

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 10

March 7, 1996

Pages 267-310

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## State of Kansas

## Legislature

## Legislative Bills Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1996 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka, 66612, (913) 296-4096.

## Bills introduced February 22-28:

## House Bills

**HB 3058**, by Committee on Appropriations: An act relating to the regulation of traffic; concerning speed limits; amending K.S.A. 8-1558 and 8-2002 and K.S.A. 1995 Supp. 8-1559, 8-1560, 8-2118 and 8-2204 and repealing the existing sections; also repealing K.S.A. 8-1334, 8-1335, 8-1336, 8-1336a, 8-1338a, 8-1338b, 8-1339, 8-1340, 8-1341 and 8-1341a and K.S.A. 1995 Supp. 8-1337 and 8-1338.

**HB 3059**, by Committee on Taxation: An act amending the homestead property tax refund act; amending K.S.A. 79-4505 and K.S.A. 1995 Supp. 79-4502 and repealing the existing sections.

**HB 3060**, by Committee on Taxation: An act relating to sales taxation; concerning timing of refunds; amending K.S.A. 1995 Supp. 79-3609 and repealing the existing section.

**HB 3061**, by Committee on Taxation: An act concerning the taxation of motor vehicle fuels; providing certain payments to native Americans; amending K.S.A. 79-3461 and K.S.A. 1995 Supp. 79-3407, 79-3408, 79-3408c, 79-3409 and 79-3412 and repealing the existing sections; also repealing K.S.A. 1995 Supp. 79-3408g.

**HB 3062**, by Committee on Taxation: An act relating to sales taxation; concerning refunds of tax paid on food; amending K.S.A. 79-3634 and 79-3635 and repealing the existing sections.

## House Resolutions

**HR 6012**, A resolution disapproving Executive Reorganization Order No. 27, relating to the state's administration of the federal individuals with disabilities education act.

**HR 6013**, A resolution requesting the Department of Health and Environment to meet with municipalities regarding water quality based

effluent limits, defer setting new effluent limits and report to the Legislature regarding designated uses of waters of the state.

**HR 6014**, A resolution in memory of Bruce Hurd.

## Senate Bills

**SB 733**, by Committee on Federal and State Affairs: An act concerning the interstate emergency management assistance compact; authorizing the governor to execute such compact on behalf of the state.

**SB 734**, by Committee on Ways and Means: An act concerning state employees; relating to compensation for certain hours of work.

**SB 735**, by Committee on Ways and Means: An act concerning state officers and employees; relating to promotion and layoff procedures; amending K.S.A. 1995 Supp. 75-2943, 75-2944 and 75-2948 and repealing the existing sections.

## Senate Concurrent Resolutions

**SCR 1623**, A concurrent resolution appointing a task force on the regulation of residential building contractors; mandating its tasks; stating membership; and directing the task force to make certain recommendations.

## Senate Resolutions

**SR 1814**, A resolution congratulating and commending Sarah Hannah Winrow Adams on her 103 years of life and her contributions to her community and to Kansas.

**SR 1815**, A resolution encouraging the Secretary of Health and Environment and the Secretary of Commerce and Housing to work together to find additional sources of funding for businesses engaged in recycling and utilizing waste tires.

**SR 1816**, A resolution requesting the Kansas Department of Transportation to work with the Kansas Legislature to develop a response to the reductions in funding and service levels under the federal essential air service program.

**SR 1817**, A resolution urging the Kansas Department of Insurance to undertake a study of the laws and rules and regulations which govern the sale of long-term care insurance in Kansas.

**SR 1818**, A resolution congratulating and commending Staff Sergeant Gary Berger for receiving the Airman's Medal for Heroism.

**SR 1819**, A resolution in memory of John M. Ragland, Jr.

**SR 1820**, A resolution in memory of Bruce Hurd.

Doc. No. 017361

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**PUBLISHED BY**  
**Ron Thornburgh**  
 Secretary of State  
 2nd Floor, State Capitol  
 300 S.W. 10th Ave.  
 Topeka, KS 66612-1594  
 (913) 296-2236



**Register Office:**  
 Room 233-N, State Capitol  
 (913) 296-3489

## State of Kansas

**Kansas Value Added Center****Notice of Leadership Council Meeting**

The Leadership Council of the Kansas Value Added Center (KVAC) will convene for a board meeting at 9 a.m. Friday, March 15, at the Ramada Inn, Parlor B, 420 S.W. 6th, Topeka. For further information, contact Maggie Riggs at (316) 663-3717.

Maggie Riggs  
Chairperson

Doc. No. 017366

## State of Kansas

**Attorney General****Opinion No. 96-12**

**Public Health—Healing Arts—Persons Deemed Engaged in Practice of Medicine and Surgery; Persons Deemed Engaged in Practice of Chiropractic; Scope of Practice and Manual Manipulation. Representative Gary Merritt, 20th District, Overland Park, February 20, 1996.**

The practice of medicine and surgery and the practice of chiropractic are licensed professions each with their own scope of practice as defined by statute. While manual manipulation as defined generally may include methods of practice authorized to one or the other profession or both, chiropractic manual manipulation as taught in accredited schools of chiropractic is not within the scope of practice of medicine and surgery as defined by K.S.A. 65-2869. Cited herein: K.S.A. 65-2869; 65-2871. GE

**Opinion No. 96-13**

**Crimes and Punishment; Prohibited Conduct—Crimes Affecting Governmental Functions—Attempting to Influence a Judicial Officer; Victim Impact Statements. Frank E. Kohl, Leavenworth County Attorney, Leavenworth, February 20, 1996.**

A victim impact statement which is part of the present investigative report and is prepared by either a victim or a victim advocate on behalf of a victim does not violate K.S.A. 21-3815 because it does not constitute an attempt to improperly influence a judge. Cited herein: K.S.A. 21-3815, 21-4604, 21-4714; 22-3424; K.S.A. 1995 Supp. 74-7333; Kan. const., art. 15, § 15. MF

**Opinion No. 96-14**

**State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings—Meetings of Public Bodies Open to the Public; Notice of Meetings; Recesses by City Governing Bodies. Representative Doug Lawrence, 9th District, Burlington, February 20, 1996.**

K.S.A. 75-4318 requires that actual notice of regular and special meetings subject to the Kansas open meetings act (KOMA) be individually provided to those persons requesting such notice. If there is no intent to subvert the KOMA, a meeting subject to that act may be adjourned,

recessed or continued to another date, time or place. In our opinion, the notice requirements and intent of the KOMA are violated by giving notice that a meeting will begin on one day and then subsequently continuing that meeting to another day without making a good faith attempt to provide notice of the new date, time and place to those requesting notice. Cited herein: K.S.A. 1995 Supp. 121-510b; 12-520a; K.S.A. 12-641; 12-749; 12-756; 12-1772; 13-1410; 14-111; 15-106; 15-123; 19-2646; 19-27,186; 75-4317; K.S.A. 1995 Supp. 75-4317a; K.S.A. 75-4318; K.S.A. 1995 Supp. 75-4319. TMN

**Opinion No. 96-15**

**Constitution of the State of Kansas—Finance and Taxation—State Tax Levies for Buildings; Bonds and Warrants. Ted D. Ayres, General Counsel and Director of Governmental Relations, Kansas Board of Regents, February 22, 1996.**

The plan of finance proposed in 1996 Senate Bill No. 552 in conjunction with K.S.A. 76-6b01 and 76-6b02 would not create a debt within the meaning of Article 11, Section 6 of the Kansas Constitution. While this precise issue has not previously been addressed by the Kansas Supreme Court, principles set forth in earlier cases indicate that unless the state obligates itself to a faith and credit pledge and levies a property tax in support thereof, no constitutional violation exists. Cited herein: K.S.A. 76-6b01; 76-6b02; Kan. const., art. 11, § 6; 1996 senate bill no. 552. REF

**Opinion No. 96-16**

**Cities and Municipalities—Planning and Zoning; Planning, Zoning and Subdivision Regulations in Cities and Counties—Planning Commission; Membership; Compensation; Application of Home Rule to Reimburse Members of a City or County Planning Commission for Travel Expenses. Representative Kent Glasscock, 62nd District, Manhattan, February 22, 1996.**

Cities and counties may use their home rule powers to enact local legislation which provides for the reimbursement of travel expenses for members of planning commissions. Cited herein: K.S.A. 12-741; 12-744; 12-747; 12-749; 12-753; 19-101a; Kan. const., art. 12, § 5. MF

**Opinion No. 96-17**

**Cities and Municipalities—Additions, Vacation and Lot Frontage; Annexation by Cities—Conditions Which Permit Annexation; Agricultural Use Exception. Representative Kenny A. Wilk, 42nd District, Lansing, February 22, 1996.**

The mere presence of a rural or suburban home site is not sufficient to destroy the prohibition against annexing land devoted to agricultural use. Cited herein: K.S.A. 12-519; K.S.A. 1995 Supp. 12-520; K.S.A. 60-3201; K.S.A. 1995 Supp. 79-1439; K.S.A. 79-1459; K.S.A. 1995 Supp. 79-1476; Kan. const., art. 15, § 9. MF

Carla J. Stovall  
Attorney General

Doc. No. 017370

## State of Kansas

## Board of Education

Notice of Available Federal Funding  
for Adult Basic Education

Pursuant to assurances as set out in the amended Kansas State Plan for Adult Basic Education, notification of available federal funding for three programs is announced. These funds are authorized by Section 322 and 353 of the Adult Education Act (P.L. 100-297).

Section 322 of the Adult Education Act provides federal financial assistance to states to assist and expand existing programs and to develop new programs for adults whose lack of basic skills:

- (a) renders them unemployable;
- (b) keeps them, whether employed or unemployed, from functioning independently in society; and
- (c) severely reduces their ability to have a positive effect on the literacy of their children.

The Basic Program Grant provides eligible entities direct and equitable access to federal funds provided under Section 322. The eligible entities are local education agencies, public or private nonprofit agencies, community-based organizations, correctional education agencies, postsecondary educational institutions, and institutions that serve educationally disadvantaged adults. Applications will be accepted until May 10 for grants under this section.

Two grant programs are available under Section 353. Staff Development Grant applications are a necessary companion to the applications for a Section 322 Basic Grant Program. No Section 322 Basic Grant Program will be approved without an approved Section 353 Staff Development Grant application. Staff Development Grants must address the following priorities established by the Adult Education Act:

- (a) training for full-time professional adult educators;
- (b) training for minority educators;
- (c) training for educators of adults with limited English proficiency; and
- (d) training teachers to recognize and more effectively serve illiterate individuals with learning disabilities and individuals who have a reading ability below the fifth grade level.

Applications will be accepted until May 10 for grants under this program.

In addition, mini-grants of up to \$500 are available under Section 353 for research and special demonstration projects. Proposals for these projects should address the federal and state staff developmental priorities. Applications will be accepted until December 30 for grants under this program.

For further information and applications, contact Janet Stotts, Adult Education Consultant, Kansas State Board of Education, 120 S.E. 10th Ave., Topeka, 66612-1182, (913) 296-3192.

Dale M. Dennis  
Interim Commissioner of Education

Doc. No. 017367

## State of Kansas

## Employee Award Board

## Notice of Meeting

The Employee Award Board will meet at 1 p.m. Friday, March 8, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett  
Chairperson

Doc. No. 017356

(Published in the Kansas Register March 7, 1996.)

## Johnson County Community College

## Notice of Intent to Issue Revenue Bonds

The Board of Trustees of Johnson County Community College, Johnson County, Kansas, duly adopted a resolution on February 22, 1996, declaring it necessary to and authorizing the college to acquire, construct, furnish and equip buildings on the campus located in the City of Overland Park, Kansas, to be used as a student commons addition, a student commons annex and a parking facility (collectively, the "project"), at a total estimated cost of \$15,425,000, under the authority of K.S.A. 76-6a12 to 76-6a25, inclusive, as amended and supplemented.

Said resolution of the Board of Trustees declares it necessary to and authorizes the issuance and sale of revenue bonds of the college in an amount not to exceed \$13,875,000, in order to pay the costs of the project, including costs and any reserve funds related to the issuance of the revenue bonds.

Unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by said Board of Trustees prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the Board of Trustees, and all such revenue bonds shall be conclusively presumed to be legal and no court shall thereafter have the authority to inquire into such matters.

Dated February 22, 1996.

