses, east to the junction of K-25. Project length approximately 0.5 mile.

Package #4

Shawnee—75-89 K-3371-01 SE (FY 95) and 470-89 K-4470-01 MM (FY 95)—Construct a new U.S. 75 bypass south of the city of Topeka as a four-lane freeway from a point at 49th Street on the previously acquired bypass corridor, northward over the KTA to a new interchange connection with I-470 at Burlingame Road. Project length approximately 1.5 miles.

Reconstruct I-470 from Burlingame Road eastward to the I-470/U.S. 75 connection at Topeka Boulevard including the existing KTA/I-470 connection. Project length approximately 1.1 miles.

Package #5

Shawnee—75-89 K-3371-02 SE (FY 94) and 75-89 K-3371-03 SE (FY 95)—Construct a new U.S. 75 bypass on a previously acquired U.S. 75 bypass corridor alignment from the end of the existing four-lane freeway south of Topeka northwesterly to a point on the existing U.S. 75 bypass corridor at 49th Street. Project No. 75-89 K-3371-02 will be for grading, bridge construction, and necessary additional right of way procurement. Project No. 75-89 K-3371-03 will be for surfacing, signing, lighting and pavement marking. Project length approximately 5.5 miles.

Package #6

Shawnee—75-89 K-4341-01 MM (FY 95)—Reconstruct U.S. 75 from 0.7 mile northeast of U.S. 24, north 3.7 miles to a point 0.65 mile south of the end of the four-lane divided section at 62nd Street. Widen, overlay, provide handrail and upgrade guard fence on bridges No. 106 and No. 107 over Soldier Creek. Includes signing and pavement marking. Project length approximately 3.6 miles.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by December 27.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

1. Size and professional qualification of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

Horace B. Edwards
Secretary of Transportation

Doc. No. 010064

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. January 17, 1991, and then publicly opened:

District One—Northeast

Geary/Riley—106 K-4464-01—U.S. 77, from the Morris-Geary county line east through Geary County to the west junction of U.S. 24 in Riley County, 37.0 miles, overlay. (State Funds)

Jackson/Nemaha—62-106 K-4383-01—K-62, from the junction of K-16 in Jackson County north to the junction of K-9 in Nemaha County, 13.3 miles, overlay. (State Funds)

Johnson—69-46 K-3726-02—U.S. 69, from the Miami-Johnson county line north to north of K-150, north and south lanes, 11.4 miles, seeding. (State Funds)

Johnson—46 C-2688-01—County road, 2.3 miles east of DeSoto, then east, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

Lyon—56-56 K-3681-01—U.S. 56, Elm Creek bridge 35, 1.6 miles east of the Kansas Turnpike, bridge replacement. (Federal Funds)

Marshall—99-58 K-4149-01—K-99, from the south junction of K-9 north to the junction of U.S. 36, 9.7 miles, overlay. (State Funds)

Marshall—58 C-2538-01—County road, 6.8 miles east and 2.5 miles south of Blue Rapids, then east, 0.3 mile, grading and bridge. (Federal Funds)

Nemaha—66 K-4384-01—K-71, from the junction of K-63 east to the south city limits of Bern and K-178, from the junction of U.S. 36 north to St. Benedict, 8.1 miles, overlay. (State Funds)

Osage—70 C-2089-01—County road, 0.8 mile north of Burlingame, then north, 0.2 mile, bridge replacement. (State Funds)

Pottawatomie—63-75 K-4142-01—K-63, from the north city limits of St. Marys north to the south junction of K-16, 18.3 miles, overlay. (State Funds)

Riley—18-81 U-1313-01—K-18 and Westwood in Manhattan, intersection improvement. (Federal Funds)

Riley-Wabaunsee—106 K-4379-01—K-18, from the south junction of K-177 in Riley County east to the junction of K-99 in Wabaunsee County; K-113 from the junction of K-18 north to the junction of U.S. 24 in Riley County, 19.8 miles, overlay. (State Funds)

Shawnee—70-89 K-3343-01—I-70 and I-470 new ramps and I-70 and Wanamaker Road (U.S. 75) interchange, 0.8 mile, grading and bridge. (State Funds)

Shawnee—470-89 K-3831-01—I-470, from the junction of I-70 southeast to the junction of Wanamaker Road (U.S. 75), 1.3 miles, grading, surfacing and bridge. (Federal Funds)

Wyandotte—70-105 M-1618-01—I-70 westbound en-

trance ramp at 4th Street in Kansas City, slope repair. (State Funds)

District Two—Northcentral

Chase—50-9 K-4181-01—U.S. 50, from the junction of K-150 east to west of the junction of K-57 and K-177, 6.7 miles, recycling. (State Funds)

Chase—50-9 K-4182-01—U.S. 50, from the west city limits of Strong City east to 1.7 miles west of the Chase-Lyon county line, 8.5 miles, sealing. (State Funds)

Clay—14 C-2795-01—County road, 3.5 miles south and 7.0 miles east of Clay Center, then east, 1.0 mile, surfacing. (Federal Funds)

Clay—14 C-2796-01—County road, 3.5 miles south and 6.0 miles east of Clay Center, then north, 4.5 miles, surfacing. (State Funds)

Dickinson/Morris/Geary—106 K-4386-01—K-4, from the south city limits of Hope in Dickinson County east to the east junction of K-149 in Morris County; U.S. 77, from the junction of U.S. 56 in Dickinson County north through Morris County to the Geary County line; K-149, from the junction of U.S. 56 north to the junction of K-4; K-209, from the east city limits of Woodbine east to the junction of U.S. 77; K-218, from the junction of K-4 to the north city limits of Herington, 47.0 miles, overlay. (State Funds)

Ellsworth—4-27 M-1600-01—K-4, stockpile bituminous mix, one mile west of the junction of K-4 and K-141. (State Funds)

Ellsworth—156-27 M-1601-01—U.S. 156, stockpile bituminous mix, one mile south of Ellsworth on K-156. (State Funds)

Geary—18-31 M-1612-01—K-18, stockpile bituminous mix 4 miles west of Junction City. (State Funds)

Geary—77-31 M-1613-01—U.S. 77, stockpile bituminous mix one mile south of the I-70 junction. (State Funds)

Marion—77-57 K-4185-01—U.S. 77, from the Butler-Marion county line north to the junction on U.S. 56, 20.5 miles, recycling. (State Funds)

Marion—77-57 M-1602-01—U.S. 77, stockpile bituminous mix at the junction of U.S. 77 and U.S. 50. (State Funds)

Morris—56-64 K-4320-01—U.S. 56, from the east city limits of Council Grove east to the Morris-Lyon county line, 6.5 miles, recycling. (State Funds)

Morris—4-64 M-1611-01—K-4, stockpile bituminous mix one mile south of White City. (State Funds)

Rice/Ellsworth—14-106 K-4388-01—K-14, from the junction of K-4 in Rice County north to the south city limits of Ellsworth in Ellsworth County, 15.5 miles, overlay. (State Funds)

Rice/Ellsworth/McPherson—106 K-4387-01—K-4, from the west city limits of Geneseo in Rice County east through Ellsworth County to the west city limits of Lindsborg in McPherson County; K-175, from the north city limits of Marquette, north to the junction of K-4 in McPherson County, 27.9 miles, overlay. (State Funds)

(continued)

District Three—Northwest

Thomas—24-97 K-4113-01—U.S. 24, from the east city limits of Colby east to the junction of U.S. 83, 8.5 miles, recycling. (State Funds)

Thomas—25-97 K-4117-01—K-25, from the north city limits of Colby north to the Thomas-Rawlins county line, 11.5 miles, recycling. (State Funds)

Thomas—24-97 M-1620-01—U.S. 24, stockpile bituminous mix at KDOT strip along U.S. 24 0.5 mile west of Colby. (State Funds)

District Five—Southcentral

Barber—4 C-2293-01—County road, 1.4 miles east of Lake City, then southeast, bridge replacement. (Federal Funds)

Barber—4 C-2294-01—County road, 2.5 miles southeast of Lake City, then southeast, grading and culvert. (Federal Funds)

Barber—4 C-2305-01—County road, 1.6 miles southeast of Lake City, then southeast, 0.1 mile, grading and culvert. (Federal Funds)

Barton—281-5 K-4218-01—U.S. 281, from the east junction of K-4 west to the west junction of K-4, 4.5 miles, recycling. (State Funds)

Barton/Rice—106 K-4404-01—K-4, from the junction of K-156 in Barton County east to the west city limits of Geneseo in Rice County and K-171 from the north city limits of Bushton north to the junction of K-4, 19.3 miles, recycling. (State Funds)

Edwards/Pawnee—56-106 K-4407-01—U.S. 56, from the north city limits of Kinsley in Edwards County northeast to the east city limits of Garfield in Pawnee County, 13.8 miles, recycling. (State Funds)

Harper—2-39 K-4201-01—K-2, from 1.3 miles northeast of the north junction of U.S. 160 northeast 7.3 miles, recycling. (State Funds)

Harvey—50-40 K-4206-01—U.S. 50, from the four lane/two lane divided northeast to the Harvey-Marion county line, 11.9 miles, recycling. (State Funds)

Pawnee—73 K-4409-01—U.S. 183, from the junction of U.S. 56 north to the junction of K-156 and K-264, Larned State Hospital north to the junction of K-156, 13.3 miles, recycling. (State Funds)

Pratt—61-76 K-4210-01—K-61, from the junction of U.S. 54 north to 0.3 mile north of the four lane/two lane, 1.3 miles, overlay. (State Funds)

Reno—50-78 K-4455-01—U.S. 50, from the Reno-Stafford county line east 4.7 miles, shoulders. (State Funds)

Reno—50-78 K-4456-01—Old U.S. 50, east to 6.6 miles east of K-14, 18.9 miles, shoulders. (State Funds)

Reno—96-78 K-1708-01—K-96, from the west city limits of Nickerson, southeast to the north city limits of Hutchinson, 9.1 miles, recycling. (State Funds)

Rice—80 C-2657-01—County road, 15.0 miles east and 2.0 miles south of Sterling, then north, 5.0 miles, surfacing. (Federal Funds)

Sedgwick—87 C-1546-01—County road, from Colwich, then south, 7.9 miles, surfacing. (Federal Funds)

Sedgwick—87 U-1293-01—Broadway and MacArthur in Wichita, traffic signal. (Federal Funds)

District Six—Southwest

Finney—50B-28 K-3897-01—U.S. 50 Business, from north of the north city limits of Garden City north to the junction of U.S. 50, 0.9 mile, recycling. (State Funds)

Finney—83-28 K-3801-01—U.S. 83, from the junction of U.S. 50 and U.S. 50 Business, north to the Finney-Scott county line, 18.2 miles, recycling. (State Funds)

Finney—156-28 M-1605-01—K-156, stockpile bituminous mix 0.5 mile northeast of the junction of U.S. 50 and U.S. 83. (State Funds)

Ford—56-29 K-3696-01—Intersection of U.S. 56 and K-154 in Dodge City, 0.1 mile, intersection improvement. (State Funds)

Haskell—41 C-1681-01—County road, from the junction of K-190 at Satanta, then north, 3.3 miles, surfacing. (Federal Funds)

Scott—83-86 K-3340-01—U.S. 83, from the Finney-Scott county line north to the south city limits of Scott City, 14.3 miles, recycling. (State Funds)

Scott—95-86 K-4098-01—K-95, from the south junction of U.S. 83 north and east to the north junction of U.S. 83, 6.6 miles, recycling. (State Funds)

Stanton—160-94 K-3633-01—U.S. 160, from the west city limits of Manter northeast to the east city limits, 0.5 mile, grading and surfacing. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

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

Horace B. Edwards
Secretary of Transportation

Doc. No. 010083

State of Kansas

Department of Administration

Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Wednesday, January 2, 1991

27514

University of Kansas, University of Kansas Medical Center, Wichita State University and Kansas State University—Radiochemicals

86419

University of Kansas Medical Center—Spectrometer system

86427

Department of Health and Environment—4×4 vehicle, Pittsburg

86439

University of Kansas—Plain paper photocopier

86447

University of Kansas Medical Center—Holter analysis system

86448

University of Kansas—Patient exam tables

86449

Kansas State School for the Visually Handicapped—Plain paper copier

86460

Department of Transportation—OMI overhead crane modification, Wamego

Thursday, January 3, 1991

27417

Department of Health and Environment—Blood products and services for the hemophilia program

27516

Statewide—February (1991) meat products

27475

University of Kansas Medical Center—Biomedical engineering mechanical materials

27370

Emporia State University—Utility vehicle

28348

University of Kansas—Frozen juice concentrate/dispensers

28366

University of Kansas Medical Center—Microbial detection system supplies

28369

Wichita State University—Janitorial supplies

86420

University of Kansas—Professional video/audio equipment

86431

Kansas State University—Milo

86458

University of Kansas Medical Center—ECG system upgrade

86459

University of Kansas Medical Center—Cell Counter

86467

Department of Wildlife and Parks—Grass drill, various locations

Friday, January 4, 1991

26946

University of Kansas—Laundry and dry cleaning service for uniformed personnel

28184

Statewide—Janitorial equipment

28361

Osawatomie State Hospital—Liquid hand soap and dispensers

86434

Department of Wildlife and Parks—Aquaculture chemicals, various locations

86475

Department of Wildlife and Parks—Native grass seed, various locations

86481

Department of Social and Rehabilitation Services—Wetnup yarn

Monday, January 7, 1991

27501

Statewide—Data processing continuous labels

28368

Adjutant General's Department—Janitorial services, Topeka

Tuesday, January 8, 1991

A-6374

Department of Human Resources—Security lighting

27130

Statewide—Plastic bags for infectious waste

Wednesday, January 9, 1991

27536

Statewide—Temperature monitors and probes (Class 14)

Thursday, January 10, 1991

A-6441

Topeka State Hospital—Mechanical projects, various buildings

26344

Topeka State Hospital—Laboratory services

Friday, January 11, 1991

A-6578

University of Kansas Medical Center—Robinson Hall—4th floor, HVAC renovation

Wednesday, January 16, 1991

26893

Statewide—Perfusion supplies (Class 18)

Request for Proposals

Wednesday, January 16, 1991

28367

Groundwater investigation for the Department of Health and Environment located in Russell County, Kansas

Nicholas B. Roach
Director of Purchases

Dec. No. 010081

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled from December 24 through January 6:

Date	Room	Time	Committee	Agenda
January 3	519-S	10:00 a.m.	Joint Committee on State	Agenda not available.
January 4	519-S	9:00 a.m.	Building Construction	

Emil Lutz
 Director of Legislative
 Administrative Services

Doc. No. 010073

State of Kansas

Office of Judicial Administration
 Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
 Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
 Topeka, Kansas

Before Briscoe, C.J.; Davis and Pierron, JJ.

Tuesday, January 8, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
65,163	Joe Houston, Appellant, v. Boeing Military Airplane Co., et al., Appellees.	Brian D. Pistotnik Cortland Q. Clotfelter Frederick L. Haag	Sedgwick
65,145	Alice A. Million, Appellant, v. Boeing Military Airplane Co., et al., Appellees.	Brian D. Pistotnik Scott J. Mann Frederick L. Haag	Sedgwick

10:30 a.m.