Board of Trustees  
Johnson County Community College  
Johnson County, Kansas  
By Fred J. Logan, Jr.  
Chairperson, Board of Trustees  
Attest: Charles J. Carlsen  
Secretary, Board of Trustees

Doc. No. 017365

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

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

Monday, March 18, 1996

31688

Department of Transportation—Portland cement in bags, various locations

03416

Kansas State University—Unix based parallel symmetrical multiple processor

03431

Department of Social and Rehabilitation Services—Mail system, Garden City

Tuesday, March 19, 1996

31687

Kansas Correctional Industries—Various paint resins

31692

Kansas Highway Patrol—Highway Patrol officer's uniforms

03454

Kansas State University—Digital imaging system complete

Wednesday, March 20, 1996

A-7854

University of Kansas—Partial reroof, Allen Fieldhouse

31690

Department of Transportation—Asphaltic materials, statewide

03430

Department of Health and Environment—Compact utility vehicles

03432

University of Kansas—Paper, printing and binding: Preface to American Political Theory

03433

Wichita State University—Automatic floor scrubber

03434

Kansas Judicial Branch—Unix workstation

03435

Pittsburg State University—Computer system (RS/6,000 7024-E20)

03452

University of Kansas—Video/audio overhead equipment

03463

Kansas State University—Milo and corn

Thursday, March 21, 1996

31693

Department of Corrections—Electronic monitoring services

31694

Department of Wildlife and Parks—Printing of hunting and fishing regulation booklets

03446

Department of Transportation—Aggregate (District 1), various locations

03447

Department of Wildlife and Parks—Construct transfer channel and control structures, Pleasanton

03448

Department of Wildlife and Parks—Portable global positioning system receiver

Friday, March 22, 1996

03451

University of Kansas—Printing of undergraduate catalog

03453

Emporia State University—9121 Model 260 with trade-in of equipment

03462

Wichita State University—Workstation (RS/Model E20)

03464

Kansas State University—Compact sport utility vehicle

Monday, March 25, 1996

31682

Statewide—Air charter service

Tuesday, March 26, 1996

A-7769

Department of Transportation—Reroof sub-area shop, District 6, Liberal

Wednesday, March 27, 1996

31686

Statewide—Radiographic supplies (Class 013)

Thursday, March 28, 1996

A-7720

Youth Center at Atchison—Upgrade smoke sensors, Ivy and Maple Cottages

\*\*\*\*\*

Request for Proposals

Thursday, March 21, 1996

31680

Leased or purchased facility in Great Bend for the Kansas Bureau of Investigation

John T. Houlihan  
Director of Purchases

Doc. No. 017373

## State of Kansas

## Wichita State University

## Notice to Bidders

Wichita State University is accepting bids on the following item:

**Closing March 14, 1996**

**Quotation 960342-1**

Untrasonic NDI system upgrade

Bids must be submitted to the Wichita State University, Office of Purchasing, Morrison Hall, Room 021, 1845 N. Fairmount, Wichita, 67260-0012, by 2 p.m. on the above specified closing date. Please refer to the above quotation number on all correspondence. For additional information, contact the Office of Purchasing at (316) 689-3080.

Gary D. Link  
Director of Purchasing

Doc. No. 017358

## State of Kansas

Department of Health  
and Environment

## Request for Proposals

A public education mini-grant program has been developed by the Kansas Breast and Cervical Cancer Initiative (KBCCI) through the Kansas Department of Health and Environment's Bureau of Chronic Disease and Health Promotion (BCDHP). The program is designed to build local coalitions in order to ensure that women are aware of the importance of breast and cervical cancer screening, are knowledgeable about providers of services, become active initiators of the screening process, and adhere to recommended screening guidelines.

Awards of up to \$2,000 each will be made to selected applicants for the development of breast and cervical cancer public education coalitions' programs, projects and activities. The funding is available to community and professional groups and organizations.

The method of selection for the grant program is competitive. Consideration of applications will be accomplished through review by a committee of the KBCCI Public Education Task Force. Proposals that address minority or rural women will receive priority funding. The deadline for applications is March 22, and notification of awards will be made by April 1. Applications received after the closing date will not be considered for this round of funding.

Application materials can be obtained by contacting Deb Silvius-Parsons, Public Health Educator, KBCCI, KDHE, Suite 901-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (913) 296-8161.

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017376

## State of Kansas

## State Conservation Commission

## Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, March 11, at the State Conservation Commission office, Conference Room 500, 109 S.W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at (913) 296-3600. If special accommodations are needed, please contact the agency three days in advance of meeting date.

Tracy D. Streeter  
Executive Director

Doc. No. 017371

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Shilling Construction Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to increase the capacity of its asphalt plant. Emissions of particulate matter were evaluated during the permit review process.

Shilling Construction Company, Manhattan, owns and operates the stationary source located at 321 McDowell Creek Road, Manhattan, at which the plant is located.

A copy of the proposed permit, permit application, all supporting, nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE north central district office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Eugene Sallee, (913) 296-1575, at the KDHE central office, or Rick Brunetti, (913) 842-4600, at the KDHE north central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Eugene Sallee, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business April 8 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business April 8 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017368

State of Kansas

Secretary of State

Usury Rate for March

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of March 1, 1996 through March 31, 1996, is 9.21 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 017362

State of Kansas

Department of Health  
and Environment

Notice Concerning Kansas  
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-96-59/70

Name and Address of Applicant	Legal Description	Receiving Water
Ballman Feedyard HC 1, Box 33 Menlo, KS 67753	NW/4, Sec. 12, T9S, R30W, Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-C001 Federal Permit No. KS-0055549

This is an existing facility for 4,000 head (4,000 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 101.8 acre-feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Keott Farms, Inc. c/o Richard Cott 1047 20th Road Clay Center, KS 67432	SW/4, Sec. 27, T7S, R2E, Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-S045

This is a new facility for 1,800 head (600 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 48,200 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Farms, Inc. c/o Steve Kramer Route 1, Box 86 Corning, KS 66417	SE/4, Sec. 3, T3S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S048

This is an existing facility for 2,024 head (330 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 90,835 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Farms, Inc. c/o Steve Kramer Route 1, Box 86 Corning, KS 66417	SE/4, Sec. 3, T2S, R16E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S040

This is an existing facility for 1,800 head (720 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 77,886 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
K.K. Farms Robert K. Krehbiel 7102 E. 95th, Box 525 Buhler, KS 67552	SE/4, Sec. 1, T22S, R5W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-LARN-S019

This is an existing facility for 2,400 head (960 animal units) of swine greater than 55 pounds each.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 235,178 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the Natural Resource Conservation Service and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs.

(continued)

Name and Address of Applicant  
Fischer Dairy  
Edward Fischer  
2298 Temple Road  
Frankfort, KS 66427

Legal Description  
SE/4, Sec. 15, T4S,  
R9E, Marshall  
County

Receiving Water  
Big Blue River  
Basin

Livestock waste and soils at the application site shall be tested for nutrient content, and application rates shall be based on crop nutrient needs.

Name and Address of Applicant  
New Hog Finishers  
Bruce Bauer  
1471 15th Road  
Clay Center, KS 67432

Legal Description  
NE/4, Sec. 29, T8S,  
R3E, Clay County

Receiving Water  
Republican River  
Basin

Kansas Permit No. A-BBMS-M008

This is an existing facility for 70 head (98 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 80,384 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Kansas Permit No. A-LRCY-S023

This is an existing expansion facility for 1,100 head (440 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 25,345 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant  
Great Bend Feeding, Inc.  
Route 5, Box 150  
Great Bend, KS 67530

Legal Description  
Sec. 11, T19S,  
R14W,  
Barton County

Receiving Water  
Arkansas River  
Basin

Name and Address of Applicant  
Don and Mark Bethe  
712 Hawk Road  
Hope, KS 67451

Legal Description  
SW/4, Sec. 34, T15S,  
R2E, Dickinson  
County

Receiving Water  
Smoky Hill  
River Basin

Kansas Permit No. A-UABT-C002 Federal Permit No. KS-0040576

This is an existing facility for 35,000 head (35,000 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 332.4 acre-feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by Agricultural Engineering Associates and approved by the department shall be adhered to as a condition of this permit. The approved plan will become part of this permit.

Kansas Permit No. A-SHDK-B008

This is a new facility for 500 head (250 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 4.39 acre-feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant  
Schroeder Brothers  
Route 1, Box 26  
Tipton, KS 67485

Legal Description  
NW/4, Sec. 10, T9S,  
R11W, Osborne  
County

Receiving Water  
Solomon River  
Basin

Name and Address of Applicant  
C.B. Showalter  
8803 E. Arlington Road  
Haven, KS 67543

Legal Description  
NE/4, Sec. 21, T24S,  
R6W, Reno County

Receiving Water  
Lower Arkansas  
River Basin

Kansas Permit No. A-SOOB-S009

This is an existing facility for 600 head (160 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 26,203 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Kansas Permit No. A-ARRN-S016

This is an expansion facility for 999 head (400 animal units) of swine greater than 55 pounds.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 117,302 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs.

Name and Address of Applicant  
Valley Pork Ranch, Inc.  
1919 Kiowa Road  
Clay Center, KS 67432

Legal Description  
SE/4, Sec. 34, T7S,  
R2E, Clay County

Receiving Water  
Republican River  
Basin

Public Notice No. KS-96-038/041

Name and Address of Applicant  
Marley Cooling Tower Co.  
Marley and Lone Elm Road  
Olathe, KS 66061

Waterway  
Kansas River via  
Cedar Creek via  
unnamed tributary

Type of Discharge  
Cooling tower  
blowdown and  
stormwater

Kansas Permit No. A-LRCY-H003 Federal Permit No. KS-0092487

This is an existing facility for 2,600 head (1,040 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided for 68,450 cubic feet, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Kansas Permit No. I-KS52-C002

Federal No. KS-0002607

Facility Description: The permit is for an existing facility. This facility is engaged in the manufacture of parts for cooling water towers. The parts are made from polyester resin and fiberglass using the spray lay-up process. The outfall receives cooling tower blowdown from the machining plant and stormwater runoff from the machining plant and the storage area between the two plants. The outfall 002 receives stormwater runoff from the plastics plant. The cooling water discharge to outfall 001 is during the summer only and is about 578 gallons per day. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant  
Great Bend Public Library  
1409 Williams St.  
Great Bend, KS 67530

Waterway  
Arkansas River via  
storm sewer

Type of Discharge  
Noncontact  
cooling water

Kansas Permit No. I-UA16-C002

Federal No. KS-0079961



Facility Description: The permit is for an existing facility. The library's air conditioning system utilizes well water for noncontact cooling purposes. The water is routed through the condenser and is discharged to the Arkansas River via a storm sewer. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Sterling Municipal Power Plant 114 N. Broadway Sterling, KS 67579	Arkansas River via Cow Creek via Bull Creek via Silver Lake via 11th St. ditch	Noncontact cooling water

Kansas Permit No. I-AR85-CO01 Federal No. KS-0084905

Facility Description: The permit is for an existing facility. This facility is a standby electrical generating station used for peaking and emergency power. Wastewater consists of noncontact cooling water. The facility is normally operated three months out of the year. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Economy Inn c/o Nick Patel Route 1, Box 131 South Haven, KS 67140	Meridian River via unnamed tributary	Treated domestic wastewater

Kansas Permit No. C-AR81-0003 Federal No. KS-0087246

Facility Description: The permit is for an existing facility. The facility consists of a two-cell wastewater treatment lagoon system treating domestic wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

**Public Notice No. KS-ND-96-015/016**

Name and Address of Applicant	Legal Location	Type of Discharge
Unified School Dist. No. 287 Appanoose Elementary School P.O. Box 38 Pomona, KS 66076	NE¼ S6, T16S, R18E, Franklin County	Nondischarging

Kansas Permit No. M-MC36-NO02

Facility Description: The proposed permit is for re-issuance of an existing permit for operation of an existing nondischarging wastewater treatment plant treating domestic wastewater. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit has a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

Name and Address of Applicant	Legal Location	Type of Discharge
Reno County SD #8 c/o David McComb 206 W. 1st Hutchinson, KS 67501	SE¼ S2, T22S, R6W, Reno County	Nondischarging with irrigation

Kansas Permit No. M-AR49-NO05

Facility Description: The proposed permit is for re-issuance of an existing permit for operation of an existing nondischarging wastewater treatment plant treating domestic wastewater. Disposal of the lagoon wastewater is by percolation, evaporation and irrigation of a golf course. The proposed permit has monitoring, permit limits and management requirements for the golf course irrigation procedure.

**Public Notice No. KS-PT-96-004/006**

Name and Address of Applicant	Receiving Facility	Type of Discharge
Tomkins Industries, Inc. 1700 N. 21st St. Parsons, KS 67357	Parsons WWTF	Process water

Kansas Permit No. P-NE55-0002

Facility Description: This facility manufactures aluminum fire and smoke dampers. It operates an aluminum cleaning line consisting of seven tanks using a chromate conversion coating process. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Plating Inc. Westport Add. Ind. Pk. 8801 6th St. Great Bend, KS 67530	Great Bend WWTF	Process water

Kansas Permit No. P-UA16-0001

Facility Description: This facility is a job shop which performs hard chromium and zinc electroplating and performs conversion coating operations. This facility discharges more than 10,000 gpd of process wastewater to the city sewer. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
General Electric Co. GEC Precision Corp. 102 E. Hillside Wellington, KS 67152	Wellington WWTF	Process water

Kansas Permit No. P-AR92-0002

Facility Description: This facility manufactures sheet metal parts and assemblies for aircraft and missile industries. This facility does conversion coating of aluminum parts and passivating (chemical cleaning) of stainless steel parts. This facility also has a heat treat operation. The permit limits are pursuant to state and federal pretreatment requirements.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before April 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-59/70, KS-96-038/041, KS-ND-96-015/016, KS-PT-96-004/006) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, 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 for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, 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 Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017369

## State of Kansas

## Office of the State Treasurer

## Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 3-11-96 through 3-17-96	
Term	Rate
0-90 days	5.72%
3 months	4.98%
6 months	4.98%
9 months	5.07%
12 months	5.15%
18 months	5.20%
24 months	5.24%
36 months	5.42%
48 months	5.54%

Sally Thompson  
State Treasurer

Doc. No. 017360

(Published in the Kansas Register March 7, 1996.)

## Summary Notice of Bond Sale

\$137,589.31

City of Kingman, Kansas

General Obligation Bonds, Series 1996-1

(General obligation bonds payable from unlimited ad valorem taxes)

## Sealed Bids

Subject to the notice of bond sale dated March 7, 1996, sealed bids will be received by the clerk of the City of Kingman, Kansas (the issuer), on behalf of the governing body at City Hall, 324 N. Main, Kingman, KS 67068, until 5 p.m. on March 14, 1996, for the purchase of \$137,589.31 principal amount of General Obligation Bonds, Series 1996-1. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

## Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$7,589.31. The bonds will be dated March 15, 1996, and will become due on September 1 in the years as follows:

Year	Principal Amount
1997	\$ 7,589.31
1998	10,000
1999	10,000
2000	15,000
2001	15,000
2002	15,000
2003	15,000
2004	15,000
2005	15,000
2006	20,000

The bonds will bear interest from the date thereof at

rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1997.

## Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

## Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$2,758.79 (2 percent of the principal amount of the bonds).

## Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before March 28, 1996, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

## Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1995 is \$13,410,471. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$386,978.36.

## Approval of Bonds

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

## Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 532-3111, or the financial advisor, Smith Barney, Inc., 200 W. Douglas, Suite 120, Wichita, KS 67202, Attention: Marvin Cox, Jr., (316) 263-3111.

Dated February 29, 1996.

City of Kingman, Kansas

Doc. No. 017374

(Published in the Kansas Register March 7, 1996.)

## Summary Notice of Bond Sale

City of Olathe, Kansas

\$5,390,000\* Temporary Notes

Series 1996-A

and

\$8,305,000\* General Obligation Bonds

Series 189

of the

City of Olathe, Kansas

(General obligations payable from unlimited ad valorem taxes)

## Sealed Bids

Subject to the notice of sale and preliminary official statement, sealed bids will be received by the city clerk of the City of Olathe, Kansas, on behalf of the governing

body at City Hall, 100 W. Santa Fe, Olathe, KS 66061, on Tuesday, March 19, 1996, for the purchase of \$5,390,000\* Temporary Notes, Series 1996-A, and \$8,305,000\* principal amount of General Obligation Bonds, Series 189. Bids for the notes will be opened at 11:30 a.m. local time on that day, and bids for the bonds will be opened at noon local time on that day. No bid will be considered of less than 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery and less than 99 percent of the principal amount of the bonds and accrued interest to the date of delivery.

10/01/12	195,000
04/01/13	205,000
10/01/13	210,000
04/01/14	215,000
10/01/14	220,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 1996. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar for the bonds.

**Note Details**

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated April 15, 1996, will become due on June 1, 1997. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable semiannually on June 1 and December 1, beginning December 1, 1996. The city treasurer will be the paying agent and note registrar for the notes.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 15, 1996, and will become due semiannually on April 1 and on October 1, beginning April 1, 1997, in the years as follows:

Year	Principal Amount
04/01/97	\$375,000
04/01/98	375,000
04/01/99	375,000
04/01/00	475,000
10/01/00	105,000
04/01/01	480,000
10/01/01	110,000
04/01/02	490,000
10/01/02	115,000
04/01/03	495,000
10/01/03	120,000
04/01/04	500,000
10/01/04	130,000
04/01/05	505,000
10/01/05	135,000
04/01/06	500,000
10/01/06	140,000
04/01/07	145,000
10/01/07	150,000
04/01/08	155,000
10/01/08	160,000
04/01/09	160,000
10/01/09	165,000
04/01/10	170,000
10/01/10	175,000
04/01/11	180,000
10/01/11	185,000
04/01/12	190,000

**Good Faith Deposit**

Each bid for the notes shall be accompanied by a good faith deposit in the form of a cashier's or certified check or a financial surety bond in the amount of 1 percent of the principal amount of the notes. Each bid for the bonds shall be accompanied by a certified check drawn on a bank located in the United States of America in the amount of 2 percent of the principal amount of the bonds.

**Delivery**

The city will pay for printing the bonds and for preparing the notes and will, before April 24, 1996, deliver the bonds properly prepared, executed and registered without cost to the successful bidder at such bank or trust company in the United States of America as may be specified by the successful bidder, and will deliver the notes in book-entry form only to Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1996 is \$478,483,343. The total general obligation indebtedness of the city as of the date of the bonds, including the notes and bonds being sold, is \$70,315,000, and the total general obligation indebtedness of the city as of December 31, 1995, for debt limitation purposes is \$35,852,646.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from Kevin Hammeke, the city's director of financial services, (913) 782-2600, or the city's financial advisor, Piper Jaffray Inc., Kansas City, Missouri, Attention: Dennis Mitchell, (816) 360-3072.

Dated March 5, 1996.

City of Olathe, Kansas  
 Howard W. Pevehouse  
 Olathe City Clerk  
 Olathe City Hall  
 100 W. Santa Fe  
 Olathe, KS 66061  
 (913) 782-2600

\* Subject to change.  
 Doc. No. 017375

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. March 26 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

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 271-3146. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

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

\*\*\*\*\*

Applications set for March 26, 1996

Application for Certificate of Public Service:

2R Trucking LLC ) Docket No. 193,805 M
Route 1 )
Guide Rock, NE 68942 ) MC ID NO. 152828

Applicant's Attorney: None

Grain,

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Certificate of Public Service:

AmeriGas Propane, L.P., dba ) Docket No. 194,258 M
Propane Transport )
International )
55 W. Technecenter Drive )
Milford, OH 45150 ) MC ID No. 152956

Applicant's Attorney: David M. O'Boyle, Wick, Streiff, Meyer, Metz & O'Boyle, P.C., 1450 Two Chatham Center, Pittsburgh, PA 15219-3427

General commodities (except household goods),

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Certificate of Public Service:

American Wholesale ) Docket No. 176,766 M
Corporation )
24000 U.S. Highway 75 )
Holton, KS 66436 ) MC ID No. 141253

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods and hazardous commodities),

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Certificate of Public Service:

Atlantic Inland Carriers, Inc. ) Docket No. 156,044 M
2501 W. Howard St. )
Indianapolis, IN 46221 ) MC ID NO. 128310

Applicant's Attorney: None

General commodities (except household goods),

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Contract Carrier Permit:

Howard E. Atwood, dba ) Docket No. 193,919 M
Butler Co. Pump )
415 N. Industrial Road )
El Dorado, KS 67042 ) MC ID No. 152945

Applicant's Attorney: None

Newspapers,

Between all points and places in the State of Kansas. Under contract with the Wichita Eagle, Wichita, Kansas.

\*\*\*\*\*

Application for Transfer of Certificate of Public Service:

William W. Cochren, dba ) Docket No. 147,570 M
Parallel Farms )
Route 1 )
Whiting, KS 66552-9730 ) MC ID No. 117801

To:
Parallel Farms, Inc.
18893 286th Road
Whiting, KS 66552

Applicant's Attorney: None

Grain, seed, feed, feed ingredients and fertilizer,

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Certificate of Public Service:

Complete Mobile Home ) Docket No. 193,920 M
Moving, Inc. )
2300 E. 7th, #21 )
Hays, KS 67601 ) MC ID No. 152946

Applicant's Attorney: Ann L. Hoover, Bennett & Dillon, L.L.P., 1605 S.W. 37th, Topeka, KS 66611-2810

Manufactured housing,

Between all points and places in the State of Kansas.

\*\*\*\*\*

Application for Certificate of Public Service:

Davis Transport, Inc. ) Docket No. 127,976 M
216 Trade St. )
Missoula, MT 59802 ) MC ID No. 107164

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Douglas P. Devlin ) Docket No. 193,602 M  
Route 2, Box 147 )  
Lebanon, KS 66952 ) MC ID No. 152708

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Name Change of Certificate of Public Service:**

Gehrt L. Dickman, dba ) Docket No. 160,255 M  
Dickman Transportation )  
810 N. Locust )  
Red Cloud, NE 68970 ) MC ID No. 130684

TO:  
Gehrt L. and Paul Dickman, dba  
Dickman Transportation  
810 N. Locust  
Red Cloud, NE 68970

Applicant's Attorney: None

*Grain, salt,*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Randall P. Ehling, dba ) Docket No. 193,922 M  
Ehling Truck Line )  
3607 S. Segro Road )  
Abbyville, KS 67510 ) MC ID No. 152948

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Crispin Estrada, dba ) Docket No. 193,923 M  
Estrada Mobile Home Service )  
312 N. Sherman )  
Liberal, KS 67901 ) MC ID No. 152949

Applicant's Attorney: None

*Mobile homes,*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Michael Fallis ) Docket No. 193,918 M  
1185 W. 280th Drive )  
Luray, KS 67649 ) MC ID No. 152944

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

G & B Enterprises, Inc., dba ) Docket No. 194,254 M  
Puett's Simmental Ranch )  
Route 1, Box 750 )  
Ogden, KS 66517 ) MC ID No. 152952

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Carroll D. Gerardy, dba ) Docket No. 194,117 M  
Gerardy Trucking )  
P.O. Box 143 )  
Clay Center, KS 67432 ) MC ID No. 153020

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Mark Houser, dba ) Docket No. 191,647 M  
Houser Farms and )  
Harvesting )  
1201 State St. )  
Larned, KS 67550 ) MC ID No. 151357

Applicant's Attorney: None

*General commodities (except household goods, hazardous materials and Classes A and B explosives),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Lakeside Enterprises, Inc. ) Docket No. 194,178 M  
Route 3 )  
Iola, KS 66749 ) MC ID No. 153069

Applicant's Attorney: None

*General commodities (except household goods),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

**Application for Certificate of Public Service:**

Lawrence Traffic Bureau, Inc., ) Docket No. 194,259 M  
dba )  
Tomken Transportation )  
6730 Wilson Ave. )  
Kansas City, MO 64125 ) MC ID No. 152957

Applicant's Attorney: None

*General commodities (except household goods and hazardous materials),*

Between all points and places in the State of Kansas.