64,959	Charles K. Dailey, Appellee, v. The Coleman Company, Inc., and Self- Insured, Appellants.	Brian D. Pistotnik Frederick L. Haag	Sedgwick
65,395	Dolese Bros. Co., Appellant, v. Hacker Construction Co., Inc., et al., Appellees.	Kenneth M. Clark Roger Sherwood	Sedgwick

Summary Calendar—No Oral Argument

64,898	State of Kansas, Appellee, v. Robert Eugene Rice, Appellant.	Debra Byrd Wagner Attorney General Steve Kessler	Sedgwick
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(continued)

Before Briscoe, C.J.; Davis, J.; and Richard B. Walker,
District Judge, assigned.

Tuesday, January 8, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
64,347	Leta Mae Barrett, Appellant, v. Ninnescah Bow Hunters Association, <i>et al.</i> , Appellees.	John B. Barrett Russell E. Grant Carmen S. Greenup	Sedgwick
65,201	Bazine State Bank, Appellee, v. Martha Schriock, Appellant.	Jennifer L. Jones Ivan D. Krug	Ness

2:30 p.m.

65,115	In the Matter of the Marriage of Rhonda K. Kells and Donald D. Kells.	Charles E. Owen Chris Concannon	Finney
64,759	State Bank of Parsons, Appellee, v. Gerald Lamm, <i>et al.</i> , Appellants.	James Bartle Robin B. Moore Edward W. Dosh George Smith Daryl D. Ahlquist	Labette

Summary Calendar—No Oral Argument

64,154	State of Kansas, Appellee, v. Vincent P. Taylor, Appellant.	County Attorney Attorney General Jessica R. Kunen	Geary
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Before Briscoe, C.J.; Lewis, J.; and Richard B. Walker,
District Judge assigned.

Wednesday, January 9, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,742	State of Kansas, Appellee, v. Marvin McNett, Appellant.	County Attorney Attorney General Jessica R. Kunen	Barton
65,202	David Rollins, Appellee, v. Dominos Pizza, <i>et al.</i> , Appellants.	James B. Zongker Vaughn Burkholder	Sedgwick

10:30 a.m.

64,973	Michael E. Kvassay, Appellant, v. Albert Murray, <i>et al.</i> , Appellees.	Allen G. Glendenning Joseph Seiwert	Sedgwick
64,966	First Tribune Insurance Agency, Inc., Appellant, v. First National Bank in Wichita, Appellee.	Robert J. Nugent William F. Kluge	Sedgwick

Summary Calendar—No Oral Argument

65,186	In the Interest of A.A.Y., <i>et al.</i> , minors.	Gerald J. Domitrovic E. Jolene Rooney William R. Griffith Verlin A. Ingram	Sedgwick
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Before Lewis, P.J.; Pierron, J.; and Richard B. Walker,
District Judge, assigned.

Wednesday, January 9, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
65,078	Robert D. Lowrance, Appellant, v. Fleming Companies, Inc., Appellee.	Robert J. Nugent Kris J. Kuhn	Finney
65,019	Wallace R. Noel, <i>et al.</i> , Appellants, v. Pizza Hut, Inc., <i>et al.</i> , Appellees.	J. Michael Riehn Ron D. Beal	Sedgwick

2:30 p.m.

65,278	Marilyn K. Gerard, Appellee, v. CSJ Health System of Wichita, Inc., Appellant.	Robert S. Jones Nicholas S. Daily	Cloud
65,329	Eric Shane Schnitker, Appellant, v. John H. Helson, Jr., Appellee.	Martin D. Geeding John H. Helson, Jr., <i>pro se</i>	Sedgwick

Summary Calendar—No Oral Argument

64,937	State of Kansas, Appellee, v. Charles E. Johnson, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
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Before Davis, P.J.; Lewis and Pierron, JJ.

Thursday, January 10, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
65,015	Federal Land Bank of Wichita, Appellant, v. Marvin Garth Brown, <i>et al.</i> , Appellees.	J. Randall Clinkscales David Cooper James Bush	Smith
64,162	State of Kansas, Appellee, v. Rodger C. Lindsey, Appellant.	Rodney Symmonds Attorney General Mike L. McCoy	Lyon

10:30 a.m.

64,787	Warren R. Matthews, <i>et al.</i> , Appellants, v. State Farm Mutual Auto. Insurance Co., Appellee.	John M. Gaffney Stephen M. Kerwick	Sedgwick
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(continued)

64,277	Richard Reyna, Appellant, v. General Group of Companies, Kansas, Inc., <i>et al.</i> , Appellees.	Jack Shelton Patrick C. Blanchard	Sedgwick
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Summary Calendar—No Oral Argument

64,904	State of Kansas, Appellee, v. Donna K. Sartin, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
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Kansas Court of Appeals
Harold R. Fatzner Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Rulon, P.J.; Brazil and Elliott, JJ.

Tuesday, January 8, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,821	Fenton A. Williams, M.D., Appellant, v. Blue Cross-Blue Shield of Kansas City, Inc., Appellee.	Rosie M. Quinn James R. Goheen	Wyandotte
64,732	Northside Developers, Inc., Appellant, v. Helen Brown Coles, <i>et al.</i> , Appellees.	Rosie M. Quinn Gregory M. Coggs Timothy J. Evans John E. Larson	Wyandotte

10:30 a.m.

65,331	Rick and Carol Phillips, Appellees, v. John Fisher and Margaret Elliott, Appellants.	Robert J. Bezek, Jr. John W. Nitcher	Franklin
65,171	Fred Miller, Appellant, v. City of Russell, <i>et al.</i> , Appellees.	Harry Bleeker Joseph Jeter	Russell

Summary Calendar—No Oral Argument

65,250	In the Interest of R.F., <i>et al.</i> , minors.	Donald S. Smith Timothy J. Arehart Robert E. McRorey Scott C. Gyllenborg	Johnson
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Before Rulon, P.J.; Elliott, J.; and M. Kay Royse,
District Judge, assigned.

Tuesday, January 8, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
64,955	In the Matter of the Marriage of Timothy A. Gintner and Vicky K. Gintner.	Daryl D. Ahlquist C.A. Menghini	Crawford
65,358	Randy Schartz, Appellee, v. Lynne Foster, Appellant.	Robert E. McRorey James M. Brewster	Johnson

2:30 p.m.

65,546	Gary Hibbert, Appellant,	Gary Hibbert, <i>pro se</i> L. Earl Watkins, Jr.	Stafford
	v. Midwest Energy, Inc., Appellee.	Marc E. Elkins	
65,188	Mary Angela Holt, Appellee,	Mark Sachse	Wyandotte
	v. City of Kansas City, Appellant.	R. Wayne Lampson	

Summary Calendar—No Oral Argument

65,389	Michael A. Gillis, Appellant,	Michael E. Callen	Johnson
	v. United Parcel Service, <i>et al.</i> , Appellees.	Stephanie Warmund	

Before Brazil, P.J.; Elliott, J.; and M. Kay Royse,
District Judge, assigned.

Wednesday, January 9, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,679	Edwin J. Swieton, Sr., Appellant,	Ruben Jorge Krisztal Thomas M. Sutherland	Johnson
	v. Heritage House Nursing Center, <i>et al.</i> , Appellees.	Sally Harris	
65,231	City of Lenexa, Appellee,	R. Scott Beeler	Johnson
	v. C.L. Fairley Construction Co., Inc., Appellant.	Stephen J. Dennis	

10:30 a.m.

65,366	Warren R. Wyrick, Appellant,	Keith Martin	Johnson
	v. Kansas Department of Revenue, Appellee.	James G. Keller	
64,795	In the Matter of the Marriage of Barbara Moore Connet and Melville D. Connet, Jr.	James F. Vano Janet S. Ensign	Johnson

Summary Calendar—No Oral Argument

64,471	In the Interest of J.K. and T.Y.K., minors.	John Knudsen George Bell Calvin G. Bender Carl Black	Wyandotte
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Before Rulon, P.J.; Brazil, J.; and M. Kay Royse,
District Judge, assigned.

Wednesday, January 9, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
64,813	In the Matter of the Marriage of Susan Corrine Knipp and Edward Joseph Knipp.	Allen Shelton John T. Bird	Ellis

(continued)

65,054	State of Kansas, Appellee, v. Jerome T. Scaife, Appellant.	Nick A Tomasic Attorney General Jessica R. Kunen	Wyandotte
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2:30 p.m.

65,159	Dodson Aviation, Inc., Appellant, v. Rollins, Burdick, Hunter of Kansas, Inc., Appellee.	Richard W. Byrum Richard O. Skoog R. Douglas Noah, Jr.	Franklin
65,415	Barkley 3A Inv., Ltd., Appellant, v. Board of County Commissioners of Johnson County, <i>et al.</i> , Appellees.	Richard H. Page Donald D. Jarrett	Johnson

Summary Calendar—No Oral Argument

64,590	In the Interest of D.H., a minor.	John Fritz Thomas J. Erker Janet S. Ensign Stephen V. Sickel R. Bruce Kips David J. Waxse	Johnson
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Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Gernon, P.J.; Rees and Larson, JJ.

Tuesday, January 8, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,991	State of Kansas, Appellee, v. Darrell E. Carter, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
64,805	State of Kansas, Appellee, v. Quinton L. Smith, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
64,750	State of Kansas, Appellee, v. Samuel N. Darrah, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick

Summary Calendar—No Oral Argument

64,897	In the Interest of I.G. and J.R.M., minors.	Michael C. Brown E. Jolene Rooney William R. Griffith Richard L. Dickson	Sedgwick
64,858	In the Interest of C.E.G., T.L.G., and T.N.G., minors.	Michael C. Brown E. Jolene Rooney William R. Griffith Richard L. Dickson	Sedgwick

Before Gernon, P.J.; Larson, J.; and R. David Lamar;
District Judge, assigned.

Tuesday, January 8, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
65,059	Board of County Commissioners of Montgomery County, Appellee, v. A.C.C. Federal Credit Union, Appellant.	Woody D. Smith Rawley J. Dent Victor W. Kearns, Jr.	Montgomery
64,933	State of Kansas, Appellee, v. Joseph McKenna, Appellant.	County Attorney Attorney General Richard J. Rome	Reno

2:30 p.m.

65,443	Timothy Gorsuch, Appellant, v. Security State Bank, <i>et al.</i> , Appellees.	Timothy Gorsuch, <i>pro se</i> Keen Brantley Wade Dixon	Wichita
65,277	Raymond Wahrman, <i>et al.</i> , Appellants, v. John A. Wahrman, Appellee.	Raymond Wahrman, <i>pro se</i> Elmo Lund Robert A. Creighton	Rawlins

Summary Calendar—No Oral Argument

65,220	State of Kansas, Appellee, v. Darron Edwards, Appellant.	Gene M. Olander Attorney General Jessica R. Kunen	Shawnee
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Before Rees, P.J.; Larson, J.; and R. David Lamar,
District Judge, assigned.

Wednesday, January 9, 1991

9:30 a.m.

Case No.	Case Name	Attorneys	County
65,144	Jonathan T. Paul Walts, <i>et al.</i> , Appellants, v. General American Life Insurance Co., Appellee.	Melvin L. Schmidt Michael K. Schmitt	Doniphan
65,052	Saiyute Riley, Appellant, v. Kansas Employment Security Board of Review, <i>et al.</i> , Appellees.	M. Joseph Kuhn James R. McEntire Lawton M. Nuss	Saline

10:30 a.m.

65,093	Clune Equipment Leasing Corp., Appellee, v. Greg K. Stewart, Appellant.	Robert A. Thompson R.B. Barefield	Ottawa
65,369	Patric Conner, Appellant, v. Bob & Harriett Oller, Appellees.	Patric Conner, <i>pro se</i> Curtis E. Watkins	Kingman

(continued)

Summary Calendar—No Oral Argument

65,153	Clyde Richard, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General County Attorney	Montgomery
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Before Gernon, P.J.; Rees, J.; and R. David Lamar,
District Judge, assigned.

- Wednesday, January 9, 1991

1:30 p.m.

Case No.	Case Name	Attorneys	County
65,211	State of Kansas, Appellant, v. Gerald Elsen, Appellee.	County Attorney Attorney General Michael S. Holland	Barton
64,693	Patrick J. Moos, Appellant, v. Kansas Department of Revenue, Appellee.	Michael S. Holland Brian Cox	Barton

2:30 p.m.

65,001	State of Kansas, Appellee, v. Heriberto Luna Hernandez, Appellant.	County Attorney Attorney General Jessica R. Kunen	Seward
64,843 64,844 64,845	Producers Equipment Sales, Inc., Appellee, v. Earl A. Thomason, <i>et al.</i> , Appellants.	John T. Bird Richard Shull Thomas J. Lasater	Ellis

Summary Calendar—No Oral Argument

64,866	In the Matter of the Marriage of Larry Ray Shellman and Denise Ann Shellman.	G. Craig Robinson Denise Shellman, <i>pro se</i> Howard L. Jenkins, Jr.	Sedgwick
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Lewis C. Carter
Clerk of the Appellate Courts

State of Kansas

Board of Mortuary Arts

Notice of Meeting and Examination

The State Board of Mortuary Arts will meet Thursday, January 10, and Friday, January 11, in Topeka. Thursday's meeting will begin at 9 a.m. at the board's office, Suite 2, 1200 S. Kansas Ave. Friday's meeting will begin with the administering of examinations at 9 a.m. in Room 452-W, Docking State Office Building, 915 S.W. Harrison.

Douglas "Mack" Smith
Executive Secretary

Doc. No. 010071

State of Kansas

Department of Revenue
Division of Property Valuation

Notice of Property Valuation Guides

The Division of Property Valuation has adopted the following guides for the 1991 tax year:

I. P.V.D. devised guides:

1. Kansas Reappraisal Manual
2. Manufactured Housing Appraisal Guide
3. Grain Elevator Appraisal Guide
4. Sales Verification Guidelines
5. Reference Source Guide
6. Special Purpose Property Guide
7. Highway Vehicle Guide
8. Motor Vehicle Reference Guide
9. Oil & Gas Appraisal Guide
10. Crude Oil Price Schedule: 1991 Tax Year
11. Personal Property Reference Guide

II. Copyrighted guides which are prescribed:

1. Truck Blue Book, January 1991 Edition
2. Abos Marine Blue Book, 1991 Edition
(set of nine books)
3. N.A.D.A. Recreation Vehicle Appraisal Guide,
Three 1991 Editions
4. Aircraft Bluebook—Price Digest, Winter 1990-
1991 Edition
5. N.A.D.A. Used Car Guide, January 1991
Midwest Edition
6. N.A.D.A. Motorcycle Guide, January 1991
Edition
7. N.A.D.A. Older Used Car Guide, January 1991
Edition

These guides are available for public inspection during regular office hours at the Division of Property Valuation, 5th Floor, Docking State Office Building, Topeka.

John R. Luttjohann
Director of Property Valuation

Doc. No. 010070

State of Kansas

Board of Healing Arts

Permanent Administrative
RegulationsArticle 46.—EXTENSION OF
REGISTRATION; ASSISTANTS

100-46-5 Lapsed registrations and certifications; revival and extension. (a) Each physical therapist desiring to revive and extend a lapsed registration shall:

(1) Submit a completed written application on a form prescribed by the board;

(2) pay fee and any delinquent fee established by the board, no part of which will be refunded; and

(3) submit proof of satisfactory completion of a program of continuing education as follows:

(A) If the registration has been lapsed for less than two years, the applicant shall complete the continuing education which was required at the time the registration lapsed plus a minimum of an additional ten contact hours for each six months since the date the registration lapsed. A minimum of one-half of these continuing education hours shall be in a Class I as defined in K.A.R. 100-47-1;

(B) if the time since the registration lapsed has been more than two years the applicant shall complete a program recommended by the state examining committee for physical therapy and approved by the board which may require college course instruction, clinical study, apprenticeship and successful completion of the examination required for registration as determined by the board; or

(C) if the applicant has been in the continuous active practice of physical therapy in another state or the District of Columbia since the date the registration lapsed, the applicant shall submit proof of current compliance with the continuing education requirements of that jurisdiction.