\*\*\*\*\*

(continued)

**Application for Certificate of Public Service:**

James Mason Enterprises, Inc.) Docket No. 142,189 M  
3810 Bridgeport Circle )  
Wichita, KS 67219 ) MC ID No. 112160

Applicant's Attorney: William Barker, 3401 Harrison,  
Topeka, KS 66611

*General commodities (except explosives and household goods),  
Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Certificate of Public Service:**

Jim McLaughlin, dba ) Docket No. 194,255 M  
M & M Trucking )  
539 W. Burt St. )  
Lincoln, NE 68521 ) MC ID No. 152953

Applicant's Attorney: None

*General commodities (except household goods and  
hazardous materials),*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Certificate of Public Service:**

Med-Care Services, Inc. ) Docket No. 194,256 M  
619 Dakota )  
Holton, KS 66436 ) MC ID No. 152954

Applicant's Attorney: None

*Patients to pre-scheduled medical and dental appointments,  
and nonambulatory patients to place of residence and nursing  
homes when an ambulance is not required,*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Certificate of Public Service:**

Meyer Trucking, Inc. ) Docket No. 193,917 M  
Route 2, Box 231 )  
Concordia, KS 66901 ) MC ID No. 152943

Applicant's Attorney: Clyde Christey, Southwest Plaza  
Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

*General commodities except household goods, but including  
motor vehicle fuels and ammonium nitrate; restricted, however,  
to transport no hazardous commodities except motor vehicle  
fuels and ammonium nitrate,*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Certificate of Public Service:**

Millers Northland Amoco, ) Docket No. 194,257 M  
Inc. )  
3000 N. Topeka Blvd. )  
Topeka, KS 66617 ) MC ID No. 152955

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement vehicles,*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Certificate of Public Service:**

Donald E. Moberly ) Docket No. 193,925 M  
515 Spencer )  
St. Francis, KS 67756 ) MC ID No. 152951

Applicant's Attorney: None

*General commodities (except household goods and  
hazardous materials),*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Abandonment of Certificate of Public Service:**

Bill Reynolds, dba ) Docket No. 109,303 M  
Bill Reynolds Radiator )  
Service )  
24-Hour Wrecker & Towing )  
204 N. 3rd )  
Burlington, KS 66839-1354 ) MC ID No. 101768

Applicant's Attorney: None

\*\*\*\*\*

**Application for Certificate of Public Service:**

Terry W. Spencer, dba ) Docket No. 193,921 M  
Big T Hotshot Service )  
Route 1, Box 18 )  
Liberal, KS 67901 ) MC ID No. 152947

Applicant's Attorney: None

*General commodities (except household goods and  
hazardous materials),*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

**Application for Abandonment of Certificate of Public Service:**

Phillip Sulzman ) Docket No. 191,427 M  
P.O. Box 217 )  
Dighton, KS 67839 ) MC ID No. 151132

Applicant's Attorney: None

\*\*\*\*\*

**Application for Certificate of Public Service:**

Nolan Willhaus ) Docket No. 193,924 M  
1900 21st Road )  
Sterling, KS 67579 ) MC ID No. 152950

Applicant's Attorney: None

*General commodities (except household goods, classes A and B  
explosives and hazardous materials),*

*Between all points and places in the State of Kansas.*

\*\*\*\*\*

Don Carlile  
Administrator  
Transportation Division

Doc. No. 017372

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, Second Floor  
Kansas Judicial Center, 301 W. 10th  
Topeka, Kansas

Before Brazil, C.J.; Lewis and Royse, JJ.

Tuesday, March 12, 1996

Case No.	Case Name	Attorneys	County
73,603	Raymond and Rosemary Hernandez, et al., Appellants, v. Board of Shawnee County Commissioners, Appellee.	Eugene B. Ralston  Ann L. Hoover	Shawnee
73,179	Kermit Karns, Appellee, v. Kansas State Board of Agriculture, Appellant.	Kermit Karns, pro se Russ Roe C. William Ossmann	Pottawatomie
1:00 p.m.			
72,416	State of Kansas, Appellee, v. Crissie C. Luckey, Appellant.	District Attorney Attorney General Theodore J. Lickteig	Douglas
75,141	In the Interest of R.B.	County Attorney Kelly S. Hodge David P. Troup	Geary
2:30 p.m.			
<b>Summary Calendar—No Oral Argument</b>			
71,462	State of Kansas, Appellee, v. Kenneth E. Frost, Appellant.	County Attorney Attorney General Thomas Jacquinet	Pawnee
74,736	Jonathan P. Marshall, Appellant, v. Lansing Correctional Facility, Appellee.	Charles V. Cavenee	Leavenworth
74,973	Nathaniel Johns, Appellant, v. John R. Cooling, et al., Appellees.	Linden G. Appell Nathaniel Johns, pro se Linden G. Appel Attorney General	Leavenworth
73,566	State of Kansas, Appellee, v. Robert O. Miller, Appellant.	District Attorney Attorney General Benjamin C. Wood	Wyandotte
74,118	In the Matter of the Marriage of Michael Robert Elkins, Appellee, and Tammy Renee Elkins, Appellant.	Thomas Decoursey Barbara M. Weians	Wyandotte
74,882	Tuan Ngoc Dang, Appellant, v. David R. McKune, Warden of Lansing Correctional Facility, and the Kansas Parole Board, Appellees.	Tuan Ngoc Dang, pro se Lawrence Logback	Leavenworth

(continued)

Wednesday, March 13, 1996

Case No.	Case Name	Attorneys	County
74,267	In the Matter of M.D.R.	Jeffrey C. Bartron District Attorney	Shawnee
72,185	State of Kansas, Appellee, v. Larry Dean Parker, Appellant.	County Attorney Attorney General Debra Wilson	Lyon
75,250	State of Kansas, Appellee, v. Shane L. Bahr, Appellant.	County Attorney Attorney General Cortland E. Berry	Coffey
73,268	State of Kansas, Appellee, v. William A. Jackson, Jr., Appellant.	County Attorney Attorney General Randy M. Barker	Jefferson
73,267	State of Kansas, Appellee, v. Arthur L. Wright, Appellant.	County Attorney Attorney General Randy M. Barker	Jefferson

**Kansas Court of Appeals  
Division 1, Wyandotte County Courthouse  
710 N. 7th, Third Floor  
Kansas City, Kansas**

Before Pierron, P.J.; Green and Marquardt, JJ.

Tuesday, March 12, 1996

Case No.	Case Name	Attorneys	County
72,742	City of Kansas City, Appellee, v. J. R. Russell, Appellant.	John H. Fields	Wyandotte
72,578	State of Kansas, Appellee, v. Monrich Hester, Appellant.	Kenneth Moore District Attorney Attorney General Edward G. Collister, Jr.	Johnson
73,228	Louise C. Averill, Appellant, v. 8000 Realty Corp., et al., Appellees.	Dennis M. Clyde J. Nick Badgerow James A. Walker Patrick J. Doran Dale Beckerman	Johnson
72,804	State of Kansas, Appellee, v. Kevin Zemianek, Appellant.	District Attorney Attorney General James G. Lindquist	Johnson
73,425	In the Matter of the Liquidation of National Colonial Ins. Co.	Frank A. Caro, Jr. Steve R. Fabert	Shawnee
<b>Summary Calendar—No Oral Argument</b>			
72,950	State of Kansas, Appellee, v. Michael K. Jones II, Appellant.	County Attorney Attorney General Thomas Jacquinet	Saline
73,501	State of Kansas, Appellee, v. Donald Woodberry, Appellant.	District Attorney Attorney General Julie Gorenc	Wyandotte
73,502			
73,503			
73,504			
73,505			



<b>72,492</b>	State of Kansas, Appellee, v. Darrell A. Johnson, Appellant.	District Attorney Attorney General Jean K. Giles Phillips	Wyandotte
<b>74,321</b>	In the Matter of G.M.	Keith Braman District Attorney	Shawnee
<b>72,584</b>	State of Kansas, Appellee, v. Ronald A. Morris, Appellant.	District Attorney Attorney General Michael Helvey	Shawnee
<b>73,667</b>	State ex rel. Secretary of SRS., et al., Appellees, v. Bobby L. Martin, Appellant.	Randy M. Barker Robert J. Bednar Scott Thompson	Atchison

**Wednesday, March 13, 1996**

**9:15 a.m.**

<b>Case No.</b>	<b>Case Name</b>	<b>Attorneys</b>	<b>County</b>
<b>74,085</b>	Overland Tow Service, Inc. v. Kansas Employment Security Board of Review and Lester R. Sherley, Appellants.	James R. McEntire James J. Cramer	Johnson

<b>73,341</b>	State of Kansas, Appellee, v. Phillip D. Cheatham, Jr., Appellant.	District Attorney Attorney General Rick Kittel	Wyandotte
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**10:30 a.m.**

<b>73,857</b>	American Bank and Trust, Appellee, v. James M. Jesse, Appellant.	M. Catherine Hartnett Walter N. Scott, Jr. James McCabe Jesse, pro se	Johnson
<b>74,063</b>	In the Matter of the Estate of Charles William Shoemaker, deceased.	C. A. Menghini Robert J. Fleming	Crawford

**Kansas Court of Appeals  
Court of Appeals Courtroom, Third Floor  
Old Sedgwick County Courthouse, 510 N. Main  
Wichita, Kansas**

**Before Rulon, P.J.; Gernon, J.; and Timothy E. Brazil, District Judge, assigned.**

**Tuesday, March 12, 1996**

**1:30 p.m.**

<b>Case No.</b>	<b>Case Name</b>	<b>Attorneys</b>	<b>County</b>
<b>73,104</b>	State of Kansas, Appellee, v. William J. Fritz, Appellant.	Roger N. Walter Attorney General Thomas Jacquinet	Saline
<b>73,255</b>	Dana Bates, Appellant, v. Clinton Hogg, Appellee.	Dennis L. Phelps	Sedgwick
<b>73,457</b> <b>73,458</b>	State of Kansas, Appellee, v. Sandra S. Williams, Appellant.	Jay F. Fowler Debra S. Peterson Attorney General Mark T. Schoenhofer	Sedgwick

**3:15 p.m.**

<b>73,106</b>	State of Kansas, Appellee, v. Pamela L. Dyck, Appellant.	County Attorney Attorney General Thomas Jacquinet	Harvey
<b>73,360</b>	State of Kansas, Appellee, v. Billy J. Minshall, Appellant.	Debra S. Peterson Attorney General Mary D. Prewitt	Sedgwick

*(continued)*

## Summary Calendar—No Oral Argument

74,380	James Crume, Appellant, v. Michael A. Nelson, et al., Appellee.	Steven C. Sherwood James Crume, pro se Julie Riddle	Butler
74,861	In the Interest of L.D.A. and C.T.A.	James L. Mowbray Kevin B. Johnson Michael S. Boohar Larry J. Bachura	Sedgwick
73,295	State of Kansas, Appellee, v. Steven W. Metcalf, Appellant.	Debra S. Peterson Attorney General Mark T. Schoenhofer	Sedgwick
75,309	In the Interest of T.L.T. and T.T.T.	Thomas A. Dower E. Dexter Galloway County Attorney Scott A. Wells	Reno
74,558	Ernest Lee Thomas, Jr., Appellant, v. Michael A. Nelson, et al., Appellees.	Jay Mowbray	Butler
74,959	In the Interest of S.T.	Julie Riddle Larry J. Bachura Roger Batt Verlin A. Ingram Kevin Johnson	Sedgwick

## Wednesday, March 13, 1996

9:30 a.m.

Case No.	Case Name	Attorneys	County
73,844	Christopher A. Rogers, Appellant, v. David D. Wigley and U.S. Fidelity and Guaranty Co., Appellees.	Ladonna L. Lanning William C. Weber Stephen M. Kerwick	Cowley
73,472	In the Matter of the Marriage of Gladys Marie Macomber, Appellant, and Frederick Edward Macomber, Appellee.	Elizabeth L. Marietta Richard M. Blackwell	Saline
74,171	Robert K. Larkey, Appellee, v. Tammara L. Schneider, et al., Appellants.	Donald W. Bostwick Rose M. Linneman Paul W. Rebein	Sedgwick
73,680	In re Guardianship and Conservatorship of L. V. Baccus.	Daniel K. Diederich Gerald W. Scott	Sedgwick

10:45 a.m.

Kansas Court of Appeals  
Courtroom 11-1, Sedgwick County Courthouse  
525 N. Main  
Wichita, Kansas

Before Elliott, P.J.; Knudson, J.; and Carl B. Anderson, Jr., District Judge, assigned.

Tuesday, March 12, 1996

1:30 p.m.

Case No.	Case Name	Attorneys	County
75,045	State of Kansas, Appellant, v. Richard D. Clements, Appellee.	Debra S. Peterson Attorney General Stephen Ariagno	Sedgwick
73,494	Ramon Amezcua, Appellant, v. Cattle Growers, Inc., and Charles A. Whitaker, Appellees.	David O. Alegria Steven J. Rupp	Hamilton

74,520 Chester J. Words, Appellant,  
v.  
Michael A. Nelson, et al., Appellees. Russell L. Mills Butler  
Julie Riddle  
3:15 p.m.

74,735 In the Interest of C.B.R., A.L., and A.B.L. Kevin B. Johnson Sedgwick  
Larry J. Bachura  
Brian R. Johnson  
James S. Phillips, Jr. Reno  
Edward F. Britton

73,254 Kelly Reed, Appellant,  
v.  
State of Kansas and Robert Hannigan, Appellees. Edward F. Britton Reno

Summary Calendar—No Oral Argument

72,162 Kevin E. Gray, Appellant,  
v.  
State of Kansas, Appellee. Peter Hagan Sedgwick  
Attorney General  
Debra S. Peterson  
75,046 William F. Schlicher, Appellant,  
v.  
L. M. Leising, et al., Appellees. Julie Riddle Butler  
Steven C. Sherwood Butler  
74,706 Xuan Hiep Le, Appellant,  
v.  
74,719 Michael A. Nelson, et al., Appellees. Julie Riddle  
74,671 Brian L. Brown, Sr., Appellant,  
v.  
74,672 Jon D. Graves Reno  
74,673 Bill Graves, et al., Appellees. Mary Ann Shirley  
74,674  
72,587 State of Kansas, Appellee,  
v.  
County Attorney Chase  
Attorney General  
Stephen Moss  
73,509 State of Kansas, Appellee,  
v.  
County Attorney Reno  
Attorney General  
73,510 Eardie A. Norton, Appellant. Rhonda Keylon Levinson

Wednesday, March 13, 1996

9:30 a.m.