(b) Each physical therapist assistant desiring to revive and extend a lapsed certification shall:

(1) Submit a completed written application on a form prescribed by the board; and

(2) pay the reinstatement fee and any delinquent fee established by the board, no part of which will be refunded. (Authorized by and implementing K.S.A. 65-2910 and K.S.A. 1989 Supp. 65-2911; effective May 1, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

Article 47.—REGISTRATION RENEWAL;
CONTINUING EDUCATION

100-47-1. Registration renewal; continuing education. (a) In each odd-numbered year, each registered physical therapist shall submit, in addition to the annual application for renewal of registration, evidence of satisfactory completion of a minimum of forty contact hours of continuing education during the preceding two-year period.

(1) A contact hour shall be 50 minutes of instruction of its equivalent.

(2) Meals and exhibit breaks shall not be included in the contact hour calculation.

(continued)

(b) Any applicant for renewal who cannot meet the requirements of (a) may request an extension for the board. The request shall include a plan for completion of the continuing education requirements within the requested extension period. An extension up to six months may be granted by the board if circumstances make it impossible or extremely difficult for the physical therapist to reasonably obtain the required continuing education hours.

(c) Any physical therapist initially registered within one year of a renewal registration date when evidence of continuing education must be submitted shall be exempt from the continuing education required by subsection (a) for that first renewal period.

(d) All continuing education classes or literature shall be related to the field of physical therapy.

(e) All continuing education shall meet the requirements of subsection (f).

(f) The classes of continuing education experiences shall be:

(1) Class I—Attendance at an educational presentation directly related to the enhancement of practice skills and knowledge in the treatment of patients. Class I continuing education experiences shall include:

(A) Lecture. Lecture means a discourse given before an audience for instruction;

(B) Panel. Panel means the presentation of a number of views by several professional individuals on a given subject with none of the views considered a final solution;

(C) Workshop. Workshop means a series of meetings designed for intensive study, work or discussion in a specific field of interest;

(D) Seminar. Seminar means directed advanced study or discussion in a specific field of interest;

(E) Symposium. Symposium means a conference of more than a single session organized for the purpose of discussing a specific subject from various view points and by various speakers; and

(F) In-service Training. In-service training means an educational presentation pertaining solely to the enhancement of physical therapy skills in the evaluation, assessment or treatment of patients. A maximum of six contact hours shall be given for in-service training.

(2) Class II. Class II continuing education experiences shall include:

(A) Administrative training. Administrative training means a presentation which enhances the knowledge of a physical therapist not solely pertaining to patient care but including quality assurance, risk management, reimbursement, hospital and statutory requirements and claim procedures.

(B) College or university course. College or university course means receiving at least "C" grade or its equivalent, or a "pass" in a pass/fail course, in a physical therapy or related discipline course. Ten contact hours shall be given for each semester credit hour.

(C) Self-instruction. Self-instruction includes reading professional literature, home study and correspondence course, viewing video programs and listening to audio programs relating to the enhancement of physical therapy practice, and preparing for the certification examination. A maximum of two contact hours shall be given for reading professional literature.

(D) Professional publications. Contact hours for writing a professional publication shall be as follows:

(i)	Original Paper—	single author	20
		senior author	15
		co-author	8
(ii)	Review Paper or Case Report—	single author	15
		co-author	8
(iii)	Abstract or Book Review—		8
(iv)	Publication of a book—		20

(E) Other. Attendance at a lecture, panel, workshop, seminar, symposium or in-service training not meeting the criteria for Class I, but which is in a health related field.

(g) A minimum of 20 contact hours shall be acquired from Class I.

(h) Any registered physical therapist who presents a Class I continuing education program shall receive three contact hours for each hour of presentation. No credit shall be granted for any repeated presentations of the same subject matter. No credit shall be granted for reiteration of material or information obtained from attendance at a continuing education program.

(i) To provide evidence of satisfactory completion of continuing education, the following shall be submitted to the board:

(1) Documented evidence of attendance at Class I and II activities;

(2) personal verification on a form provided by the board of self-instruction from reading professional literature; and

(3) copies of any professional publication.

(Authorized by K.S.A. 1989 Supp. 65-2911; implementing K.S.A. 65-2910; May 1, 1978; amended May 1, 1980; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 4, 1991.)

Richard Gannon
Executive Director

Doc. No. 010080

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 33.—LABORATORIES PERFORMING TESTS FOR SYPHILIS

28-33-11. Approval of laboratories performing human immunodeficiency virus testing. (a) Definitions.

(1) "Department" means the department of health and environment.

(2) "Division" means the division of laboratories and research of the Kansas department of health and environment.

(3) "Laboratory director" means the person responsible for the professional, administrative, organizational and educational duties of a laboratory.

(4) "Screening test" means a sensitive, rapid test designed to eliminate a true negative from further consideration.

(5) "Confirmatory test" means a specific, supplemental test using western blot or immunofluorescent techniques.

(6) "Confirmed positive test" means a test performed on a repeatedly positive screening test specimen which gives positive results on the confirmatory test.

(7) "Risk-evaluation test" means a test utilized to determine if a screening test should be performed. This includes latex agglutination tests, immunoassays performed on body fluids other than sera or other test methodologies not specifically identified in (C)(1)(A). Risk evaluation tests are not considered as a test for human immunodeficiency virus and shall not be reported as such.

(b) Approval procedure. Each laboratory seeking approval of the department to perform tests for human immunodeficiency virus shall:

(1) submit an application on forms prepared by the division;

(2) successfully meet the criteria of inspection; and

(3) successfully participate in an approved proficiency program.

(c) Inspection.

(1) Upon receipt of a laboratory's application for approval, the laboratory shall be inspected at a permanent address by a representative of the division. Approval is not transferable to another address. The laboratory shall be evaluated to determine compliance with following criteria:

(A) Each laboratory shall use only test methods for human immunodeficiency virus approved in the January 8, 1988, Mortality and Morbidity Weekly Report, U.S. Department of Health and Human Services, HHS Publication No. (CDC) 88017, which is hereby adopted by reference.

(B) Each test procedure shall be performed in accordance with a written test protocol. The protocol shall be approved by the laboratory director and be consistent with the manufacturer's written instructions. The protocol shall outline a quality assurance program and shall include at least the following:

(i) A procedure to ensure proper identification of specimens;

(ii) confirmation of all repeatably positive screening tests;

(iii) a policy that only confirmed positive tests shall be reported as positive except when the screening test is performed on a specimen obtained from a cadaver being considered as a donor for organ transplantation and the organ would not remain viable for the time period required for a confirmatory test;

(iv) an internal quality control program that monitors the accuracy and precision of laboratory performance on a daily basis;

(v) an instrument maintenance program;

(vi) provisions for retention of all confirmed positive specimens for at least one year;

(vii) disposal of all medical wastes in accordance with K.A.R. 28-29-27; and

(viii) documentation of adherence to the foregoing policies.

(C) Equipment required by the test procedure shall be maintained to the manufacturer's specifications.

(D) Reagents, control sera and any other required materials for procedures being performed shall be available and shall be stored according to a manufacturer's specifications.

(E) Sufficient work space shall be provided to safely perform tests.

(F) Reports shall be done as required by K.S.A. 1989 Supp. 65-6002, as amended by L. 1990, Ch. 234, sec. 2.

(2) During any inspection, one or more persons may be required to demonstrate performance of procedures for which approval is requested.

(3) Follow-up inspections of approved laboratories may be conducted at any time.

(4) Each laboratory director shall:

(A) Be a physician who:

(i) is qualified according to 42 CFR 405.1312(b)(1),(b)(2)(i) and (b)(2)(ii) as in effect October 1, 1984, which is hereby adopted by reference; or

(ii) subsequent to graduation, has obtained four or more years of full-time general clinical laboratory training and experience of which at least two years were spent acquiring proficiency in one of the laboratory specialties in an approved clinical laboratory or the specialty of public health; or

(B) hold an earned doctoral degree from an accredited institution with chemical, physical, or biological science as a major subject; and

(i) be qualified according to 42 CFR 405.1312(b)(4)(i), as in effect on October 1, 1984, which is hereby adopted by reference; or

(ii) subsequent to a graduation, have obtained four or more years of full-time general clinical laboratory training and experience of which at least two years were spent acquiring proficiency in one of the laboratory specialties in an approved clinical or public health laboratory.

(5) If the laboratory director does not have training and experience in serology, direct supervision of the analysts shall be provided by a supervisor who shall have at least a bachelors degree in chemistry, biological sciences or medical technology and at least six years of subsequent laboratory experience in one or more of these fields. At least two years of this experience shall be in serology.

(6) The laboratory director shall evaluate each analyst performing procedures for which approval is sought to assure that each analyst is trained in each test procedure being performed. The laboratory shall maintain documentation of training and the records shall be available at all times.

(7) Records of each test result shall be maintained for a minimum of two years.

(d) Proficiency program. Each laboratory shall subscribe to and participate in an approved external proficiency program that encompasses human immunodeficiency virus tests as defined by 42 CFR 405.1310(c), as in effect on October 1, 1984, which is hereby adopted by reference. A list of approved programs shall be available from the division.

(1) Each laboratory seeking initial approval shall have

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successfully participated in one challenge of proficiency tests before approval is granted.

(2) The results of each laboratory's performance in its proficiency program shall be sent directly from the approved external proficiency program to the division.

(3) Unsatisfactory performance in an approved external proficiency program as determined by the division, or failure to participate in an approved external proficiency program shall constitute reason for denying or revoking the approval of a laboratory to perform human immunodeficiency virus testing. Criteria for acceptable performance in a proficiency program shall be available from the division.

(e) Laboratories located outside of the state of Kansas shall be approved if the laboratory is certified or approved by a federal, state, or independent agency having equivalent or more stringent standards and meets all the requirements of this regulation. The laboratories shall submit the following documentation for evaluation by the department:

(1) the report of the most recently completed on-site evaluation;

(2) the proficiency test results from the most recently completed proficiency challenge;

(3) the personnel qualifications;

(4) the analytical methods utilized;

(5) the standards on which current certification is based; and

(6) Any other documentation as deemed necessary by the department.

(f) List of approved laboratories. A current list of approved laboratories shall be maintained by the department. Laboratories shall be approved annually.

(g) Removal from approved list.

(1) A laboratory shall be removed from the approved list after voluntarily requesting removal from the list or after notice and an opportunity for a hearing. All orders of termination shall become final 15 days after service unless an appeal is filed in writing. All appeals shall be conducted according to K.S.A. 77-501 *et seq.*

(2) Notice of a laboratory's removal from the approved list shall be made by certified mail. (Authorized by and implementing K.S.A. 1989 Supp. 65-1,107, as amended by L. 1990, Ch. 215, Sec. 1 and K.S.A. 1989 Supp. 65-6002, as amended by L. 1990, Ch. 234, sec. 2; effective Oct. 2, 1989; amended Feb. 4, 1991.)

Article 50.—ASBESTOS CONTROL

28-50-1. Definitions. As used in these regulations:

(a) "Accredited asbestos worker" means a person who has fulfilled the training requirements and successfully completed the written examination requirements prescribed under federal law for persons who conduct response actions with respect to friable asbestos-containing material in elementary and secondary schools.

(b) "Agent" means any person who is not an employee of a business or public entity that has been specifically authorized by the entity to act in its behalf in regard to carrying out any activity which requires the person to be present in the work area while an asbestos removal project, an asbestos encapsulation project, or an asbestos related dismantling project is in progress.

(c) "Appropriate protective clothing" means outer clothing intended to be worn by a person who is engaged in asbestos removal or encapsulation activities. The purpose of the protective clothing is to facilitate the removal of asbestos fibers from the person before that person moves from an area that contains asbestos fibers into an area that is intended to remain free of these fibers. Protective clothing shall consist of coveralls or a similar whole body covering, head covers and foot covers. Protective clothing shall be worn at all times that friable asbestos containing materials are being handled directly and when otherwise required by OSHA or EPA regulations, work specifications governing the activities, or work plans submitted to the department in compliance with the requirements of K.A.R. 28-50-8.

(d) "Appropriate respirator" means an air purifying respirator:

(1) That has replaceable filters;

(2) that is MSHA/NIOSH approved for respiratory protection against dust, fumes and mists having an air contamination level less than 0.05 milligrams per cubic meter;

(3) that is MSHA/NIOSH approved for respiratory protection against radionuclides; or

(4) that is a respirator providing a higher protection factor if its use is specified by any of the following requirements applying to asbestos removal or encapsulation activities:

(A) OSHA and EPA regulations;

(B) work specifications governing the activities; or

(C) a work plan submitted to the department in accordance with the requirements of K.A.R. 28-50-8.

(e) "Appropriate warning sign" means any asbestos hazard warning sign that complies with federal OSHA or EPA regulations and is required when airborne concentrations of asbestos exceed the prescribed limits.

(f) "Approved waste disposal site" means a solid waste disposal area that is operated under a permit issued by the department as provided for by K.S.A. 65-3407 and is authorized, by the department, to receive friable asbestos-containing solid wastes.

(g) "Asbestos caution label" means a label that complies with applicable federal EPA, DOT and OSHA regulatory requirements and is to be securely affixed to a waste container that contains friable asbestos materials.

(h) "Asbestos encapsulation project" means activities that include, and are incidental to, the coating of a friable asbestos-containing surface material with a coating or penetrating type of sealing substance, when the intended purpose of the activities is to prevent the continued release of asbestos fibers from the material into the air. This definition shall not include:

(1) The repainting of a previously painted asbestos-containing surface primarily for the intended purpose of improving the appearance;

(2) the application of a sealing material to a surface subsequent to the removal of asbestos from it;

(3) the application of an encapsulant to asbestos-containing material while the material is being removed;

(4) the application of a sealing substance to three square feet or less of friable asbestos-containing material that is contiguous to other types of material;

(5) the application of a sealing substance to asbestos-

containing material that has previously been enclosed or encapsulated; or

(6) the painting of friable asbestos-containing material located in a privately-owned single family residence.

(i) "Asbestos-related demolition project" means any activity that includes the razing of all or a portion of a structure that contains friable asbestos-containing materials or other asbestos-containing materials which may become airborne if they are crushed or broken.

(j) "Asbestos-related dismantling project" means activities that include the disassembly, handling and moving of the components of any structural or equipment item that has been covered with friable asbestos-containing material without first removing this material from the item. This definition shall not include these activities when they are conducted for the purpose of repair, replacement or maintenance of the item and require the removal of either three lineal feet or less of friable asbestos-containing materials from the surface of a pipe or three square feet or less of friable asbestos-containing materials from any other type of surface in order to dismantle the item.

(k) "Asbestos-related maintenance operation" means any operation, that involves the removal or cleanup of either three lineal feet or less of friable asbestos-containing material from the surface of a pipe or three square feet or less of friable asbestos-containing material from any other type of a structural or equipment item in order to repair, replace or maintain the item or any appurtenances to it.

(l) "Asbestos repair" means returning damaged friable asbestos-containing material to an undamaged state or to an intact state so as to contain fiber release.

(m) "Asbestos removal project" means activities that involve, and are required by these regulations to be carried out in relation to, the removal of a friable asbestos-containing material from:

(1) The surface of a structural or equipment item that is intended to remain in place; or

(2) the surface of a structural or equipment item subsequent to its removal as a result of an asbestos related dismantling operation.

This definition includes activities associated with the cleanup of loose, friable asbestos containing debris and refuse from floors and other surfaces. This definition does not include activities that are associated with the removal of friable asbestos-containing materials as part of an asbestos-related maintenance operation or the collection of samples for asbestos analysis.

(n) "Class I asbestos worker" means a person who is certified to engage in asbestos removal or encapsulation projects in a non-supervisory capacity.

(o) "Class II asbestos worker" means a person who is certified to supervise and direct asbestos removal and encapsulation projects in compliance with the requirements of these regulations and applicable federal regulations.

(p) "Control curtain" means either of the two following types of closure devices that are to be constructed of not less than four-mil thick plastic sheeting material and installed in an entryway of an area that is considered to be contaminated with free asbestos fibers:

(1) A ventilation curtain that is intended to allow un-

restricted air flow movement into a contaminated area when it is being ventilated with an exhaust fan. This curtain consists of a single flap that opens into the contaminated area and is securely fastened across the top of the entryway frame work in a manner that will allow it to overlap both sides of the entryway by a distance of not less than 12 inches and the base of the entryway by a distance of not less than three inches; or

(2) A confinement curtain that is intended to restrict the movement of air into, and from, an unventilated and contaminated area. This curtain consists of three constructed baffles that cover the entire area of the entryway and are securely fastened along the top of the entryway framework and along alternate sides of it at locations and in a manner that will allow two of the curtains to fully cover the entryway opening while a person passes through the third curtain. An airlock arrangement consisting of two baffle curtain entryways that are located at least three feet apart may be substituted for the triple baffle arrangement.

(q) "Department" means staff employed by the Kansas department of health and environment.

(r) "DOT" means the federal department of transportation.

(s) "EPA" means the federal environmental protection agency.

(t) "Emergency situation" means a condition that exists as the result of a sudden and unexpected event and is likely to cause immediate and substantial damage to persons or property.

(u) "Encapsulation" means the treatment of a friable asbestos-containing material with a substance to prevent the release of fibers into the air.

(v) "Enclosure" means the construction of an airtight, impermeable, permanent barrier around friable asbestos-containing material to control the release of fibers into the air.

(w) "Equipment" means any item that is designed or intended to perform any operation and includes any item attached to it to assist in the operation.

(x) "Furnishings" means removable furniture, drapes, rugs and decorative items.

(y) "Grade D breathing air" means an air supply that:

(1) contains 19-23% oxygen on a volumetric basis;

(2) contains not more than 20 volumes of carbon monoxide per million volumes of air;

(3) contains not more than 1,000 volumes of carbon dioxide per million volumes of air;

(4) contains not more than five milligrams of condensed hydrocarbons per cubic meter of air; and

(5) contains no objectionable odors.

(z) "HEPA filter" means a filter capable of removing, from an air stream, 99.97 percent of all particles that are larger than 0.3 microns in size.

(aa) "MSHA/NIOSH approved respirator" means a respirator and any required attachments, including filters, that have been jointly approved by the federal mine safety and health administration and the federal national institute for occupational safety under provisions of federal law.

(bb) "OSHA" means the federal occupational safety and health administration.

(cc) "Physician" means a person licensed to practice

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medicine and surgery in the state where a physical examination required by these regulations is given.

(dd) "Sealing material" means a liquid substance that does not contain asbestos which is used to cover a surface that has previously been coated with a friable asbestos-containing material for the intended purpose of preventing any asbestos fibers remaining on the surface from being disbursed into the air. Sealants shall be colored a different color than the surface to which they are applied.

(ee) "Structural item" means roofs, walls, ceilings, floors, structural supports, pipes, ducts, fittings and fixtures that have been installed as an integral part of any structure.

(ff) "Type C respirator system" means an airline respirator designed for atmospheres not immediately dangerous to life or health which consists of a source of respirable breathing air, an air hose with a detachable coupling, flow control fittings and a facepiece, helmet or hood.

(gg) "Waste generator" means the business entity that is most directly responsible for the supervision of activities that result in the accumulation of friable asbestos-containing waste materials.

(hh) "Wet cleaning" means the process of using water or other liquid and a wet brush, mop, cloth, sponge or similar wet cleaning device to completely remove any residue of asbestos-containing materials from surfaces on which they may be located. This definition does not include the use of a wet vacuum cleaner to pickup wet friable asbestos-containing debris, or asbestos-contaminated wastewater.

(ii) "Wetting agent" means any chemical that is added to water to decrease its surface tension and allow it to spread more easily over or penetrate into friable asbestos-containing materials.

(jj) "Work area" means a specific room or physically isolated portion of a room, other than the space enclosed within a glove bag, in which friable asbestos-containing material is required to be handled in accordance with the requirements of these regulations. These areas are designated as work areas from the time that the room, or portion of it, is being prepared in order to carry out the removal, encapsulation or dismantling activity until the time that the area has been cleaned in accordance with any requirements applicable to these operations. (Authorized by and implementing K.S.A. 65-5303; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

28-50-5. Asbestos worker certification. (a) A person shall not supervise or engage in an asbestos removal project, an asbestos encapsulation project, or an asbestos-related dismantling project unless that person has a valid class I or class II asbestos worker certificate that has been issued in accordance with this regulation. Original certificates for each person who is engaged in a project that requires certification shall be available for inspection by the department at the project site.

(b) A class I or class II asbestos worker certificate shall not be issued to any person, or renewed for that person unless:

(1) The person has been examined by a licensed phy-

sician within the preceding year and declared by the physician to be physically capable of working while wearing a respirator. A signed statement by the physician that attests to this finding shall be submitted to the department at the time that application is made for a certificate or a certificate renewal.

(2) The person has successfully completed a basic training or annual review course within the preceding year that has been approved in accordance with the requirements of K.A.R. 28-50-6 or otherwise approved by the department. Any person who has been certified in Kansas prior to the effective date of any amendment made to K.A.R. 28-50-6 shall not be required to complete training complying with any new requirements of the amendment until the person's current certificate expires.

(3) The person certified as a class II asbestos worker has successfully passed a written examination as described in K.A.R. 28-50-7.

(4) The person applies for a certificate or renewal of a certificate on a form provided by the department and submits, along with this application, a check or money order for the fee prescribed in subsection (c) of this regulation. Failure to comply with all requirements of this subsection within 60 days of initial submittal of the application form shall void the application. Fees accompanying voided applications shall not be returned.

(5) The person has complied with requirements of (1), (2) and (4) of this subsection and has submitted an application for renewal of a certificate not later than six months after the certificate has expired. Failure to renew a certificate within this time period shall require compliance with all requirements applicable to initial application for a certificate.

(c) Persons applying for a class I or class II asbestos worker certificate or renewal of these certificates shall pay an annual fee of \$15.00 for a class I certificate or an annual fee of \$30.00 for a class II certificate. This fee shall cover a 12-month period beginning on the effective date of issuance of the certificate or renewal. No portion of this fee shall be refunded if the certificate is denied or is suspended or revoked during the 12-month period or if the person no longer plans to engage in asbestos abatement or asbestos removal projects during any portion of the 12-month period.

(d) A certificate issued under this regulation may be suspended or revoked by the secretary if the secretary determines that:

(1) The certificate holder has fraudulently or deceptively complied with the requirements of subsection (b) of this regulation.

(2) The certificate holder has willfully disobeyed any instructions or written procedural policies provided by an employer for the purpose of complying with these regulations.

(3) The certificate holder has knowingly permitted another person to represent that person as the holder of the certificate.

(4) A certificate has been altered or modified by the holder in a manner to represent facts that are untrue.

(e) Other provisions of this regulation notwithstanding, a person shall not supervise or engage in removal, encapsulation, enclosure or repair of any friable asbestos-containing material located in an elementary or secondary

school, except as part of an asbestos related maintenance operation, unless that person is currently an accredited asbestos worker. Persons who engage in these activities shall provide evidence, acceptable to the department, that the person has been accredited by successfully completing a federal EPA-approved training course, has been certified under a state program that has been approved by the federal EPA, or has been certified in Kansas at the class I or class II level, as appropriate, after completing training in compliance with the requirements of these regulations. (Authorized by K.S.A. 65-5303; implementing K.S.A. 65-5303, 65-5308, K.S.A. 1989 Supp. 65-5309, 65-5310; effective, T-86-1, January 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

28-50-6. Asbestos worker training course approval.

(a) Any person, business entity, state agency, political or taxing subdivision of the state, or other entity may develop and present a class I or class II asbestos worker certification training course that is intended to comply with the requirements of K.A.R. 28-50-5(b)(2). After the effective date of the regulation, the training course shall be approved by the department prior to its official presentation for the purpose of complying with the regulatory requirements. Training courses shall be approved in writing and the approval shall remain in effect until withdrawn in accordance with the provisions of subsection (g) of this regulation.

(b) Application for approval of a training course, as provided for in subsection (a) of this regulation, shall be made on forms provided by the department. The application shall include the following information:

(1) A listing of the persons who will present the training course, and their experience, education and other qualifications;

(2) a description of the course, including the title and length of each lecture to be presented, the general nature of the information to be included in the lecture, the training aids and handouts intended to be used in its presentation, and the written examination to be given;

(3) the maximum number of students to be enrolled in each course presentation;

(4) the dates or time period over which individual courses are intended to be presented;

(5) the proposed charge for each course; and

(6) other information that the department considers necessary to evaluate the probable effectiveness and acceptability of the training course including copies of the course manual and other handouts that are to be provided to the students and a copy of the written examination that is intended to be given.

Approval of a course may be denied by the department if the applicant fails to provide information required by this subsection within 60 days of receipt of written notice that an application is deficient.

(c) The department shall be immediately informed, in writing, whenever there is any change in the information provided under subsection (b) of this regulation.

(d) Provisions shall be made to allow a representative of the department to attend one or more presentations of any course for which approval is required, at no cost to the department in accordance with the provision of

subsection (e). This attendance shall be for the purpose of determining compliance with this regulation and the correctness of the information being presented and shall be completed before a course is approved and any time thereafter that the department deems necessary. Approval of any course may be denied, withdrawn or suspended by the department on the basis of findings resulting from this attendance.

(e) Applicants for approval of a training course shall directly reimburse representatives of the department for personal expenses incurred as a result of attending a training course as provided for by subsection (d). Reimbursable expenses shall be limited to travel and subsistence expenses allowable under K.A.R. 1-16-1 and shall be made by check or money order made payable to the department representative. Payments required by this subsection shall be made within 30 days of the applicant's receipt of a written statement from the department which stipulates the amount and nature of the reimbursable expenses and the person to which the payment is to be made. Failure to make payments required by this section shall be considered cause for denying, suspending or withdrawing approval of a course.

(f) Training courses approved in accordance with these regulations shall meet the following criteria:

(1) Lectures shall be presented by persons who have education and experience that is appropriate for the subject matter presented.

(2) Training courses for class I asbestos workers shall include respirator fit-testing of each student and shall provide a total of at least 18 hours of instruction consisting of the following:

(A) A discussion concerning the identification of asbestos including its physical characteristics and a summary of its uses and the abatement procedures used for its control;

(B) a general discussion concerning the health hazards associated with exposure to asbestos, including special problems associated with smoking and a general description of common diagnostic procedures used to detect asbestos related disease;

(C) a general description of state-of-the-art work practices used to reduce asbestos exposures to workers and the public during asbestos removal and encapsulation operations and emergency clean-up operations and maintenance operations including use of wet removal methods, control of spraying operations, use of ventilation equipment, use of barriers and decontamination enclosures, use of glove bags, use of HEPA filtered vacuum cleaning devices, and proper clean-up and waste disposal procedures;

(D) a general description of the use of personal protective clothing, and need for good personal hygiene practices including a discussion of proper procedures for entering and exiting asbestos work areas and the need to abstain from eating, drinking or smoking in these areas;

(E) a detailed description of the level of protection afforded by different types of respirators, the procedures for proper use and care of respirators (including donning, seal testing, cleaning and storage and procedures), and the components of a proper respirator protection program;

(F) a general description of other hazards commonly encountered in asbestos control work, including electrical

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shock, falls, cuts, fires and heat exhaustion or heat stroke, and measures that need to be taken to avoid and respond to them;

(G) a general description of state and federal regulations intended to provide protection to asbestos workers, including information on federal requirements pertaining to medical examinations and air monitoring and how people responsible for their enforcement may be contacted;

(H) not less than six hours of hands-on training in the proper use of work procedures identified in the preceding item (C); and

(I) a separate final review session to discuss key information that is presented during the remainder of the course.

(3) Training courses for class II asbestos workers shall include respirator fit testing of each student and shall provide a total of at least 24 hours of instruction. The instruction shall include discussion of the following topics in addition to the instruction required by paragraph(f)(2) of this regulation:

(A) A detailed discussion of asbestos-related notification and record keeping requirements included in state and federal regulations and records recommended to be kept for legal and insurance purposes;

(B) a detailed discussion of Kansas and federal requirements concerning work procedures to be followed in asbestos removal and asbestos encapsulation projects including:

(i) Requirements of Title II of the federal toxics substance control act;

(ii) requirements of the federal air pollution control regulations that pertain to asbestos removal associated with the renovation and demolition of structures;

(iii) requirements of OSHA pertaining to respiratory protection practices and programs that are applicable to asbestos control activities;

(iv) requirements of the OSHA construction standard pertaining to asbestos;

(v) requirements of the OSHA construction industry standards applicable to safe work practices at temporary work sites including requirements concerning the use of scaffolds, ladders, electrical equipment and fire safety;

(vi) requirements of the EPA worker protection rule that applies to public employees who engage in asbestos control activities; and

(vii) work practice requirements established by K.A.R. 28-50-9 through 28-50-14.

(C) a general discussion of the principles and procedures involved in assessing the hazards associated with exposures to asbestos-containing building materials prior to undertaking abatement actions;

(D) a general discussion of the principles and procedures involved in collecting, analyzing and interpreting the results of clearance-type airborne asbestos samples that must be collected under federal EPA regulatory requirements after response actions have been completed in schools;

(E) a general discussion of insurance and liability issues that are encountered in relation to asbestos control activities including the type of coverage and exclusions associated with worker's compensation and other types of insurance and third party liabilities and defenses;

(F) a general discussion about the purpose, development and use of contract specifications in asbestos control work; and

(G) a general discussion about supervisory practices that are effective in the establishment and maintenance of proper and safe work practices at asbestos control work sites.

(4) Training courses intended to provide annual review training required by state statute for class I and class II asbestos workers shall be of at least six hours duration and shall provide information on one or more topics listed in paragraphs (2) and (3) of this subsection including a general presentation concerning new state and federal asbestos control-related regulatory requirements that are in effect or pending at the time that the training is presented and any other subject matter that may be prescribed by the department prior to the presentation of the training.

(5) Training courses for initial certification of class I and class II asbestos workers shall include the administering and grading of a written closed book examination for all persons who attend the course. The examinations shall adequately cover the subject matter prescribed by paragraphs (2) and (3) of this subsection and shall consist of 50 multiple choice questions for class I worker training courses and 100 multiple choice questions for class II worker training courses. Only persons who correctly answer 70 percent or more of the questions included in the examination shall be considered to have successfully completed the training course for the purpose of certification under the provisions of K.A.R. 28-50-5(b)(2).