Attorneys

County

Case No. Case Name Attorneys County

73,705 James R. Hardy, Appellant,  
v.  
Professional Ins. Management, Inc., Appellee. M. Kathryn Webb Sedgwick  
Nicholas S. Daily  
74,223 Dorothy Foster, Appellant,  
v.  
City of Coffeyville, Appellant. Philip J. Bernhart Montgomery  
Nancy L. Moore

10:45 a.m.

74,657 David W. McCoy, Appellee,  
v.  
Linda L. Anderson, formerly  
Linda L. McCoy, Appellant. Glen L. Tongier Chautauqua  
Rhonda Sullivan  
74,058 Tire Disposal Facilitators, Inc., Appellee,  
v.  
State ex rel. Robert C. Harder, Secretary of Health and Environment, Appellant. William L. Anderson Clark  
Max E. Estes  
Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 017359

## 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, KDOT, Topeka, until 2 p.m. March 20, and then publicly opened:

## District One—Northeast

**Douglas**—10-23 K-3359-06—K-10, from 0.4 mile (0.6 kilometer) south of U.S. 40, south and east to 0.5 mile (0.8 kilometer) northeast of U.S. 59, 6.7 miles (10.8 kilometers), surfacing. (Federal Funds)

**Douglas**—23 U-1304-01—Harper Street, between 19th and 23rd Street in Lawrence, 0.5 mile (0.8 kilometer), grading and surfacing. (Federal Funds)

**Jefferson**—24-44 K-5834-01—U.S. 24, Muddy Creek Bridge, bridge overlay. (State Funds)

**Johnson**—46 N-0057-01—College Boulevard from El Monte to Tomahawk Creek in Leawood, 0.8 mile (1.2 kilometers), grading, bridge and surfacing. (Federal Funds)

**Johnson**—7-46 K-2038-01—K-7, bridge 141 over old U.S. 56 at Olathe, grading, bridge and surfacing. (Federal Funds)

**Leavenworth**—52 U-1587-01—10th Avenue and Limit Street in Leavenworth, intersection improvement. (Federal Fund)

**Osage**—35-70 K-6004-01—I-35 from 0.4 mile (0.6 kilometer) west of the west junction of K-31 to the beginning of the concrete pavement, 2 miles (3.3 kilometers), sealing. (State Funds)

**Riley**—177-81 K-3245-02—K-177 from I-70, north to the junction of K-18 at Manhattan, 7.8 miles (12.6 kilometers), surfacing. (State Funds)

**Riley**—81 C-3160-01—Kimball Avenue from the west city limits to the east city limits in Manhattan, 1.1 miles (1.7 kilometers), grading and surfacing. (Federal Funds)

**Shawnee**—470-89 K-6003-01—I-470 from I-70 east 5.1 miles (8.3 kilometers), pavement marking. (State Funds)

**Shawnee**—75-89 K-6054-01—U.S. 75, bridge 161, northbound U.S. 75 over I-70, bridge overlay. (State Funds)

**Shawnee**—70-89 K-6065-01—I-70, two locations: west of Valencia road and east of West Union Road, 0.4 mile (0.6 kilometer), grading and surfacing. (State Funds)

## District Two—Northcentral

**Chase**—50-9 K-3217-02—U.S. 50 from 2.7 miles (4.3 kilometers) northeast of county route 1076 northeast and east to .2 mile (.3 kilometer) west of K-177, 10.2 miles (16.4 kilometers), surfacing. (Federal Funds)

**McPherson-Saline**—106 K-6060-01—U.S. 81B from I-35 west and north to the Saline-McPherson county line; K-4 from the north junction of I-135 east and north to the K-104 junction; K-104 from the K-4 junction north and west to the I-135 junction; U.S. 81B from the Saline-McPherson county line north to the I-135 junction, 12.3 miles (19.8 kilometers), overlay. (State Funds)

**Ottawa**—81-72 K-4428-02—U.S. 81, from the end of the 4-lane, north to the Ottawa-Cloud county line, 14.6 miles (23.5 kilometers), surfacing. (State Funds)

**Washington**—101 C-3189-01—County road, 1.5 miles (2.4 kilometers) west and 1 mile (1.6 kilometers) north of Morrowville, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

## District Three—Northwest

**Cheyenne-Rawlins**—36-106 K-6063-01—U.S. 36 from 0.1 mile (0.2 kilometer) east of the east junction of K-27, east to the Cheyenne-Rawlins county line; U.S. 36 from the Cheyenne-Rawlins county line east 9.8 miles (15.8 kilometers), 26 miles (42 kilometers), sealing. (State Funds)

**Decatur**—83-20 K-5270-01—U.S. 83, Commercial Street north to Elm Street in Oberlin, 0.3 mile (0.5 kilometer), grading and surfacing. (State Funds)

**Graham**—24-33 K-5833-01—Bridge 005, south fork Solomon River, 3.5 miles (5.7 kilometers) east of K-85, bridge overlay. (State Funds)

**Graham**—283-33 K-5860-01—U.S. 283, bridge 022, Saline River drainage, 1.9 miles (3 kilometers) north of the Trego-Graham county line, bridge overlay. (State Funds)

**Logan**—40-55 K-5837-01—U.S. 40, bridge 004, Turkey Creek, 1.8 miles (2.9 kilometers) northeast of the Wallace-Logan county line, bridge overlay. (State Funds)

**Norton**—36-69 K-5984-01—U.S. 36/K-383 and U.S. 283 in the City of Norton, traffic signals. (State Funds)

**Osborne**—24-71 K-5835-01—U.S. 24, bridge 25, north fork Solomon River drainage, 1.1 miles (1.8 kilometers) east of K-181, bridge overlay. (State Funds)

**Osborne**—181-71 K-5854-01—K-181, bridge 045, north fork Solomon River drainage, 0.5 mile (0.8 kilometer) north of U.S. 24, bridge overlay. (State Funds)

**Rooks**—24-82 K-5630-01—U.S. 24 and U.S. 183 in the City of Stockton, traffic signals. (State Funds)

**Russell**—18-84 K-5832-01—K-18, bridge 47, Eagle Creek, 3.1 miles (5 kilometers) west of U.S. 281, bridge overlay. (State Funds)

**Russell**—281-84 K-5858-01—U.S. 281, bridge 045, Wolf Creek, 6.9 miles (11.1 kilometers) east of the west junction of K-18, bridge overlay. (State Funds)

**Russell**—84 U-1470-01—South Front Street from Wichita Avenue to Fossil Street in Russell, grading and surfacing. (Federal Funds)

**Smith**—9-92 K-5829-01—K-9, bridge 036, Dry Creek, 0.5 mile (0.8 kilometer) west of U.S. 281, bridge overlay. (State Funds)

**Smith**—281-92 K-5859-01—U.S. 281, bridge 026, Dry Creek, 0.7 mile (1.1 kilometers) north of the junction of K-9, bridge overlay. (State Funds)

**Thomas**—70-97 K-5908-01—I-70, 4.4 miles (7 kilometers) east of the Sherman-Thomas county line east 5.9 miles (9.5 kilometers), recycle and overlay. (State Funds)

**Thomas**—184-97 K-5999-01—K-184, from I-70 north 1.6 miles (2.5 kilometers), recycle and overlay. (State Funds)

**Trego**—283-98 K-5862-01—U.S. 283, bridge 041, Trego Creek, 3.1 miles (5 kilometers) south of the Trego-Graham county line, bridge overlay. (State Funds)

**District Four—Southeast**

**Franklin**—68-30 K-6055-01—K-68 from the Miami-Franklin county line west 7.6 miles (12.3 kilometers), overlay. (State Funds)

**Franklin**—68-30 K-5233-01—K-68, bridge 071, Island Creek, 10.9 miles (17.5 kilometers) east of Osage-Franklin county line, bridge painting. (State Funds)

**Labette**—160-50 K-4891-01—U.S. 160, from the Montgomery-Labette county line east 9.9 miles (15.9 kilometers), grading and bridge. (Federal Funds)

**Linn**—7-54 K-5039-01—K-7, Elk Creek, bridge 010, 1.9 miles (3 kilometers) north of the Linn-Bourbon county line, bridge replacement. (Federal Funds)

**Neosho**—57-67 K-5045-01—K-57, 0.5 mile (0.8 kilometer) east of the west city limits of St. Paul, east to the Neosho-Crawford county line, 5 miles (8 kilometers), grading, bridge and surfacing. (State Funds)

**Neosho**—39-67 K-5517-01—K-39, bridge 027, Big Creek overflow, 7.2 miles (9.5 kilometers) east of U.S. 169, bridge painting. (State Funds)

**Wilson**—96-103 K-3295-01—K-96 from K-47 southeast to the Wilson-Montgomery county line, 12.8 miles (20.6 kilometers), grading and bridge. (State Funds)

**District Five—Southcentral**

**Barber**—281-4 K-2665-01—U.S. 281 from the junction of K-2 north to the west junction of U.S. 160, 18.1 miles (29.1 kilometers), grading, bridge and surfacing. (Federal Funds)

**Butler**—177-8 K-5541-01—K-177, bridge 053, over the Kansas Turnpike Authority, bridge painting. (State Funds)

**Pratt**—54-76 K-5035-02—U.S. 54, Central Kansas Railroad crossing, 3.5 miles (5.6 kilometers) east of the east city limits of Pratt, flashing light signals. (Federal Funds)

**Reno**—78 TE-0065-01—Cow Creek from Washington to east of Main Street in Hutchinson, 0.1 mile (0.2 kilometer), landscaping and beautification. (Federal Funds)

**Reno**—78 U-1143-01—Avenue A over Cow Creek in Hutchinson, 0.3 mile (0.5 kilometer), bridge replacement. (Federal Funds)

**Sedgwick**—54-87 K-4760-01—U.S. 54, pedestrian overpass 0.6 mile (1 kilometer) west of the junction of I-135, bridge painting. (State Funds)

**Sedgwick**—87 N-0030-01—47th Street from Seneca Street to Broadway Street in Wichita, 1 mile (1.6 kilometers), grading and surfacing. (Federal Funds)

**Sedgwick-Reno**—106 X-1926-01—Kansas Southwestern Railway in Sedgwick and Reno counties, 47 miles (76 kilometers), railroad improvements. (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 KDOT district office responsible for the work.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 017320

State of Kansas

**Kansas Lottery****Temporary Administrative Regulations****Article 2.—LOTTERY RETAILERS**

**111-2-43. "Ask for the sale" promotion.** (a) During the period beginning March 1, 1996, and ending March 31, 1996, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Convenience Plus stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Friday from March 1, 1996 through March 29, 1996, all Convenience Plus stores' personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Friday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(continued)

(d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.

(e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Convenience Plus stores.

(f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the Convenience Plus store with the greatest percentage increase in lottery ticket sales for the period from March 1, 1996, through March 31, 1996, over the period from January 1, 1996, through January 31, 1996, will win a portable compact disc player. The second and third place stores will receive promotional items provided by the lottery. (Authorized by K.S.A. 1995 Supp. 74-8710, implementing K.S.A. 1995 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-2-44. "Ask for the sale" promotion.** (a) During the period beginning March 1, 1996, and ending March 31, 1996, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating EZ Shop stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Wednesday, March 6, 13, 20, and 27, 1996, from 6:00 a.m. to 6:00 p.m., all EZ Shop store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Wednesday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$25 to its account at the beginning of the promotion. If a store increases its instant ticket sales over its predetermined base by 20 percent or more, an additional \$10 will be credited to its account.

(e) Any tickets given away above the \$25 allowance representing 25 tickets or the \$35 allowance representing 35 tickets per location will be the responsibility of EZ Shop stores.

(f) Each retail location shall maintain a ticket log form to be completed every time an instant ticket is given

away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the EZ Shop store with the greatest percentage increase in instant ticket sales for the 31 day period from March 1, 1996, through March 31, 1996, over an average based upon a 62 day period from December 18, 1995, through February 17, 1996, will win a portable compact disc player. At the end of the promotion, all EZ Shop stores with a 20 percent or more percentage increase in instant ticket sales will be entered into a random drawing for a chance to win a portable compact disc player. The store with the greatest percentage increase in instant sales that wins a portable compact disc player will not be eligible for the random drawing for a compact disc player. The first, second, and third place stores, based on their percentage increases in instant ticket sales, will receive promotional items provided by the lottery. (Authorized by K.S.A. 1995 Supp. 74-8710, implementing K.S.A. 74-8708 and K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-2-45. "Ask for the sale" promotion.** (a) During the period beginning March 1, 1996, and ending March 31, 1996, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Shop Quik, Inc. stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Wednesday, March 6, 13, 20, and 27, 1996, from 6:00 a.m. to 6:00 p.m., all Shop Quik, Inc. store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Wednesday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$25 to its account at the beginning of the promotion. If a store increases its instant ticket sales over its predetermined base by 20 percent or more, an additional \$10 will be credited to its account.