(g) Approval of any training course that fails to comply with the requirements of this regulation or is otherwise deemed unacceptable may be withdrawn by the department. The person responsible for presentation of the training course shall be notified by the department of the basis for the proposed withdrawal in writing and a 30-day time period shall be allowed for the identified deficiencies to be corrected before a final written notice is issued to indicate that the approval is withdrawn.

(h) Each person who has attended any asbestos control-related training course that is required for asbestos worker certification or accreditation in any other state where the person is certified or accredited or any other asbestos training course that has been approved by the federal EPA may be considered to have met the requirements of K.A.R. 28-50-5(b)(2) for initial certification or certification renewal provided that the department determines that the training course essentially complies with the requirements of subsection (f) of this regulation. Each person requesting that the determination be made shall submit the following information to the department:

(1) The date or dates that the course was attended and the location;

(2) the name and address of the business, organization, institution or agency that presented the course;

(3) a schedule or outline of the course that indicates the subject matter that was presented and the amount of time devoted to each subject; and

(4) a written, personal certification that the person had attended all course presentations in their entirety on the dates specified.

(i) Each person who applies for initial certification or certification renewal under the provisions of subsection

(h) of this regulation may be required to complete additional training on topics included in subsection (f) prior to issuance or renewal of a certificate if the department determines that the credited course did not substantially comply with the requirements of subsection (f) of this regulation. (Authorized by K.S.A. 65-5303; implementing K.S.A. 65-5303, 65-5308; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

28-50-7. Certification examinations. (a) Written examinations given to comply with the requirements of K.A.R. 28-50-5(b)(3) shall be administered only by the department. Unless special arrangements are made, the examinations shall only be given in the offices of the department at times appropriate to allow their completion during normal business hours.

(b) Examinations shall be intended to test the class II asbestos worker's knowledge and understanding of the topics included in K.A.R. 28-50-6(e)(3)(B). Examinations shall not be returned. Each applicant shall receive a written notification from the department concerning examination results not more than 30 days after the examination date.

(c) Each person failing to initially pass an examination may retake the examination after receiving notification of the failure. Each person failing to pass the examination on two consecutive occasions shall be required to receive additional training that is designated by the department and shall submit a properly completed reexamination application before taking the examination again. There shall be no charge for reexaminations completed within the 60-day time period allowed by K.A.R. 28-50-5(b)(4). (Authorized by and implementing K.S.A. 65-5303; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

28-50-8. Asbestos project notification requirements.

(a) Each business entity, state agency or political or taxing subdivision of the state that proposes to use its own employees to engage in an asbestos removal project, an asbestos encapsulation project, an asbestos-related dismantling project, or an asbestos-related demolition project shall notify the department of this intent by submitting a properly completed written notification in a manner that will reasonably assure its receipt at the department's offices not less than 10 working days before the project is intended to be started. Improperly completed notifications may be returned for correction and required to be resubmitted in accordance with the requirements of this subsection. For the purpose of this regulation working days means days other than Saturdays, Sundays or legal holidays. The 10-day notification requirement may be waived by the department in emergency or other situations provided that the written notification required by subsection (b) is received a sufficient amount of time before initiation of the project to allow the department to complete any proposal reviews or inspections that it considers to be necessary. An emergency notification may be made verbally but shall be verified in writing within one working day thereafter.

(b) The notification required by subsection (a) of this regulation shall be submitted on forms provided by the

department and shall be accompanied by a check or money order for payment of the fee prescribed by subsection (d) of this regulation except as otherwise provided by that subsection. The notification shall include the following information and any additional information that is requested by the department in order to determine the nature of the project and to identify any state and federal laws or regulations that are applicable to it:

(1) A description of the structure of which the activities will be carried out;

(2) the anticipated dates during which the activities will be carried out;

(3) the anticipated amount and type of friable asbestos containing material that will be involved in the activity;

(4) a general description of the work practices that will be followed, including containment and worker protection measures that are proposed;

(5) a listing of the employees that will be involved in the project or operation and information concerning whether or not they have been certified in accordance with these regulations or have received special asbestos-related work training; and

(6) the manner in which asbestos-containing materials are to be disposed of.

(c) Any notification that is provided in accordance with the requirements of subsections (a) and (b) of this regulation and indicates that the activity for which the notification has been provided will be, or is likely to be, carried out in violation of any of the requirements of an asbestos control regulation that pertains to the project shall be considered to be an invalid notification. The person who submits the notification shall be notified by the department of the nature of the identified violation as quickly as practicable before the activity is scheduled to start. A notification that has been revised to eliminate the identified violation shall be submitted in accordance with the requirements of subsection (a) of this regulation and shall be approved by the department before the activity is initiated.

(d) Each business entity that engages in an asbestos removal project, an asbestos encapsulation project, an asbestos-related dismantling project, or an asbestos-related demolition project that is required to be reported under this regulation, other than as provided for by K.A.R. 28-50-4, shall pay a project evaluation fee that has been calculated in accordance with the following requirements:

(1) A baseline fee of \$50 shall be paid for each activity required to be individually reported under this regulation.

(2) An additional fee shall be paid for each asbestos removal project, asbestos encapsulation project, asbestos-related dismantling project and asbestos-related demolition project involving 260 lineal feet or more of friable asbestos containing material that is installed on a pipe surface or 160 square feet or more of friable asbestos-containing material that is installed on the surface of any other type of structural or equipment item. The additional fee shall be based upon the amount of money proposed to be paid to the business entity for the completion of all project-related activities that are subject to requirements of these regulations and shall be calculated as one percent of the amount of this payment, except that the fee shall be rounded off to the nearest whole dollar and

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shall not exceed \$5,000. In situations where the business entity is to be paid a lump sum to cover the work done on facilities that are required to be reported on more than one notification form, or a lump sum that will only be reasonably determinable upon completion of one or more reportable activities, an alternate schedule that will permit delayed payment of the fee established under this subsection may be approved by the department.

(3) In situations where the department agrees to waive the normal 10-day notification period for other than emergency situations, under provisions of subsection (a) of this regulation, the project evaluation fee shall be two times the amount that is calculated in accordance with the provisions of subsections (d)(1) and (d)(2) of this regulation.

(4) If the payment used to calculate the fees established by subsection (d)(2) of this regulation subsequently changes, the department shall be immediately advised of the reason for, and the amount of, this change. When the payment is proposed to be increased, the fee shall also be increased in accordance with the provisions of subsections (d)(1) and (d)(2). No portion of a fee that is initially paid shall be refunded in situations where the payment to the contractor has been reduced below the amount that was used to originally calculate the fee. (Authorized by K.S.A. 65-5303; implementing K.S.A. 65-5302, 65-5303, 65-5307, 65-5312, K.S.A. 1989 Supp. 65-5309; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

28-50-9. Work practices for asbestos removal projects in areas to be reoccupied. (a) Each asbestos removal project that involves the removal of friable asbestos-containing materials from a structural item or equipment that is located in any area that can be expected to subsequently be reoccupied by any person after the project is completed, or in an area that is only directly accessible from an area that is, or subsequently will be, occupied by any person other than persons directly involved in the project, shall be conducted in accordance with the following requirements:

(1) Each proposed work area shall be isolated from other areas of the building and outside areas by erecting temporary partitions that are rigid and airtight around the work area or by installing airtight seals over doorways, windows and ventilation system openings, except that doorways between the work area and decontamination facilities and waste load-out areas shall be closed off with a control curtain. Not less than one temporary partition or seal shall contain a clear viewing area that is 18 inches or more in height and width and installed in a manner that will allow direct visual observation of the work area from a location outside of the work area. Plastic sheeting used for the construction of airtight seals shall be not less than four mils thick. Whenever possible, each heating and ventilation system serving the work area shall be shut down and locked out. If these systems cannot be shut down, special provisions shall be made to assure that airborne contamination from the work area cannot enter the ventilation system and be carried to other areas of the building. Appropriate warning signs shall be prominently posted at all entryways into the work area. Provisions shall be made to prevent any person other than

those persons having responsibilities directly related to the project from entering the area before the requirements of paragraphs (9) and (13) of this subsection are met and the project is approved in accordance with all other applicable requirements.

(2) All movable furnishings, equipment and fixtures in the proposed work area shall be precleaned with a HEPA filter equipped vacuuming device or wet cleaning methods. After cleaning, the items shall be removed from the work area and stored in an area that is not subject to contamination with asbestos fibers. The items shall not be returned to the work area until final room cleanup has been completed and approved in accordance with requirements applicable to the project.

(3) All structural item surfaces, other than those from which asbestos is to be removed, and all non-movable furnishings, equipment and fixtures remaining in the proposed work area shall be precleaned with a HEPA filter equipped vacuuming device or wet cleaning methods and covered with not less than four mil thick plastic sheeting, except that floors shall be covered with a minimum of two layers of six mil thick plastic sheeting that extends up the walls at least 12 inches. Plastic sheeting on walls shall be affixed to the wall in a manner that will assure that it will remain in position throughout the length of the project and shall overlap the floor sheeting at least 12 inches above the intersection of the walls with the floor. Any tears that are noted in the protective plastic sheeting required by this subsection shall be immediately repaired.

(4) HEPA filter-equipped ventilation fans shall be installed in a manner that will continually exhaust air from all locations within the work area. The total capacity of the fans shall be sufficient to remove the entire volume of air contained in the workroom area within a time period of 15 minutes or less unless a longer time period is specifically approved by the department. The removed air shall be discharged through a duct that has been installed through the plastic on the walls in a manner that will provide an airtight seal between the plastic and the outside surface of the duct. The exhausted air shall be discharged outside of the building whenever possible and shall not be discharged inside the building unless this discharge is specifically approved by the department in writing. Each ventilation fan shall be continuously operated throughout the duration of the project until at least 24 hours after the action required by paragraph (12) of this subsection is completed. Each fan shall be operated in a manner that will establish, and maintain, a flow of air into the work area from all adjacent areas of the building as demonstrated by use of smoke producing tubes or other appropriate means. As a minimum, these determinations shall be made and the results recorded before asbestos removal operations are initiated and at the start of each day's operation.

(5) A decontamination facility shall be provided between the work area and building areas intended to remain uncontaminated with asbestos fibers generated by the asbestos removal operations. All persons entering or leaving the work area shall pass through and use the decontamination facility. Each decontamination facility shall consist of the following designated area which are

each to be entered through a doorway that is covered by a control curtain:

(A) A clean room that shall be maintained free of asbestos-containing debris and must be first entered by any persons entering the work area. The clean room shall be constructed in a manner that provides adequate space for removing or putting on street clothing, putting on and fit testing respirators, and putting on protective clothing and other protective equipment required to be worn in the work area. The clean room may also be used as a rest and eating area for employees after they have passed through the decontamination process.

(B) A shower room that must be first passed through by any person that moves from the work area into the clean room. These persons shall be required to shower before entering the clean room. Each shower room shall be provided with at least one shower head that is supplied with hot and cold or warm water. Adequate quantities of soap, hair shampoo and towels shall be provided to accommodate each person who emerges from the work area. Shower enclosures shall be leak proof and constructed of disposable or easily washable material. Shower water may be drained directly into the building's plumbing system or collected for subsequent disposal in accordance with the requirements of K.A.R. 28-50-14.

(C) An equipment room that must be passed through before the shower room can be entered from the work area. The equipment room shall be used for temporary storage of contaminated tools, equipment and protective clothing used in the work area. The floor and walls of the room shall be lined with not less than six mil thick plastic sheeting. Tools, equipment and protective clothing shall be free of gross contamination before removal from the work area into the equipment room.

(D) All decontamination facility areas shall be fully enclosed and shall be contiguous to each other and the work area unless connected to one another by enclosed passageways that are effectively isolated from areas intended to remain free of asbestos contamination. Decontamination facilities shall remain in place and in functional condition until removal of airtight seals and partitions is authorized in accordance with the requirements of K.A.R. 28-50-9(a)(12).

(6) A waste load-out area may be constructed between the work area and the exit through which asbestos containing waste materials are intended to be removed from the work area. If a waste load out area is provided, it shall be totally enclosed and the doorway between the work area and the waste load-out area shall consist of a combination of control curtain and rigid door. The floor of the load-out area shall be covered with not less than six-mil thick plastic sheeting which shall be kept clean and free of visible asbestos-containing debris. Floor covering shall be removed upon completion of the project and disposed of in compliance with the requirements of K.A.R. 28-50-14. Asbestos-containing waste shall not be transferred from the waste load-out area unless it has been placed in containers that comply with the requirements of K.A.R. 28-50-14(a). Waste containers shall be removed from the waste load-out area only by persons who enter the load-out area from an area that is intended to be maintained free of asbestos-containing debris generated by the removal operations. The doorway between the

work area and load-out area shall be kept secured except when waste materials are being transferred from the work area. The load-out area doorway shall not be used as an entrance or exit by persons who leave or enter the work area.

(7) All exposed surfaces of friable asbestos-containing materials shall be maintained in a wet condition while the material is being removed or cleaned up from structural or equipment items. Any friable asbestos-containing material shall be wetted with a water solution containing an effective wetting agent. The wetting solution shall be applied with a low pressure spraying system. The effectiveness of the solution in penetrating the asbestos containing materials shall be determined by applying it to a small representative sample of the material before the gross removal operation is initiated. The removed friable asbestos-containing materials shall be maintained in a wet condition until placed in sealed containers for disposal in accordance with the requirements of K.A.R. 28-50-14. All accumulations of loose debris shall be removed from floors and other surfaces and placed in sealed bags or containers as quickly as practicable and at least daily.

(8) After the asbestos-containing materials have been removed from the structural or equipment items, all plastic sheeting, equipment and surfaces in the work area shall be cleaned with a HEPA filter-equipped vacuuming device or by wet cleaning methods and shall be free of all visible debris, except that if more than one layer of plastic sheeting has been used on walls and floors this additional layer of sheeting may be removed and disposed of instead of being cleaned. Sheetting that is removed shall be enclosed in a six mil thick plastic bag or clean plastic sheeting and disposed of in compliance with the requirements of K.A.R. 28-50-14. Any liquid or material that has leaked through these additional layers of sheeting shall be removed by wet cleaning methods.

(9) The surfaces from which the friable asbestos-containing materials have been removed shall be cleaned free of all visible residues and then covered with an effective sealing material before the final layer of plastic sheeting covering the floors, walls and non-movable items is removed.

(10) A minimum of 24 hours shall be allowed between application of the sealant and removal of the final layer of plastic wall and floor covering. The removed plastic covering shall be enclosed in a six-mil thick plastic bag or clean plastic sheeting and disposed of in compliance with the requirements of K.A.R. 28-50-14.

(11) After the plastic wall and floor coverings have been removed, all surfaces in the work area shall be cleaned with a HEPA filter-equipped vacuuming device or by wet cleaning methods and shall be free of all visible debris.

(12) Not less than 24 hours after completing the cleanup required by paragraph (11) of this subsection, an air stream from a high speed leaf blower or equivalent device shall be swept across all surfaces within the work area for a period of not less than five minutes for each 1000 square feet of surface area.

(13) Each temporary partition and airtight seal provided for doors, windows and duct openings in accordance with paragraph (1) of this subsection shall remain in place for not less than 24 hours after completion of the actions

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required by paragraph (12) of this subsection and until the cleanup is approved in accordance with any other special requirements applicable to the project.

(b) Any individual requirement of subsection (a) of this regulation may be waived by the department for asbestos removal projects if the notification submitted in accordance with K.A.R. 28-50-8 identifies the requirements for which waiver is requested, the reason for requesting the waiver, and any alternate procedure that is proposed. A waiver shall not be granted unless the health and safety of the workers and building occupants are adequately protected. The following minimum requirements shall also be met:

(1) The work area in which the asbestos is to be removed shall be completely isolated from any other areas of the building by the construction or installation of airtight barriers that shall continually remain in place for the duration of the asbestos removal project until final cleanup is completed and approved in accordance with requirements applicable to the project.

(2) Appropriate warning signs shall be prominently posted at all entryways into the work area and access to the work area shall be restricted to only those persons that are required to enter it because of responsibilities directly related to the project until the requirements of paragraphs (3) and (4) of this subsection are met and the project is approved in accordance with all other applicable requirements.

(3) The surfaces from which the asbestos-containing materials have been removed shall be cleaned free of all visible residue and covered with an effective sealant before warning signs required by paragraph (2) of this subsection are removed and access to the work area of persons other than those directly involved in the project is permitted.

(4) All visible asbestos-containing debris shall be removed from the work area before the warning signs required by paragraph (2) of this subsection are removed or access to the work area of persons other than those directly involved in the project is permitted.

(5) Asbestos contamination shall be removed from all persons that have been in the work area before they leave the premise or enter any area intended to remain free from asbestos contamination. All equipment used on the project shall be cleaned free of visible debris before it is removed from the work area.

(6) The waiver and all proposed alternative procedures shall be approved by the department in writing before the project is initiated, except that verbal approval may be provided in situations where the 10-day notification period has been waived in accordance with the provisions of K.A.R. 28-50-8(a).

(c) The requirements of subsections (a) and (b) of this regulation may be waived by the department for the removal of friable asbestos containing materials from the surface of pipes or other similar conduits providing that the following minimum requirements are met:

(1) All friable asbestos-containing materials proposed to be removed in the work area shall be removed using six-mil thick or thicker leak proof glove bags in accordance with the manufacturer's instructions. A copy of these instructions shall be submitted to the department along with each notification and a copy shall be posted for inspection

at the work site. Glove bags shall not be used to remove asbestos containing materials from surfaces having a temperature of 150°F or more unless written authorization to do so is provided by the department prior to the removal.

(2) Appropriate warning signs shall be prominently posted at all entryways into the work area. Provisions shall also be made to prevent any person other than those persons that have responsibilities directly related to the project from entering the work area until the actions required by paragraphs (6), (7), and (8) of this subsection are completed and the project is approved in accordance with all other applicable requirements.

(3) Each person using the glove bag shall avoid damaging or otherwise causing the release of asbestos fibers from any other friable asbestos-containing materials that are located within the work area, including any debris that may have accumulated in the area prior to the start of the project. Each section of the pipe or conduit from which damaged or loose hanging friable asbestos-containing material is to be removed that is not immediately enclosed within a glove bag shall be tightly enclosed in six-mil thick plastic sheeting until a glove bag is placed over it and the asbestos-containing material is removed.

(4) Glove bags shall be sealed to pipe or conduit in a manner that provides an airtight seal around the area from which the asbestos is to be removed until the glove bag is removed, unless the manufacturer's instructions require air pressure within the bag to be maintained below the pressure outside of the bag. Glove bags shall not be moved and used for removal at more than one location except under written authorization provided by the department and in compliance with any special requirement imposed as a condition for granting the authorization.

(5) All exposed surfaces of friable asbestos-containing materials shall be wetted with a water solution containing an effective wetting agent while the material is removed and the removed material shall be maintained in a wet condition while it remains in the glove bag until the bag is sealed for final disposal in accordance with the requirements of K.A.R. 28-50-14.

(6) Surfaces from which asbestos-containing materials have been removed shall be cleaned free of all visible residues before the glove bag is removed.

(7) A sealing material shall be applied to all surfaces from which the asbestos-containing material is removed, and to all friable asbestos-containing material surfaces that become exposed as a result of this removal before warning signs required by paragraph (2) of this subsection are removed or access to the work area of persons other than those directly involved in the project is permitted.

(8) The work area shall be free of all visible asbestos containing debris, including accumulations that existed prior to the start of the project before warning signs required by paragraph (2) of this subsection are removed or access to the work area of persons other than those directly involved in the project is permitted.

(9) Each project activity in the work area shall be immediately discontinued if any asbestos contamination of the general work area results from damage or improper use of the glove bags or there is damage to any other friable asbestos-containing materials located within the area. Project activities shall not be resumed until all surfaces in the area that are likely to have become contam-

inated with asbestos fibers have been thoroughly cleaned with a HEPA filter-equipped vacuuming device or by wet cleaning methods. Each person who is likely to be contaminated with asbestos fibers resulting from these sources, including the cleanup operation, shall remove, or use a HEPA filter-equipped vacuuming device or wet cleaning methods to clean all contaminated outer work clothing before leaving the work area. The department shall be notified of the date and nature of such occurrences and the cleanup measures that were used before the work area is approved for occupancy by persons other than those directly involved in the removal project. Additional cleaning may be required by the department before the area is reoccupied.

(d) The requirements of subsections (a) and (b) of this regulation may be waived by the department for an asbestos removal project that involves the removal of friable asbestos-containing materials from structural items or equipment that are installed in, and accessible from, outdoor areas, provided that the following minimum requirements are met:

(1) Each door, window or other opening into enclosed areas that is adjacent to the work area shall be securely covered with not less than four-mil thick plastic sheeting if the opening is located 100 feet or less from the work area.

(2) A person other than the persons that have responsibilities directly related to the project shall not be allowed to occupy or pass through any unenclosed area that is located 50 feet or less from the work area. This area shall be identified and defined by fences or other effective means. Appropriate warning signs shall be prominently posted at all entryways into the area until the requirements of paragraphs (4) and (5) of this subsection are met and the project is approved in accordance with all other applicable requirements.

(3) All exposed surfaces of friable asbestos containing material shall be wetted with a water solution that contains an effective wetting agent while the material is being removed. All removed material, including debris on surfaces below the location from which the material is removed, shall be maintained in a wet condition until placed in sealed containers for disposal in accordance with the requirements of K.A.R. 28-50-14.

(4) All friable asbestos-containing debris, including accumulations that existed prior to the start of the project, shall be removed from the work area before the warning signs required by paragraph (2) of this subsection are removed or access to the area of persons other than those having responsibilities directly related to the project is permitted.

(5) All surfaces from which asbestos-containing materials are removed shall be cleaned free of visible residues and covered with an effective sealant before warning signs required by paragraph (2) of this subsection are removed or access to the area of persons other than those having responsibilities directly related to the project is permitted.

(6) Each person who removes asbestos containing materials or otherwise occupies the restricted area identified in paragraph (2) of this subsection shall remove outerwear that is worn in the area before entering any enclosed area that is occupied by any person other than those persons engaged in the project.

(e) The requirements of subsections (a) and (b) of this regulation may be waived by the department for an asbestos project that involves the removal of friable asbestos-containing materials from structural items that are installed in, and accessible from, any structure or portion of a structure that is demolished after the material is removed, provided that the following minimum requirements are met:

(1) Appropriate warning signs shall be prominently posted at all areas into the work area and persons other than the persons that have responsibilities directly related to the asbestos removal project shall not be allowed to occupy or pass through the work area until the requirement of paragraph (4) of this subsection is met and the project is approved in accordance with any other applicable requirements.

(2) Each window, door and other direct opening between any area where asbestos is to be removed and any other area of the structure that is not intended to be demolished shall be sealed airtight, with securely fastened plastic sheeting, until the project is completed. The plastic sheeting seals shall be not less than four-mils thick.

(3) All exposed surfaces of friable asbestos-containing material shall be maintained in a wet condition while the material is being removed. The material shall be wetted with a water solution containing an effective wetting agent. All removed friable asbestos-containing material, including debris that falls on surfaces below the location from which the material is removed, shall be maintained in a wet condition until placed in sealed containers in accordance with the requirements of K.A.R. 28-40-14.

(4) All friable asbestos-containing debris, including accumulations that existed prior to the start of the project, shall be removed from the work area before the warning signs required by paragraph (1) of this subsection are removed or access to the work area of persons other than those having responsibilities directly related to the project is permitted.

(5) Each person who removes asbestos-containing materials or otherwise occupies the work area before the project is completed shall remove outerwear that is worn in the area before entering any enclosed area that is occupied by any person other than those persons engaged in the project.

(6) Structural items from which friable asbestos-containing material is removed shall not be sold or reused for any purpose unless the surfaces from which the material has been removed are free from visible residue and have been covered with an effective sealing material, unless the sealing requirement is waived by the department in writing.

(f) Each person engaged in an asbestos removal project or entering an asbestos removal project work area shall be provided with, and shall wear, an appropriate respirator and protective clothing.

(g) Airborne asbestos exposures of each person engaged in an asbestos removal project shall be determined in accordance with applicable OSHA or EPA exposure monitoring requirements. Copies of the results of the analyses of samples collected at a project subject to the requirements of this regulation shall be submitted to the department as soon as practicable, after receipt of a written

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request for the results of the analyses from the department. (Authorized by and implementing K.S.A. 65-5303; effective, T-86-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended, T-89-8, March 18, 1988; amended, T-89-15, April 26, 1988; amended Sept. 19, 1988; amended Feb. 4, 1991.)

28-50-10. Work practices for asbestos encapsulation projects. (a) Use of encapsulation as a method of controlling asbestos fiber release from friable asbestos containing materials on structural items or equipment shall be subject to the following requirements:

(1) Encapsulating materials shall not be applied to fibrous sprayed-on asbestos containing materials or to cementitious asbestos-containing materials that show signs of poor adhesion to the surface to which they have been applied.

(2) Encapsulating material shall not be applied to friable asbestos-containing materials that are installed on surfaces in locations that are subject to frequent abrasive or other physical damage.

(3) Penetrating encapsulating agents shall be tested for, and demonstrate, acceptable adhesive and penetrating characteristics for the types of friable material to which they are to be applied. Testing shall consist of applying the encapsulant to the surface of the material in the prescribed manner and then removing a core sample of this material for physical and visual inspection. Representative testing shall be conducted at one or more randomly selected locations within the structure prior to initiation of the project. Test core holes shall be repaired immediately after the visual inspection is completed.

(4) Encapsulant materials shall have acceptable flame retardant characteristics and shall not be noxious or toxic to applicators or to persons that occupy the structure after the project is completed.

(5) Each damaged portion of a surface to which the encapsulant material is to be applied shall be repaired with asbestos-free patching materials before it is applied.

(b) An encapsulation project that involves the encapsulation of friable asbestos-containing materials that are located in any enclosed area which can be expected to subsequently be occupied by any person, or in an area that is only directly accessible from an enclosed area that is, or subsequently will be, occupied by any person other than persons directly involved in the project, shall be conducted in accordance with the following requirements.

(1) The proposed work area shall be isolated from other areas of the building and outside areas by erecting temporary partitions that are rigid and airtight around the work area or by installing airtight seals over doorways, windows and ventilation system openings, except that doorways between the work area and decontamination facilities shall be closed off with a control curtain. Plastic sheeting used for the construction of airtight seals shall be at least four-mils thick. Whenever possible heating and ventilation systems serving the work area shall be shut down and locked out. If the systems cannot be shut-down, special provisions shall be made to assure that airborne contamination from the work area cannot enter the ventilation system and be carried to other areas of the building. If ventilation fans are used to ventilate the work area while the encapsulation project is being carried out,

the exhaust from the fan shall be passed through a HEPA filter and discharged outside the structure. Appropriate warning signs shall be prominently posted at all entryways into the work area. Provisions shall be made to prevent a person other than those persons having responsibilities directly related to the project from entering the area before the requirements of paragraphs (8) and (9) of this subsection are met and the project is approved in accordance with all other applicable requirements.

(2) All movable furnishings, equipment and fixtures in the proposed work area shall be precleaned with a HEPA filter-equipped vacuuming device or wet cleaning methods. The items shall be removed from the work area after cleaning and stored in an area that is not subject to contamination with asbestos fibers. The items shall not be returned to the work area until final room cleanup has been completed and approved in accordance with requirements applicable to the project.

(3) All wall and floor surface areas, other than those which are to be encapsulated, and all non-movable furnishings, equipment and fixtures remaining in the proposed work area, shall be precleaned with a HEPA filter equipped vacuuming device or wet cleaning methods and covered with not less than four-mil thick plastic sheeting, except that floors shall be covered with a minimum of two layers of six-mil thick plastic sheeting. Plastic sheeting on walls shall be affixed to the wall in a manner that will assure that it will remain in position throughout the length of the project and shall overlap the floor sheeting at least 12 inches above the intersection of the walls with the floor. Any tears that are noted in the protective plastic sheeting required by this subsection shall be immediately repaired.

(4) A decontamination facility shall be provided between the work area and building areas intended to remain uncontaminated with asbestos fibers generated by the asbestos encapsulation operations. All persons entering or leaving the work area shall pass through and use the decontamination facility. Each decontamination facility shall consist of the following designated areas which are each to be entered through a doorway that is covered by a control curtain:

(A) A clean room that shall be maintained free of asbestos-containing debris and must be first entered by any persons entering the work area. The clean room shall be constructed in a manner that provides adequate space for removing or putting on street clothing, putting on and fit-testing respirators, and putting on protective clothing and other protective equipment required to be worn in the work area. This clean area may also be used as a rest and eating area for employees after they have passed through the decontamination process.

(B) A shower room that must be first passed through by any person that moves from the work area into the clean room. These persons shall be required to shower before entering the clean room. The shower room shall be provided with at least one shower head that is supplied with hot and cold water. Adequate quantities of soap, hair shampoo and towels must be provided to accommodate each person who emerges from the work area. Shower enclosures shall be leak proof and constructed of disposable or easily washable material. Shower water may be drained directly into the building's plumbing system or

collected for subsequent disposal in accordance with the requirements of K.A.R. 28-50-14.

(C) An equipment room that must be passed through before the shower room can be entered from the work area. This room shall be used for temporary storage of contaminated tools, equipment and protective clothing used in the work area. The floor and walls of this room shall be lined with not less than six-mil thick plastic sheeting. Tools, equipment and protective clothing shall be free of gross contamination before they are moved from the work area into the equipment room.

All decontamination facility areas shall be fully enclosed and shall be contiguous to each other and the work area unless connected to one another by enclosed passageways that are effectively isolated from areas intended to remain uncontaminated.

(5) The department shall be notified of any friable asbestos-containing material that must be removed in order to prepare surfaces for encapsulation or as a result of damage caused by the encapsulation project, before the material is removed. Asbestos-containing material shall be removed.

(6) Encapsulating materials shall be applied with an airless or low pressure sprayer at the application rates specified by the manufacturer or project specifications.

(7) After the encapsulant has been applied to the entire surface intended to be treated, all plastic sheeting covering walls, ceilings, equipment and work surfaces in the area shall be cleaned free of water-removable residue by wet cleaning methods.

(8) All plastic coverings other than those required by paragraph (1) of this subsection shall be removed and the surfaces under them shall be cleaned free of all visible debris with a HEPA filter equipped vacuuming device or by wet cleaning methods not less than 24 hours later. The remaining plastic coverings or temporary barriers shall not be removed until this final cleaning has been completed and approved in accordance with requirements applicable to the project.