(e) Any tickets given away above the \$25 allowance representing 25 tickets or the \$35 allowance representing 35 tickets per location will be the responsibility of Shop Quik, Inc. stores.

(f) Each retail location shall maintain a ticket log form to be completed every time an instant ticket is given

away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the Shop Quik, Inc. store with the greatest percentage increase in instant ticket sales for the 31 day period from March 1, 1996, through March 31, 1996, over an average based upon a 62 day period from December 18, 1995, through February 17, 1996, will win a portable compact disc player. At the end of the promotion, all Shop Quik, Inc. stores with a 20 percent or more percentage increase in instant ticket sales will be entered into a random drawing for a chance to win a portable compact disc player. The store with the greatest percentage increase in instant sales that wins a portable compact disc player will not be eligible for the random drawing for a compact disc player. The first, second, and third place stores, based on their percentage increases in instant ticket sales, will receive promotional items provided by the lottery. (Authorized by K.S.A. 1995 Supp. 74-8710, implementing K.S.A. 74-8708 and K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**Article 4.—INDIVIDUAL GAME RULES**  
**RULES FOR INSTANT GAME NO. 50**  
**"SAFE CRACKER"**

**111-4-817. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Safe Cracker" commencing on or after March 18, 1996. The specific rules for the "Safe Cracker" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-817 through 111-4-820. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-818. Definitions.** The following definitions shall apply to the "Safe Cracker" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI Symbol font with matching captions in WGI Cap font. A game symbol appears in the "YOUR LUCKY NUMBERS" area and in the "SAFE NUMBERS" area within the play area. Each game symbol for this instant game is one of the following: \$1.<sup>00</sup> - \$5.<sup>00</sup> - 10.<sup>00</sup> - 40.<sup>00</sup> - \$500\$ - \$1500 and 1 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - and the image of a safe.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1. <sup>00</sup>	ONES
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
40. <sup>00</sup>	FORTY
\$500\$	FIVE-HUN
\$1500	15-HUN
01	ONE
02	TWO
03	THR

04	FOR
05	FIV
07	SEV
08	EGT
09	NIN
Image of a safe	SAFE

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears under the latex covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket below the bar code.

(e) "Retailer validation code" means the small letters found under the removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of five varying locations among the game symbols in the play area. The codes and their meanings are as follows: ONE - \$1.00; TWO - \$2.00; THR - \$3.00; FIV - \$5.00; TEN - \$10.00; FTN - \$15.00; TWY - \$20.00; FRY - \$40.00; FHN - \$500.00. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-819. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering play areas entitled "YOUR LUCKY NUMBERS" and "SAFE NUMBERS," to reveal the game symbols and captions in the play area. If any of the FIVE numbers under the "YOUR LUCKY NUMBERS" area matches either of the two numbers in the "SAFE NUMBERS" area, the player wins the amount shown directly under the matching number or numbers in the "YOUR LUCKY NUMBERS" area. Should a "SAFE" symbol appear in the "YOUR LUCKY NUMBERS" area, the player automatically wins the amount under the safe. A player can win up to three times on a single ticket. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-820. Number and value of instant prizes.** (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	168,000	\$ 168,000
\$2 (\$1 × 2)	91,000	182,000
\$3 (\$1 × 3)	56,000	168,000

(continued)

\$5	42,000	210,000
\$10	7,000	70,000
\$10 (\$5 × 2)	7,000	70,000
\$15 (\$5 × 3)	7,000	105,000
\$20 (\$10 × 2)	7,000	140,000
\$40	1,750	70,000
\$500	28	14,000
\$1,500 (\$500 × 3)	3	4,500
\$1,500	6	9,000
	<u>386,787</u>	<u>\$1,210,500</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f), and 74-8720; effective, T-111-23-96, Feb. 16, 1996.)

**RULES FOR INSTANT GAME NO. 51  
"DOUBLE UP"**

**111-4-821. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Double Up" commencing on or after April 8, 1996. The specific rules for the "Double Up" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-821 through 111-4-824. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-822. Definitions.** The following definitions shall apply to the "Double Up" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of the six play spots within the play area. Each game symbol for this instant game is one of the following: FREE - \$2.00 - \$5.00 - 10.00 - 20.00 - \$2500 - \$5000 - \$\$.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
FREE	TICKET
\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
\$2500	25-HUN
\$5000	FIVETHOU
\$	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = Free; TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-823. Determination of instant prize winners.** An instant prize winner is determined in this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six game which includes a doubler. If three of the six concealed prize amounts match, the player wins the amount shown. If two of the six concealed prize amounts match and a doubler symbol is found, the player wins double the prize amount. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-2-23-96, Feb. 16, 1996.)

**111-4-824. Number and value of instant prizes.** (a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - FREE'S	240,000	\$ 0
3 - \$2's	80,000	160,000
2 - \$2's (*)	24,000	96,000
3 - \$5's	56,000	280,000
2 - \$5's (*)	16,000	160,000
3 - \$10's	8,000	80,000
2 - \$10's (*)	8,000	160,000
3 - \$20's	8,000	160,000
2 - \$20's (*)	2,800	112,000
3 - \$2,500's	4	10,000
2 - \$2,500's (*)	2	10,000
3 - \$5,000's	3	15,000
	<u>442,809</u>	<u>\$1,243,000</u>

(\*) denotes doubler

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.



(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f), and 74-8720; effective, T-111-2-23-96, Feb. 16, 1996.)

#### Article 5.—POWER BALL

**111-5-9.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-10.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-11.** (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; implementing K.S.A. 1989 Supp. 74-8710 and 74-8718; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-3-14-90, March 2, 1990; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-12.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; implementing K.S.A. 1991 Supp. 74-8710 and 74-8731; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-3-5-92, Feb. 21, 1992; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-13.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-14.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-15.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-16.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-17.** (Authorized by K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and 74-8720; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-18.** (Authorized by K.S.A. 1989 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8710 and 74-8720; effective, T-89-4, Jan. 21, 1988; amended, T-111-10-31-90, Oct. 19, 1990; amended, T-111-12-21-90, Dec. 14, 1990; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-19.** (Authorized by and implementing K.S.A. 1988 Supp. 74-8710; implementing K.S.A. 1988 Supp. 74-8718 and 74-8719; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-5-21.** (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-2-10-89, Feb. 10, 1989; amended, T-111-8-25-89, Aug. 18, 1989; amended, T-111-

3-5-92, Feb. 21, 1992; revoked, T-111-2-23-96, Feb. 16, 1996.)

#### Article 7.—CASH LOTTO GAME RULES

**111-7-84.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-85.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-86.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-87.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-88.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-89.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-90.** (Authorized by and implementing K.S.A. 74-8710(d); effective, T-111-4-20-93, April 16, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-91.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-92.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-93.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-95.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-96.** (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8720; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-97.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-98.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-5-28-93, May 21, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-99.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-100.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-101.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

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**111-7-102.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-103.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-104.** (Authorized by and implementing K.S.A. 74-8710(d); effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-105.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-8-26-93, Aug. 20, 1993; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-106.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-107.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-108.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-109.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-110.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-111.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-112.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-29-94, Sept. 9, 1994; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-113.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-114.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-115.** (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-116.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-117.** (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

**111-7-118.** (Authorized by and implementing K.S.A. 74-8710(d); effective, T-111-1-26-95, Jan. 13, 1995; revoked, T-111-2-23-96, Feb. 16, 1996.)

Gregory P. Ziemak  
Executive Director

Doc. No. 017363

## State of Kansas

### Board of Cosmetology

#### Permanent Administrative Regulations

#### Article 1.—LICENSING AND QUALIFICATIONS OF COSMETOLOGISTS

**69-1-1. Application procedure.** (a) Any applicant desiring to become licensed as a cosmetologist, manicurist, esthetician or electrologist in the state of Kansas shall submit a written application for examination and licensure to the board on a form approved and furnished by the board no later than the 15th of the month before the date of the examination.

(b) The application shall include the following:

(1) A statement from the licensed school that the applicant has completed the apprentice and curriculum requirements and the date of completion. An applicant for an electrology license may submit a statement from a licensed school or a salon owner that the applicant has completed the apprentice and curriculum requirements and the date of completion; and

(2) the non-refundable fee as required by K.A.R. 69-11-1. (Authorized by and implementing K.S.A. 65-1904, as amended by L. 1995, Ch. 248, Sec 1; 65-1905, 65-1912, as amended by L. 1995, Ch. 120, Sec. 6; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended March 22, 1996.)

**69-1-2. Applicant required to appear for next regular examination unless unable.** (a) An applicant who is unable to appear due to extenuating circumstances, shall provide written explanation and return the examination admission notice to the board. For good cause shown and upon approval by the board, the applicant shall then be granted a one-time privilege to take the next regularly scheduled examination without the payment of an additional fee.

(b) "Extenuating circumstances" means conditions caused by unexpected events beyond the person's control which are sufficiently extreme in nature to result in the inability or inadvisability to begin and complete the exam. (Authorized by and implementing K.S.A. 65-1904, as amended by L. 1995, Ch. 248, Sec. 1, 65-1905; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.)

**69-1-3.** (Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended May 1, 1981; modified, L. 1982, ch. 449, May 1, 1982; revoked March 22, 1996.)

**69-1-4. Grades necessary to pass examinations.** (a) Any applicant taking the state board of cosmetology examinations shall be granted a license authorizing the practice of cosmetology, manicuring, esthetics, or electrology if the applicant achieves the following examination scores:

- (1) 75% overall in the demonstration and oral;
- (2) 75% in each of the core areas of the demonstration and oral examination; and
- (3) 75% in the written exam.

(b) The core areas of the cosmetology exam shall be the following:

- (1) Hair shaping;
- (2) permanent waving;
- (3) chemical relaxing; and
- (4) hair lightening and hair coloring.

(c) The core areas of the manicuring exam shall be the following:

- (1) Basic manicure;
- (2) sculptured nail;
- (3) nail tip application;
- (4) nail wrap; and
- (5) polish.

(d) The core areas of the esthetician exam shall be the following:

- (1) Client protection;
- (2) skin cleansing;
- (3) face massaging; and
- (4) face steaming.

(e) The core areas of the electrology exam shall be the following:

- (1) Client protection;
- (2) thermolysis method;
- (3) blend method; and
- (4) probe insertion. (Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended May 1, 1981; amended Feb. 21, 1994; amended March 22, 1996.)

**69-1-7.** (Authorized by and implementing K.S.A. 65-1903, 65-1905; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; revoked March 22, 1996.)

**69-1-8. Failure of examination.** An applicant who fails the written or demonstration and oral examination may re-take that examination upon payment of the examination fee. If the applicant retakes the examination within six months of the original date of application a doctor's statement is not required.

If the applicant fails written or demonstration and oral examination, the temporary permit previously issued to the applicant shall expire and shall not be renewed. (Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1973; amended March 22, 1996.)

## Article 2.—OUT-OF-STATE COSMETOLOGISTS AND MANICURISTS

**69-2-1.** (Authorized by and implementing K.S.A. 1981 Supp. 65-1904b; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1981; amended May 1, 1982; revoked March 22, 1996.)

## Article 3.—SCHOOLS

**69-3-1. Application procedure.** An applicant for a license to conduct a school of cosmetology, esthetics, electrology or manicuring shall submit the following to the board at least 60 days before the proposed date of operation:

- (a) A written application upon a form approved and furnished by the board;
- (b) a descriptive floor plan to scale which demonstrates compliance with K.A.R. 69-3-3;

(c) a curriculum which demonstrates compliance with K.A.R. 69-3-8;

(d) a daily class schedule for full-time and part-time students;

(e) an inventory of all instructional equipment to be provided and used in the operation of the school; and

(f) a copy of the written enrollment agreement between the school and the student including the refund policy and the rules and regulations of the school. (Authorized by and implementing K.S.A. Supp. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.)

**69-3-2.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended Dec. 28, 1992; revoked March 22, 1996.)

**69-3-3. Facility requirements.** (a) A school of cosmetology shall have a minimum 50 square feet of floor space per student present on the school premises, but not less than a total of 2,500 square feet of floor space.

(b) A school of electrology, manicuring or esthetics shall have a minimum of 35 square feet of floor space per student present on school premises, but not less than a total of 1,500 square feet.

(c) A school of cosmetology shall have adequate equipment in the clinic practice area in relationship to the number of students present including a minimum of:

- (1) 10 work stations;
- (2) six shampoo bowls and chairs;
- (3) six hairdryers;
- (4) one facial chair; and
- (5) one manicure table and chair.

(d) A school of manicuring shall have the following:

- (1) At least 12 manicuring tables and chairs; and
- (2) a hand-washing sink in the clinic area.

(e) A school of esthetics shall have the following:

- (1) At least six reclining facial chairs; and
- (2) a hand-washing sink in the clinic area.

(f) A school of electrology shall have the following:

- (1) charts showing the muscles, nerves and circulatory systems of the face, head and neck and the hair shaft, follicle root and other relevant components of hair;
- (2) one F.C.C. approved electrolysis machine, operator stool, and one lamp for each two students enrolled. This equipment shall be spaced at least four feet apart; and
- (3) a hand-washing sink in the clinic area.

(g) All schools shall have the following:

- (1) A lecture and demonstration room;
- (2) a clinic practice area;
- (3) a library with resources which support the curriculum and prepare a student for the practice of cosmetology, manicuring, esthetics or electrology;
- (4) adequate storage area for student's personal belongings;
- (5) a reception area;
- (6) two rest rooms; and
- (7) a dispensary or supply room which includes a sink with hot and cold running water. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended, E-67-9, June 16, 1967; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended March 22, 1996.)

(continued)

19, 1984; amended May 1, 1985; amended March 22, 1996.)

**69-3-4. Number of instructors necessary.** (a) A school of cosmetology shall maintain a ratio of instructors to students of not less than one to 25 in the classroom and one to 18 in the clinic practice area.

(b) A school of nail technology or esthetics shall maintain a ratio of instructors to students of not less than one to 25 in the classroom and one to 20 in the clinic practice area. (Authorized by and implementing K.S.A. 1995 Supp. 65-1903; effective Jan. 1, 1966; amended March 22, 1996.)

**69-3-5.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended May 1, 1981; revoked March 22, 1996.)

**69-3-6. Instructor limitation.** A licensed instructor shall not provide cosmetology services to the patrons of the school where the instructor is employed for the profit of the school or instructor. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.)

**69-3-7. Student records.** (a) Each school shall maintain a daily student record which verifies attendance and practice services completed, and a final student record which verifies curriculum requirements and hours successfully completed by the student.

(b) The school shall maintain the student's record in the school, on a form approved by the board for a reasonable period of time.

(c) Subject to any contract between the school and the student, a licensed school shall provide a copy of the student's record to:

(1) the board upon application by a student for a license or as part of an investigation;

(2) another school upon the student's transfer; or

(3) the student upon request. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.)

**69-3-9. Student services sign.** Each school shall display a sign visible in the clinic practice area of the school stating that "ALL SERVICES IN THIS SCHOOL ARE PERFORMED BY STUDENTS." (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended March 22, 1996.)

**69-3-10.** (Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended Jan. 1, 1973; amended May 1, 1981; revoked March 22, 1996.)

**69-3-11.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended May 1, 1981; amended Dec. 28, 1992; revoked March 22, 1996.)

**69-3-17.** (Authorized by K.S.A. 1970 Supp. 65-1903; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; revoked March 22, 1996.)

**69-3-19.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended May 1, 1981; revoked March 22, 1996.)

**69-3-22.** (Authorized by K.S.A. 1965 Supp. 65-1903; effective Jan. 1, 1966; revoked March 22, 1996.)

**69-3-23.** (Authorized by and implementing K.S.A. 65-1903; as amended by L. 1987, Ch. 238, Sec. 3; effective, T-88-60, Dec. 28, 1987; effective May 1, 1988; revoked March 22, 1996.)

**69-3-24.** (Authorized by and implementing K.S.A. 65-1903; as amended by L. 1987, Ch. 238, Sec. 3; effective, T-88-60, Dec. 28, 1987; effective May 1, 1988; revoked March 22, 1996.)

**69-3-25.** (Authorized by and implementing K.S.A. 65-1903; as amended by L. 1987, Ch. 238, Sec. 3; effective, T-88-60, Dec. 28, 1987; effective May 1, 1988; revoked March 22, 1996.)

**69-3-26. Transfer students.** (a) Within 30 days after enrollment of a transfer student, a school shall obtain verification of the student's prior course of training including subjects, the number of hours, and practice services completed by the student.

(b) A school shall obtain verification on a form approved and provided by the board from the state board or school in the state or jurisdiction where the transfer student completed the training.

(c) The school shall determine the subjects, hours and practice services of the transfer student's prior course of training which conforms to the curriculum requirements in K.A.R. 69-3-8 and shall give the students credit for those subjects, hours and practice services. (Authorized by and implementing K.S.A. 65-1903; as amended by L. 1995, Ch. 20, Sec. 3; effective March 22, 1996.)

**69-3-27. Dropped students.** On or before the 5th of each month, each school shall submit, to the board, a list of students who have dropped from any of the school's programs in the previous month. The list shall include the following: (a) The student's name;

(b) the apprentice license number;

(c) the student's date of birth; and

(d) the student's social security number. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective March 22, 1996.)

**69-3-28. Enrollment agreement and refund policy.** (a) Within 45 days after the effective date of this regulation, each licensed school of cosmetology, esthetics, electrology or manicuring shall submit to the board a copy of its enrollment agreement between the school and the student including the refund policy and the rules and regulations of the school.

(b) The licensee shall submit to the board any modification to these agreements within 30 days after the modification. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.)

#### Article 4.—STUDENTS

**69-4-2. Student equipment and uniform.** A school shall ensure that each student has a uniform and the equipment needed to complete the course of training for which the student is enrolled. A school may provide the equipment and uniform at its own expense or at the student's expense. (Authorized by and implementing K.S.A.

65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.)

**69-4-6.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended May 1, 1981; revoked March 22, 1996.)

**69-4-9. Students; requirements for working on public.** (a) A cosmetology student shall not work on the public until the student has completed 320 hours of training.

(b) A manicuring student shall not work on the public until the student has completed 70 hours of training.

(c) An esthetics student shall not work on the public until the student has completed 130 hours of training.

(d) An electrology student shall not work on the public until the student has completed 100 hours of training. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended, E-70-12, Jan. 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended March 22, 1996.)

**69-4-11.** (Authorized by and implementing K.S.A. 65-1903; effective Jan. 1, 1966; amended May 1, 1981; revoked March 22, 1996.)

**69-4-12. Additional training license required to remain in school.** Any student who wishes to practice as an apprentice for more than the minimum training period, may make application and pay the fee for an additional training license. (Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended, E-70-12, Jan. 1, 1970; amended Jan. 1, 1971; amended, E-76-44, Sept. 5, 1975; amended Feb. 15, 1977; amended March 22, 1996.)

#### Article 5.—SHOP APPRENTICES

**69-5-2.** (Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended May 1, 1981; revoked March 22, 1996.)

**69-5-6. Curriculum and practical requirements.** (a) An electrology shop apprentice:

(1) shall be under the direct supervision of the instructor at all times; and

(2) shall not work on the public until completion of 200 hours of instruction and training.

(b) An electrology shop instructor shall instruct and train the student apprentice in compliance with the curriculum requirements of K.A.R. 69-3-8 (a)(4).

(c) An electrology shop instructor shall have available the following:

(1) charts showing the muscles, nerves and circulatory systems of the face, head and neck and the hair shaft, follicle, root and other relevant components of hair;

(2) one F.C.C. approved electrolysis machine;

(3) an operator stool; and

(4) a magnifying lamp. (Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; implementing K.S.A. 65-1912, as amended by L. 1995, Ch. 120, Sec. 6; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.)

**69-5-10.** (Authorized by K.S.A. 65-1902; effective Jan. 1, 1966; revoked March 22, 1996.)

**69-5-13.** (Authorized by K.S.A. 65-1902; effective Jan. 1, 1966; revoked March 22, 1996.)

**69-5-14. Application procedure.** An applicant for a license to instruct electrology in a shop shall submit the following to the board at least 10 days before beginning instruction and training: (a) A written application upon a form approved and furnished by the board;

(b) a curriculum which demonstrates compliance with K.A.R. 69-3-8(a)(4);

(c) a daily class schedule for a full-time or a part-time student; and

(d) an inventory of all instructional equipment to be provided and used in the instruction and training. (Authorized by K.S.A. 65-1907; implementing K.S.A. 65-1903 and 65-1907, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.)

**69-5-15. Student records.** (a) Each electrology shop instructor shall maintain the following:

(1) a daily student record which verifies attendance and practice services completed; and

(2) a final student record which verifies curriculum requirements and hours successfully completed by the student.

(b) The instructor shall maintain the student record for a reasonable period of time, on a form approved by the board.

(c) Subject to any contract between the instructor and the student, the instructor shall provide a copy of the student's record to:

(1) the board upon the student's application for a license or as part of an investigation;

(2) a school or another electrology shop instructor upon the student's transfer; or

(3) the student upon request. (Authorized by K.S.A. 65-1907; implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; 65-1907; effective March 22, 1996.)

**69-5-16. Identification of student.** An electrology shop student apprentice shall wear identification which clearly indicates to the public that the person is in electrology training. (Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.)

#### Article 6.—BEAUTY SHOPS

**69-6-1.** (Authorized by K.S.A. 65-1906; effective Jan. 1, 1966; amended May 1, 1978; revoked March 22, 1996.)

**69-6-2. Sale or change of ownership.** An establishment license shall be valid only for the premise named in the license. A licensee shall notify the board, in writing, within 15 days of a sale or other change of ownership of the establishment. Upon a sale or other change of ownership of an establishment, the establishment license shall be transferred to the new owner or owners, without inspection, upon payment of a transfer fee. (Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 19, Sec. 3; implementing K.S.A. 65-1904a; effective Jan. 1, 1966; amended May 1, 1978; amended March 22, 1996.)

**69-6-5. Display of sign.** Each establishment shall display a sign, conspicuously posted as provided by the board, stating that any complaints concerning the estab-

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lishment or its practitioners may be directed to the board. The sign shall include the current address and phone number of the board. (Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; implementing K.S.A. 65-1903; as amended by L. 1995, Ch. 20, Sec. 3; and 65-1904a; effective Jan. 1, 1966; amended Dec. 28, 1992; amended March 22, 1996.)

**69-6-6.** (Authorized by K.S.A. 1977 Supp. 65-1903; effective Jan. 1, 1966; amended May 1, 1978; revoked March 22, 1996.)

**69-6-7. Establishment closing.** When any establishment is permanently closed, the holder of the establishment license shall notify the board in writing, and surrender the establishment license within 10 days of closing. (Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 19, Sec. 3; implementing K.S.A. 65-1904a; effective Jan. 1, 1966; amended March 22, 1996.)

**Article 8.—REGISTRATION OF MANICURISTS**

**69-8-2.** (Authorized by and implementing K.S.A. 1984 Supp. 65-1905; effective Jan. 1, 1966; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; revoked March 22, 1996.)

**69-8-3.** (Authorized by K.S.A. 1965 Supp. 65-1903, 65-1905; effective Jan. 1, 1966; revoked March 22, 1996.)

**69-8-4.** (Authorized by K.S.A. 1965 Supp. 65-1905; effective Jan. 1, 1966; revoked March 22, 1996.)

**69-8-6.** (Authorized by and implementing K.S.A. 65-1903, 65-1905; effective Jan. 1, 1966; amended, E-70-24-2, July 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; revoked March 22, 1996.)

**Article 11.—FEES**

**69-11-1. Fees.** The following fees shall be charged:

Cosmetology, cosmetology technician, electrologist or esthetician license or renewal (2 yrs.) .....	\$30.00
Manicurist license or renewal (2 yrs.) .....	24.00
Senior cosmetology license or renewal (3 yrs.) .....	45.00
Delinquent cosmetology, electrologist, esthetician or manicurist fee .....	4.00
Instructor's license or renewal (2 yrs.) .....	50.00
Delinquent instructor's license fee .....	50.00
Cosmetologist, electrologist, manicurist and esthetician examination fee .....	25.00
Out-of-state examination fee .....	35.00
Instructor examination fee .....	50.00
Apprentice license .....	12.00
Additional training license .....	12.00
New school license .....	100.00
School license renewal .....	50.00
Delinquent school renewal fee .....	10.00
New establishment license .....	30.00
Establishment license renewal .....	20.00
Delinquent establishment fee .....	6.00
Transfer of establishment license .....	15.00
Out-of-state affidavit .....	2.00
Any duplicate license .....	2.00

(Authorized by and implementing K.S.A. 1995 Supp. 65-1904; effective, E-76-44, Sept. 5, 1975; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1981; amended May 1, 1982; amended, T-83-21, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-88-60, Dec. 28, 1987; amended May 1, 1988; amended

Jan. 1, 1993; amended Dec. 13, 1993; amended March 22, 1996.)