(9) Care shall be exercised when fixtures and other items are reinstalled on encapsulated surfaces. Any damage to the encapsulant that occurs shall be immediately repaired and any friable asbestos-containing materials that are released by this damage shall be immediately cleaned up with a HEPA filter equipped vacuuming device or by wet cleaning methods, and disposed of in accordance with the requirements of K.A.R. 28-50-14.

(c) Any individual requirement of subsections (a) and (b) of this regulation may be waived by the department if the notification submitted in accordance with K.A.R. 28-50-8 identifies the requirement for which the waiver is requested, the reason for requesting the waiver, and any alternate procedure that is proposed. A waiver shall not be granted unless the health and safety of workers and building occupants are adequately protected and the following minimum requirements are met:

(1) The area in which the encapsulant is to be applied shall be completely isolated from other areas of the building by the construction or installation of airtight barriers which shall continually remain in place until the project is completed and final cleanup is approved in accordance with requirements applicable to the project.

(2) Appropriate warning signs shall be prominently

posted at all entryways into the work area and access to the area shall be restricted to only the persons that are required to enter it because of responsibilities directly related to the project until final cleanup is completed and approved in accordance with requirements applicable to the project.

(3) Outer clothing worn by persons that have been in the work area shall be replaced before they leave the premise or enter any area intended to remain free from asbestos contamination. All equipment used on the project shall be cleaned free of water-soluble, visible debris before it is removed from the work area.

(4) The waiver and all proposed alternative procedures shall be approved by the department in writing before the project is initiated.

(d) Each person engaged in an asbestos encapsulation project or entering an asbestos encapsulation project work area shall be provided with, and shall wear, an appropriate respirator and protective clothing. For the purposes of this regulation an appropriate respirator means a respirator that provides protection against any potentially hazardous chemicals contained in the encapsulant as well as the protection required by the definition of the term as included in K.A.R. 28-50-1. (Authorized by and implementing K.S.A. 65-5303; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended Feb. 4, 1991.)

28-50-11. (Authorized by and implementing K.S.A. 65-5303; effective T-87-1, Jan. 6, 1986; effective May 1, 1987; revoked Feb. 4, 1991.)

28-50-13. Work practices for asbestos-related demolition projects. (a) The following requirements shall be met before a structure that contains structural items that are covered with friable asbestos-containing material is demolished:

(1) The structural items shall be removed from the structure in accordance with the requirements of K.A.R. 28-50-12; or

(2) all friable asbestos-containing materials covering the structural materials shall be removed from the materials while they remain in place in accordance with the requirements of K.A.R. 28-50-9.

(b) Any business entity, state agency, political or taxing subdivision of the state, or person that demolishes a structure which contains any structural item covered with, or composed of, asbestos fiber-containing material shall assure that the item is handled in a manner that will prevent the asbestos fibers from becoming airborne. (Authorized by K.S.A. 65-5303; implementing K.S.A. 65-5303; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended Feb. 4, 1991.)

28-50-14. Asbestos waste disposal. (a) All solid waste materials containing friable asbestos that result from an asbestos removal project, an asbestos encapsulation project, an asbestos-related dismantling project, or an asbestos-related demolition project, shall be handled in the following manner:

(1) All friable asbestos-containing waste shall be placed in tightly sealed containers in a wet condition before it is removed from the work area. Waste containers shall be double bagged in not less than six-mil thick, liquid-

(continued)

tight, clear plastic bags unless the waste contains rigid or heavy objects that are likely to tear the bags. If bag damage is likely to occur, the waste shall be placed in fiber or metal containers that are equipped with a plastic bag liner and a tight fitting lid which can be firmly fastened in position. Large sections of structural items, such as pipe or duct work that has been removed with friable asbestos-containing materials left in place, may be tightly wrapped in not less than a double layer of six-mil thick, clear plastic sheeting for disposal purposes if they cannot be placed in containers. All exposed surfaces of the friable asbestos-containing material shall be in a wet condition when an item is wrapped.

(2) The exterior surface of each container or individually wrapped object shall be cleaned free of all visible debris and an asbestos caution label shall be securely attached before the container or wrapped object is removed from the work area to another area for storage or transport purposes.

(3) Before each container or wrapped object of friable asbestos-containing material is removed from the work area to another area for storage or transport purposes, the waste generator shall place on the exterior of each container or wrapped object specific information which will identify the asbestos removal project, asbestos encapsulation project, asbestos-related dismantling project, or asbestos-related demolition project at which the waste was generated. The identifying information shall be legible and printed with indelible ink. The waste generator shall mark each container or wrapped object by:

(A) Printing or attaching to each container or wrapped object a label that contains the name of the licensed business entity or approved public agency that carried out the project and the project location at which the waste was generated; or

(B) Printing on the exterior surface of each container or wrapped object the identifying number provided by the department for each project upon receipt of a project notification submitted in compliance with the requirements of K.A.R. 28-50-8; or

(C) Attaching to each container or wrapped object a label which meets the requirements of applicable federal EPA or OSHA regulations pertaining to the identification of containers or wrapped objects used for the disposal of asbestos-containing materials.

(4) Each waste container shall be carefully handled and transported in order to prevent breaking or opening. Whenever a container breaks or otherwise becomes unable to completely contain the waste, the waste shall be immediately transferred into another sealed container that complies with the requirements of subsections (a)(1) and (a)(2) of this regulation. Any friable asbestos-containing solid waste materials that come out of the original container shall be immediately cleaned up after being saturated with water and placed in the replacement container.

(5) Friable asbestos-containing solid waste shall not be transported from a work site or disposed of unless the waste generator has received prior approval from the department for its disposal at an approved disposal site. Application for disposal approval shall be made in writing and contain the following information:

(A) The type of waste intended to be disposed of and the name of the premises at which it was generated;

(B) the amount of waste designated for disposal, expressed either as cubic yards of containerized materials or lineal feet of individually wrapped materials;

(C) the disposal site to which the waste is to be transported;

(D) the time period over which the waste is expected to be transported to the disposal site; and

(E) the name of the waste generator and the person responsible for transporting the waste to the disposal site.

(6) Waste shall be transported in vehicles that have completely enclosed cargo areas, or a four-sided cargo area which shall be completely covered with six-mil thick plastic sheeting or other equivalent covering while the waste is being transported. All visible debris remaining in the vehicle cargo area after the waste has been deposited at the disposal area shall be immediately removed by wet cleaning methods and disposed of in accordance with the requirements of this subsection.

(7) The waste generator shall remain responsible for storage, transport and disposal of the waste in accordance with this subsection until the time that the waste is delivered to and accepted by the operator of an approved waste disposal site. The waste generator shall be released from further responsibility for handling of the waste when the disposal site operator acknowledges, in writing, that the delivered waste has been properly identified as friable asbestos-containing material and has been delivered in a manner and condition that is acceptable to the disposal site operator.

(b) Wastewater and other liquid waste that contains friable asbestos-containing materials that result from an asbestos removal project, an asbestos encapsulation project, or an asbestos-related maintenance, dismantling or demolition operation may be disposed of by mixing them with solid waste materials and disposing of the mixture in accordance with the requirements of subsection (a) of this regulation. Wastewater that cannot be handled in this manner shall be disposed of by one of the following methods:

(1) Wastewater from decontamination showers and final cleanup of waste containers and equipment may be disposed of in public sewer systems either by discharge into the plumbing system where the waste is generated, or by storing the waste and discharging it directly into the sewer system at a location designated by the operator of the system. The wastewater shall be free of any material that is likely to cause stoppage in the plumbing or sewer systems.

(2) Discharge of any other asbestos-contaminated wastewater or liquid waste or the use of any other method for the disposal of contaminated liquid wastes shall only be at a location and in a manner specifically approved by the department in writing. (Authorized by and implementing K.S.A. 65-5303; effective, T-87-1, Jan. 6, 1986; effective May 1, 1987; amended, T-88-54, Dec. 16, 1987; amended May 1, 1988; amended Feb. 4, 1991.)

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 010067

State of Kansas

Department of Education

Permanent Administrative
RegulationsArticle 1.—CERTIFICATE
REGULATIONS

91-1-32. District school administrator, building administrator. (a) Any individual who holds a valid Kansas district school administrator endorsement originally issued prior to June 1, 1986, may serve as, or continue to serve as, a district school administrator or as an elementary or secondary building administrator, or both.

(b) Each applicant for a district school administrator endorsement shall have completed a graduate degree, a state-approved district school administrator program, a state-approved building administrator program, and have three years of experience as a certificated educational professional in a school accredited or approved by the state board or a comparable agency in another state and be recommended by an accredited teacher education institution.

(c) Each applicant for a building administrator endorsement shall have completed a graduate degree, a state-approved building administrator program, have three years experience as a certificated educational professional in a school accredited or approved by the state board or a comparable agency in another state at the level for which endorsement is sought and be recommended by an accredited teacher education institution. Elementary experience shall be in an accredited or approved school which includes any combination of grades kindergarten through nine and in a subject or field in which the applicant held a K-9 level endorsement. Secondary experience shall be in an accredited or approved school which includes any combination of grades seven through 12 and in a subject or field in which the applicant held a 7-12 level endorsement.

(d) Renewal requirements.

(1) Renewal of administrator endorsements originally issued under requirements in effect prior to July 1, 1980 shall require:

(A) Three years of recent, accredited or approved experience during the term of the last certificate held by the applicant; or

(B) six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.

(2) Renewal of administrator endorsements originally issued on or after July 1, 1980 shall require six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d. Two renewals may be granted on verification of three years of recent, accredited or approved experience during the term of the last certificate held by the applicant.

(3) Any one-year building or district school administrator endorsement issued under requirements in effect prior to May 1, 1984 shall be converted to full endorsement upon the applicant having met renewal requirements for the certificate held.

(4) Any individual holding a district or building administrator endorsement shall not be required to complete a two semester-hour survey course in the area of exceptional children for renewal of certification.

(e) This regulation shall be effective on and after July 1, 1991. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective Jan. 8, 1982; amended May 1, 1984; amended July 1, 1989; amended July 1, 1991.)

91-1-128b. Building administrator programs. (a) A state-approved building administrator program shall include a course of study allowing each student to:

(1) Demonstrate knowledge of the historical and social foundations of education and current educational philosophies;

(2) demonstrate an understanding of personal and professional ethics and of educational equity and its role in a pluralistic and diverse population;

(3) demonstrate knowledge of effective classroom instruction strategies for improving instructional effectiveness through an understanding of:

(A) Developmental psychology sufficient to interpret human developmental patterns and their behavioral implications;

(B) various prevailing learning and instructional theories to classroom settings;

(C) pre-assessment and assessment tools to determine the adequacy of an instructional approach;

(D) alternative approaches to evaluate curriculum;

(E) the use and contribution of instructional technology in the teaching learning role;

(F) the components of alternative instructional models and the appropriateness and their applications; and

(G) the needs of all students in the planning and development of instruction;

(4) demonstrate the ability to conduct the legal and financial support services of school system operation by:

(A) Acquiring and understanding of basic constitutional issues related to students and school personnel, and the funding sources for school system operation;

(B) identifying and applying legal concepts as they relate to special education, student discipline, student rights, personnel practices, professional negotiations, and other powers, duties and liability concerns of the school system; and

(C) budgeting educational funds for program needs at the building level;

(5) demonstrate the ability to utilize effective leadership skills of selecting and supervising personnel at the building level through implementation of staff selection, staff orientation, staff evaluation and conferencing, and staff development;

(6) exhibit the ability to utilize effective leadership skills in program and curriculum development to include;

(A) Curriculum planning;

(B) implementing pupil services; and

(C) managing co-curricular programs and activities;

(7) demonstrate knowledge of current, prevailing educational research and the skills required for its application by;

(A) Evaluating educational research products and information; and

(continued)

(B) applying the data to the school setting;
 (8) demonstrate effective leadership skills in interactions with the school, the school system, and the community through knowledge of the decision-making process, resolution of conflict, the creation of an appropriate organizational climate, effective interpersonal skills, group facilitation, communication skills, adult learning/development, and an appropriate involvement of the school in relationship to the publics which they serve; and
 (9) demonstrate the ability to assume and perform directed administrative responsibility for general school building operations through participating in a directed field experience of not less than 150 hours.

(b) Prior to July 1, 1993, any institution may request that its building administrator program be approved under the provisions of this regulation.

(c) On and after July 1, 1993, any institution desiring to have an approved building administrator program shall meet the requirements of this regulation.

(d) This regulation shall take effect on July 1, 1991. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 1991.)

Dr. Lee Drogemueller
 Commissioner of Education

Doc. No. 010082

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1990 Index Supplement to the *Kansas Administrative Regulations*.

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1-16-8	Amended	V. 9, p. 379
1-16-18	Amended	V. 9, p. 1281
1-16-18	Amended	V. 9, p. 1347
1-16-18a	Amended	V. 9, p. 838
1-18-1a	Amended	V. 9, p. 1708, 1784

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4-7-513	New	V. 9, p. 190
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4-7-702	Revoked	V. 9, p. 1763
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4-7-803	Revoked	V. 9, p. 1359
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4-7-1000	New	V. 9, p. 1764
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30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 9, p. 1256
30-6-53	Revoked	V. 9, p. 1280
30-6-65	Amended	V. 9, p. 1719
30-6-73	Amended	V. 9, p. 1720
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 9, p. 1258
30-6-77	Revoked	V. 9, p. 1280
30-6-79	Amended	V. 9, p. 195
30-6-87	New	V. 9, p. 1259
30-6-87	Revoked	V. 9, p. 1280
30-6-103	Amended	V. 9, p. 1721
30-6-106	Amended	V. 9, p. 1721
30-6-106	Revoked	V. 9, p. 1811
30-6-107	Amended	V. 9, p. 1259
30-6-107	Revoked	V. 9, p. 1281
30-6-108	Amended	V. 9, p. 1260
30-6-108	Revoked	V. 9, p. 1281
30-6-109	Amended	V. 9, p. 1260
30-6-109	Revoked	V. 9, p. 1281
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 9, p. 1261

30-6-112	Revoked	V. 9, p. 1281
30-7-68	Amended	V. 9, p. 1723
30-7-79	New	V. 9, p. 942
30-10-1a	Amended	V. 9, p. 1603, 1646
30-10-1b	Amended	V. 9, p. 1604, 1646
30-10-1c	Amended	V. 9, p. 1605, 1646
30-10-1d	Amended	V. 9, p. 1605, 1646
30-10-1f	Amended	V. 9, p. 1605, 1646
30-10-2	Amended	V. 9, p. 1605, 1646
30-10-3	Amended	V. 9, p. 1606, 1646
30-10-6	Amended	V. 9, p. 1606, 1646
30-10-7	Amended	V. 9, p. 1606, 1646
30-10-8	Amended	V. 9, p. 1607, 1646
30-10-9	Amended	V. 9, p. 1607, 1646
30-10-11	Amended	V. 9, p. 1607, 1646
30-10-14	Amended	V. 9, p. 1609, 1646
30-10-15a	Amended	V. 9, p. 1608, 1646
30-10-15b	Amended	V. 9, p. 1610, 1647
30-10-16	Amended	V. 9, p. 1610, 1647
30-10-17	Amended	V. 9, p. 1610, 1647
30-10-18	Amended	V. 9, p. 1612, 1647
30-10-19	Amended	V. 9, p. 1613, 1647
30-10-20	Amended	V. 9, p. 1613, 1647
30-10-21	Amended	V. 9, p. 1614, 1647
30-10-22	Revoked	V. 9, p. 1614, 1647
30-10-23a	Amended	V. 9, p. 1614, 1647
30-10-23b	Amended	V. 9, p. 1615, 1647
30-10-23c	Amended	V. 9, p. 1615, 1647
30-10-24	Amended	V. 9, p. 1616, 1647
30-10-25	Amended	V. 9, p. 1617, 1647
30-10-26	Amended	V. 9, p. 1618, 1648
30-10-27	Amended	V. 9, p. 1618, 1648
30-10-28	Amended	V. 9, p. 1618, 1648
30-10-29	Amended	V. 9, p. 1619, 1648
30-10-200		
through		
30-10-209	New	V. 9, p. 1619-1624
30-10-200		
through		
30-10-209	New	V. 9, p. 1648-1652
30-22-33	New	V. 9, p. 942
30-51-1		
through		
30-51-5	Revoked	V. 9, p. 198

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
33-1-21	Revoked	V. 9, p. 167
33-2-2	Revoked	V. 9, p. 1815
33-3-2	Revoked	V. 9, p. 386
33-3-4	Revoked	V. 9, p. 386

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-15-23	Amended	V. 9, p. 1023
36-26-1	Amended	V. 9, p. 1023

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-2-20	New	V. 9, p. 1814
40-3-35	Amended	V. 9, p. 1304
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-39	New	V. 9, p. 303
40-7-11	Amended	V. 9, p. 304
40-7-20a	Amended	V. 9, p. 1305
40-7-20a	Amended	V. 9, p. 1362
40-7-22		
through		
40-7-25	New	V. 9, p. 304
40-10-2	Amended	V. 9, p. 985
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 9, p. 1424
44-6-108a		
through		
44-6-114b	Revoked	V. 9, p. 1425
44-6-114c	New	V. 9, p. 1425
44-6-120	Amended	V. 9, p. 1425

(continued)

44-6-121	Amended	V. 9, p. 1425
44-6-124	Amended	V. 9, p. 1426
44-6-125	Amended	V. 9, p. 1426
44-6-126	Amended	V. 9, p. 1426
44-6-134	Amended	V. 9, p. 1427
44-6-135	Amended	V. 9, p. 1427
44-6-135a	New	V. 9, p. 1427
44-6-136a	New	V. 9, p. 1427
44-6-143	New	V. 9, p. 1428
44-7-104	Amended	V. 9, p. 1428
44-7-114	New	V. 9, p. 577
44-8-115	New	V. 9, p. 577
44-8-116	New	V. 9, p. 577
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 950
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 950
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129	through	
44-11-135	New	V. 9, p. 81, 82

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 9, p. 706

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 9, p. 704

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-103	Amended	V. 9, p. 1707
60-11-104a	Amended	V. 9, p. 406
60-11-108	Amended	V. 9, p. 988

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-5-3	Amended	V. 9, p. 625
67-5-4	Amended	V. 9, p. 625

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-2-12a	Amended	V. 9, p. 383
68-9-1	Amended	V. 9, p. 384
68-20-20	Amended	V. 9, p. 384

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-202	Amended	V. 9, p. 1707
74-5-203	Amended	V. 9, p. 1707
74-5-406	Amended	V. 9, p. 1282
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-11	Amended	V. 9, p. 988
75-6-24	Amended	V. 9, p. 893
75-6-26	Amended	V. 9, p. 625

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 9, p. 83
81-5-6	Amended	V. 9, p. 83

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-201	Amended	V. 9, p. 894
82-1-202	Amended	V. 9, p. 895
82-1-204	Amended	V. 9, p. 895
82-1-205	Amended	V. 9, p. 896
82-1-206	Amended	V. 9, p. 896
82-1-207	Amended	V. 9, p. 896
82-9-1	Amended	V. 9, p. 1359
82-9-3	Amended	V. 9, p. 1360
82-9-5	Amended	V. 9, p. 1360
82-9-6	Amended	V. 9, p. 1360
82-9-8	Amended	V. 9, p. 1361
82-9-14	Amended	V. 9, p. 1361
82-9-16	Amended	V. 9, p. 1361
82-9-24	Amended	V. 9, p. 1362
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

AGENCY 84: PUBLIC EMPLOYEES RELATIONS BOARD

Reg. No.	Action	Register
84-1-1	Amended	V. 9, p. 943
84-1-2	Amended	V. 9, p. 943
84-1-3	New	V. 9, p. 943
84-1-4	New	V. 9, p. 943
84-2-1	through	
84-2-7	Amended	V. 9, p. 943-945
84-2-9	Amended	V. 9, p. 945
84-2-11	through	
84-2-15	Amended	V. 9, p. 945-947
84-3-1	through	
84-3-6	Amended	V. 9, p. 948
84-4-1	through	
84-4-5	Amended	V. 9, p. 948, 949
84-4-7	Amended	V. 9, p. 949
84-5-1	Amended	V. 9, p. 950

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 9, p. 835

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-20-1	through	
88-20-11	New	V. 9, p. 165-167

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27b	Amended	V. 9, p. 1099
91-1-27c	New	V. 9, p. 1099
91-1-34	Amended	V. 9, p. 1817
91-1-58	Amended	V. 9, p. 1099
91-1-62	Revoked	V. 9, p. 1817
91-1-80	Amended	V. 9, p. 1100
91-1-82	Amended	V. 9, p. 1100
91-1-101	Revoked	V. 9, p. 1101
91-1-106a	through	
91-1-106m	New	V. 9, p. 1101-1103
91-1-110	Revoked	V. 9, p. 1103
91-1-123a	New	V. 9, p. 1103
91-1-132a	Amended	V. 9, p. 1103
91-1-153	New	V. 9, p. 1817
91-12-48	Amended	V. 9, p. 1674
91-12-63	Amended	V. 9, p. 1674
91-12-70	Revoked	V. 9, p. 1674

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-23-40	Amended	V. 9, p. 1076
92-55-2a	New	V. 9, p. 1513

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

Reg. No.	Action	Register
99-26-1	Amended	V. 9, p. 1706, 1753
99-40-1	New	V. 9, p. 1753
99-40-3	New	V. 9, p. 1753

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 9, p. 1789, 1810
102-2-3	Amended	V. 9, p. 1789, 1810
102-3-2	Amended	V. 9, p. 1790, 1811
102-4-2	Amended	V. 9, p. 1790, 1811
102-4-10	New	V. 9, p. 1024

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-2-5	Amended	V. 9, p. 1076
109-2-7	Amended	V. 9, p. 1077
109-8-1	Amended	V. 9, p. 1077
109-9-1	Amended	V. 9, p. 1077
109-10-1	Amended	V. 9, p. 1078
109-12-1	Amended	V. 9, p. 1078

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1	through	
110-4-8	New	V. 9, p. 1282-1284

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-2-15	New	V. 9, p. 1812
111-3-1	Amended	V. 9, p. 1566
111-3-9	Amended	V. 8, p. 1085

111-3-10	through	
111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 9, p. 1675
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 9, p. 1675
111-3-16	Amended	V. 9, p. 1566
111-3-19	through	
111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-66	through	
111-4-77	New	V. 7, p. 207-209
111-4-96	through	

111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 9, p. 1364
111-4-101	Amended	V. 9, p. 1364
111-4-102	Amended	V. 9, p. 1364
111-4-104	Amended	V. 9, p. 1364
111-4-105	Amended	V. 9, p. 1365
111-4-106	Amended	V. 9, p. 1365
111-4-106a	New	V. 9, p. 1365
111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 9, p. 1366
111-4-111	Amended	V. 9, p. 1366

111-4-113 Amended V. 9, p. 1366
 111-4-114 Amended V. 9, p. 1366
 111-4-153 through
 111-4-160 Revoked V. 9, p. 1676, 1677
 111-4-177 through
 111-4-212 Revoked V. 9, p. 1677, 1678
 111-4-213 through
 111-4-220 New V. 9, p. 728, 729
 111-4-217 Amended V. 9, p. 986
 111-4-221 through
 111-4-224 New V. 9, p. 1197
 111-4-225 through
 111-4-228 New V. 9, p. 1366, 1367
 111-4-229 through
 111-4-236 New V. 9, p. 1566-1568
 111-4-237 through
 111-4-240 New V. 9, p. 1678, 1679
 111-4-241 through
 111-4-244 New V. 9, p. 1812
 111-4-249 through
 111-4-252 New V. 9, p. 1813
 111-5-1 through
 111-5-23 New V. 7, p. 209-213
 111-5-9 through
 111-5-15 Amended V. 8, p. 210, 211
 111-5-11 Amended V. 9, p. 505
 111-5-17 Amended V. 8, p. 211
 111-5-18 Amended V. 9, p. 1680
 111-5-19 Amended V. 8, p. 212
 111-6-1 through
 111-6-15 New V. 7, p. 213-217
 111-6-1 Amended V. 9, p. 1568
 111-6-3 Amended V. 9, p. 200
 111-6-6 Amended V. 9, p. 200
 111-6-12 Amended V. 8, p. 212
 111-6-13 Amended V. 8, p. 299
 111-6-17 New V. 7, p. 1191
 111-7-1 through
 111-7-10 New V. 7, p. 1192, 1193
 111-7-1 Amended V. 8, p. 212
 111-7-3 Amended V. 9, p. 986
 111-7-4 Amended V. 9, p. 1367
 111-7-5 Amended V. 9, p. 986
 111-7-6 Amended V. 9, p. 987
 111-7-9 Amended V. 9, p. 1569
 111-7-11 Amended V. 9, p. 987
 111-7-12 through
 111-7-32 New V. 7, p. 1194-1196
 111-7-33 through
 111-7-43 New V. 7, p. 1197, 1198
 111-7-33a New V. 8, p. 300

111-7-44 through
 111-7-54 New V. 9, p. 1367-1370
 111-8-1 New V. 7, p. 1633
 111-8-2 New V. 7, p. 1633
 111-8-3 Amended V. 9, p. 505
 111-8-4 New V. 7, p. 1714
 111-8-4a New V. 7, p. 1995
 111-8-5 through
 111-8-13 New V. 7, p. 1634
 111-9-1 through
 111-9-12 New V. 7, p. 1714-1716
 111-9-1 through
 111-9-6 Revoked V. 9, p. 1680
 111-9-13 through
 111-9-18 Revoked V. 9, p. 1680
 111-9-25 through
 111-9-30 New V. 9, p. 699, 700
 111-10-1 through
 111-10-9 New V. 8, p. 136-138
 111-10-7 Amended V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-3-16	Amended	V. 9, p. 153
112-3-19	Amended	V. 9, p. 153
112-5-1	Amended	V. 9, p. 153
112-5-2	Amended	V. 9, p. 154
112-5-3	Amended	V. 9, p. 154
112-5-8	Amended	V. 9, p. 155
112-5-9	Amended	V. 9, p. 155
112-6-6	Amended	V. 9, p. 155
112-9-5	Amended	V. 9, p. 155
112-9-7	Amended	V. 9, p. 156
112-9-8	Amended	V. 9, p. 156
112-9-11	Amended	V. 9, p. 156
112-9-13	Amended	V. 9, p. 156
112-9-18	Amended	V. 9, p. 157
112-9-21	Amended	V. 9, p. 157
112-9-22	Amended	V. 9, p. 158
112-9-23	Amended	V. 9, p. 159
112-9-29	Amended	V. 9, p. 159
112-9-34	Amended	V. 9, p. 159
112-9-37	Amended	V. 9, p. 159
112-10-4	Amended	V. 9, p. 160
112-11-2	Amended	V. 9, p. 160
112-11-3	Amended	V. 9, p. 161
112-11-6	Amended	V. 9, p. 161
112-11-7	Amended	V. 9, p. 161
112-11-9	Amended	V. 9, p. 161
112-11-10	Amended	V. 9, p. 161
112-11-12	Amended	V. 9, p. 162
112-11-14	Amended	V. 9, p. 162
112-11-15	Amended	V. 9, p. 162
112-11-20	Amended	V. 9, p. 162
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
112-15-1 through	New	V. 9, p. 1074, 1075

112-15-1 through
 112-15-7 New V. 9, p. 1346, 1347

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 9, p. 1564
115-2-3	Amended	V. 9, p. 1815
115-2-4	New	V. 9, p. 951
115-4-3	New	V. 9, p. 386
115-4-5	New	V. 9, p. 387
115-4-6	New	V. 9, p. 388
115-4-7	New	V. 9, p. 390
115-4-9	New	V. 9, p. 1135
115-4-10	Amended	V. 9, p. 1135
115-4-11	New	V. 9, p. 1135
115-5-1	New	V. 9, p. 167
115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-3	New	V. 9, p. 1135
115-7-5	Amended	V. 9, p. 951
115-7-6	New	V. 9, p. 1135
115-8-2	New	V. 9, p. 391
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169
115-10-1 through		
115-10-8	New	V. 9, p. 391, 392
115-16-1 through		
115-16-4	New	V. 9, p. 1135-1137
115-17-1 through		
115-17-5	New	V. 9, p. 1137-1139
115-17-6 through		
115-17-9	New	V. 9, p. 1564, 1565
115-20-1	New	V. 9, p. 951
115-20-2	New	V. 9, p. 1139
115-20-3	New	V. 9, p. 1140
115-21-1	New	V. 9, p. 1815
115-21-2	New	V. 9, p. 1816
115-30-2 through		
115-30-8	New	V. 9, p. 1344, 1345
115-30-9	New	V. 9, p. 1816

AGENCY 116: STATE FAIR BOARD

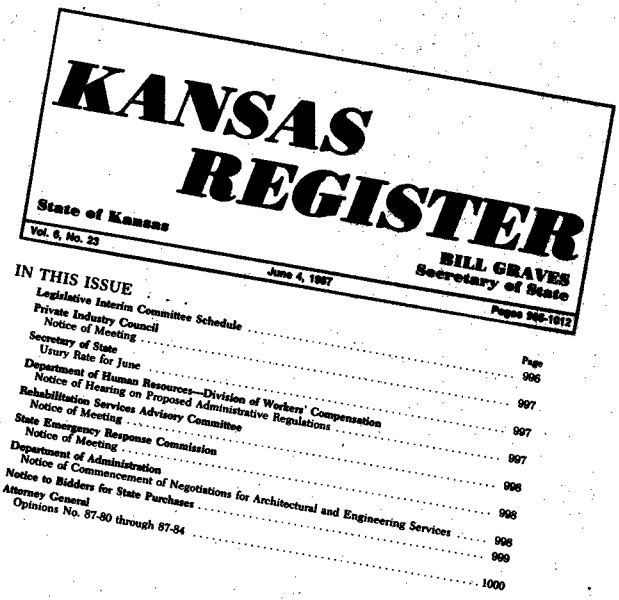
Reg. No.	Action	Register
116-2-1	Amended	V. 9, p. 1022

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	New	V. 9, p. 1786
117-2-1	New	V. 9, p. 1786
117-2-2	New	V. 9, p. 1787
117-3-1	New	V. 9, p. 1787
117-3-2	New	V. 9, p. 1787
117-6-1	New	V. 9, p. 1788
117-6-2	New	V. 9, p. 1788
117-6-3	New	V. 9, p. 1788
117-7-1	New	V. 9, p. 1789

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