**69-11-2. Expiration dates for licenses.** (a) Each individual license, with the exception of the senior cosmetology license, shall expire on the last day of the licensee's birth month in:

(1) Even years for licensees with an even numbered birth year; or

(2) odd years for licensees with an odd numbered birth year.

(b) A senior cosmetology license shall expire on the last day of the licensee's birth month, three years after the license has been issued. (Authorized by and implementing K.S.A. 65-1904, as amended by L. 1995, Ch. 248; Sec. 1; effective, T-83-21, July 21, 1982; effective May 1, 1983; amended March 22, 1996.)

**Article 13.—INSPECTIONS**

**69-13-1. Definitions.** (a) "Board" means the Kansas state board of cosmetology.

(b) "Act" means Article 19 of Chapter 65 of the "Kansas Statutes Annotated," entitled "Examination and Registration of Cosmetologists and Beauty Shops."

(c) "Establishment" means any place where cosmetology, manicuring, esthetics or electrology is taught or practiced. (Authorized by and implementing K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 17, 1995; amended March 22, 1996.)

**69-13-2. Inspections of establishments.** (a) Each establishment shall be subject to routine inspections, by the board or designated agents or employees of the board, to determine compliance with the act and all sanitary rules and regulations, at least once every two years.

(b) An establishment may be subject to additional inspections if the establishment:

- (1) Had a violation in a previous inspection;
- (2) changed ownership in the previous year; or
- (3) did not timely renew the license.

(c) Inspections shall be made between the hours of 8:00 a.m. and 6:00 p.m., or anytime the instruction or practice of cosmetology, manicuring, or electrology is being conducted, unless otherwise agreed by all interested persons or entities.

(d) Inspections shall be made by board members, the executive director, employees, representatives or agents of the board.

(e) Inspections of establishments may be authorized by the board or its executive director.

(f) The authorized inspection may be conducted without notice to the licensee. (Authorized by K.S.A. 65-1907, as amended by L. 1995, Ch. 120, Sec. 5; implementing K.S.A. 65-1907, as amended by L. 1995, Ch. 20, Sec. 5; and K.S.A. 74-2702; effective Jan. 17, 1995; amended March 22, 1996.)

Nancy Shobe  
Executive Director

Doc. No. 017357

## State of Kansas

Department of Health  
and EnvironmentPermanent Administrative  
RegulationsArticle 31.—HAZARDOUS WASTE MANAGEMENT  
STANDARDS AND REGULATIONS

**28-31-4. Standards for generators of hazardous waste.** (a) Purpose, scope and applicability. All generators of hazardous waste and any person who imports hazardous waste into Kansas shall comply with this regulation. In addition, each owner or operator of a treatment, storage or disposal facility who initiates a shipment of hazardous waste shall comply with this regulation.

(b) Hazardous waste determination. Any person who generates a solid waste, as defined by 40 CFR 261.2, as in effect on July 1, 1992, shall determine if that waste is a hazardous waste using the following methods.

(1) The person shall first determine if the waste is excluded from regulation under 40 CFR 261.4, as in effect on July 1, 1992.

(2) If the waste is not excluded under paragraph (1), the person shall next determine if the waste is listed as a hazardous waste in 40 CFR 261 subpart D, as in effect on July 1, 1992.

(3) If the waste is not listed as a hazardous waste in 40 CFR 261 subpart D, as in effect on July 1, 1992, the person shall determine whether the waste is identified in 40 CFR 261 subpart C, as in effect on July 1, 1992 by either:

(A) Submitting the waste for testing according to the methods in 40 CFR 261 subpart C, as in effect on July 1, 1992, by a laboratory which is certified for such analyses by the department; or

(B) applying knowledge of the hazardous characteristics of the waste in light of materials or processes used.

(4) If the waste is determined to be hazardous, the generator shall refer to 40 CFR 261, 262, 264, 265, 266 and 268, as in effect on July 1, 1992, for possible exclusions or restrictions pertaining to management of each specific waste.

(c) EPA identification numbers.

(1) All Kansas and EPA generators shall apply for and obtain an EPA identification number from the department before treating, storing, disposing, transporting, or offering for transportation hazardous waste. A generator who has not received an EPA identification number may obtain one by applying to the department using a form supplied by the department. Whenever there is a change in the information originally submitted to obtain an EPA identification number, the generator shall update that information. The generator shall submit these changes to the department on a form supplied by the department.

(2) A Kansas or EPA generator shall not offer hazardous waste to transporters or to treatment, storage or disposal facilities that do not have an EPA identification number.

(d) Manifest requirements.

(1) General requirements. Each Kansas and EPA generator who transports hazardous waste or offers hazard-

ous waste for transportation for off-site treatment, storage, or disposal shall prepare and use a manifest with OMB control number 2050-0039 which complies with EPA form 8700-22, and if necessary, 8700-22A according to the instructions included in the appendix to 40 CFR Part 262, as in effect on July 1, 1992. The generator shall comply with the following requirements.

(A) Each generator shall designate on the manifest one facility which is permitted to handle the waste described on the manifest.

(B) Each generator may also designate on the manifest one alternate facility which is permitted to handle the waste in the event an emergency prevents delivery of the waste to the primary designated facility.

(C) If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator shall either designate another facility or instruct the transporter to return the waste.

(2) Acquisition of manifests. If the shipment is to be transported to a state requiring use of that state's manifest, then the generator shall use the manifest of the consignment state. If the consignment state does not supply the manifest, then the generator may obtain the manifest from any source.

(3) Number of copies. At a minimum, the manifest shall have sufficient copies to provide the generator, each transporter, and the owner or operator of the designated facility with one copy each for their records and another copy to be returned to the generator.

(4) Use of the manifest. The generator shall:

(A) Sign the manifest certification by hand;

(B) obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest;

(C) retain one copy for the generator's records; and

(D) give the transporter the remaining copies of the manifest.

(5) Water shipments. When bulk shipments of only hazardous waste are transported within the United States solely by water, the generator shall send three copies of the manifest, dated and signed in accordance with this section, to the owner or operator of the designated facility or the last bulk water transporter to handle the waste in the United States if exported by water. Copies of the manifest shall not be required for any transporter.

(6) Rail shipments. When rail shipments of hazardous waste within the United States originate at the site of generation, the generator shall send at least three copies of the manifest, dated and signed in accordance with this section, to:

(A) The next non-rail transporter, if any;

(B) the designated facility, if transported solely by rail; or

(C) the last rail transporter to handle the waste in the United States if exported by rail.

(7) Manifest exemption. The requirements of this subsection shall not apply to Kansas generators when the waste is reclaimed under a contractual agreement pursuant to which:

(A) The type of waste and frequency of shipments are specified in the agreement;

(continued)

(B) the vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and

(C) the generator maintains a copy of the reclamation agreement for at least three years after termination or expiration of the agreement.

(e) Pre-transport requirements.

(1) Packaging. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas and EPA generator shall package the waste in accordance with 49 CFR Parts 173, 178, and 179, as in effect on October 1, 1992.

(2) Labeling. Before transporting or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall label each package in accordance with 49 CFR Part 172, as in effect on October 1, 1992.

(3) Marking.

(A) Before transporting or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall mark each package of hazardous waste in accordance with 49 CFR Part 172, as in effect on October 1, 1992.

(B) Before transporting hazardous waste or offering hazardous waste for transportation off-site, the Kansas or EPA generator shall mark each container of 110 gallons or less used in transportation in accordance with the requirements of 40 CFR 262.32(b) as in effect on July 1, 1992.

The required statement and information shall be displayed in accordance with the requirements of 49 CFR 172.304, as in effect on October 1, 1992.

(4) Placarding. Before transporting hazardous waste or offering hazardous waste for transportation off-site, each Kansas or EPA generator shall placard or offer the initial transporter the appropriate placards according to 49 CFR 172, subpart F, as in effect on October 1, 1992.

(f) Recordkeeping and reporting.

(1) Recordkeeping.

(A) Each Kansas and EPA generator shall keep a copy of each signed manifest. This signed copy shall be retained as a record for at least three years from the date the waste was accepted by the initial transporter or until receipt of a copy signed by a representative of the designated facility which received the waste. The copy signed by the designated facility shall be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

(B) Each Kansas and EPA generator shall keep a copy of each exception report required by paragraph (f)(4) of this regulation and each EPA generator shall keep a copy of each biennial report required by paragraph (f)(2) of this regulation. Each Kansas and EPA generator shall keep these reports for a period of at least three years from the due date of the reports.

(C) Each Kansas and EPA generator shall keep records of any test results, waste analyses, or other determinations for at least three years from the date that the waste was last sent for on-site or off-site treatment, storage, or disposal.

(D) The periods for retention referred to in this regulation shall be extended automatically during the course

of any unresolved enforcement action regarding the regulated activity or as requested by the secretary.

(2) Biennial report.

(A) Each EPA generator shall prepare and submit a single copy of a biennial report to the secretary by March 1 of each even-numbered year. The EPA generator shall submit the biennial report on a form provided by the department and shall cover generator activities during the previous calendar year or years. The biennial report shall include the following information:

(i) The EPA identification number, name, and address of the generator;

(ii) the calendar year or years covered by the report;

(iii) the EPA identification number, name, and address for each off-site treatment, storage, or disposal facility to which waste was shipped. For exported shipments, the report shall give the name and address of the foreign facility;

(iv) the name and EPA identification number of each transporter used;

(v) a description of the waste and the EPA hazardous waste number, DOT hazard class, and quantity of each hazardous waste shipped off-site. This information shall be listed by EPA identification number of each off-site treatment, storage, or disposal facility to which waste was shipped;

(vi) a description of the efforts undertaken to reduce the volume and toxicity of waste generated;

(vii) a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available; and

(viii) the certification signed by the generator or authorized representative.

(B) Any generator who treats, stores, or disposes of hazardous waste on-site shall submit a biennial report covering those wastes in accordance with the provisions of 40 CFR Parts 270, 264, 265, and 266, as in effect on July 1, 1992.

(3) Annual monitoring fee reports. Each EPA generator shall prepare and submit a report to the secretary by March 1 of each year which details the total quantities of hazardous waste produced during the previous year. The generator shall pay and submit the monitoring fee required by K.A.R. 28-31-10(g) with the report.

(4) Exception reporting.

(A) Any Kansas or EPA generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter, shall contact the transporter, the owner or operator of the designated facility, or both, to determine the status of the hazardous waste.

(B) Each Kansas or EPA generator who has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter shall submit an exception report to the secretary. The exception report shall include the following:

(i) A legible copy of the manifest for which the generator does not have confirmation of delivery; and



(ii) a cover letter signed by the generator or authorized representative explaining the efforts taken to locate the hazardous waste and the results of those efforts.

(5) Additional reporting. At any time, a generator may be required by the secretary to furnish additional reports concerning the quantities and disposition of hazardous wastes.

(g) Accumulation time for EPA generators. Any EPA generator may accumulate hazardous waste on-site for 90 days or less without a permit or without obtaining interim status if:

(1) The waste is placed in containers and the generator complies with 40 CFR 265 subpart I as in effect on July 1, 1992, the waste is placed in tanks and the generator complies with 40 CFR 265 subpart J, except 265.197(c), 265.200 and 265.201, as in effect on July 1, 1992, or the waste is collected on drip pads and the generator complies with 40 CFR 262.34(a) (1) (iii) (A) and (B) and 40 CFR 265 subpart W as in effect on July 1, 1992. In addition, the EPA generator shall be exempt from all the requirements in 40 CFR 265 subparts G and H, except for 265.111 and 265.114, as in effect on July 1, 1992;

(2) the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container and tank;

(3) while being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste"; and

(4) the generator complies with the requirements in 40 CFR 265 subparts C and D, with 265.16, and, if conducting treatment, with 268.7(a) (4) as in effect on July 1, 1992.

(h) Accumulation time for Kansas generators.

(1) Any Kansas generator may accumulate hazardous waste on-site without a permit, interim status or other time restrictions if:

(A) The quantity of waste accumulated never exceeds 1000 kilograms of hazardous waste or 1 kilogram of acutely hazardous waste. If at any time more than these quantities are accumulated, all of those accumulated wastes shall be subject to those regulations which are applicable to EPA generators;

(B) the waste is placed in containers and the generator complies with 40 CFR 265 subpart I, except 265.176, as in effect on July 1, 1992, the waste is placed in tanks and the generator complies with 40 CFR 265 subpart J, except 265.197(c), 265.200 and 265.201, as in effect on July 1, 1992, or the waste is collected on drip pads and the generator complies with 40 CFR 262.34(a) (1) (iii) (A) and (B) and 40 CFR 265 subpart W as in effect on July 1, 1992. In addition, the Kansas generator is exempt from all the requirements in 40 CFR 265 subparts G and H, except for 265.111 and 265.114, as in effect on July 1, 1992;

(C) the date upon which each period of accumulation begins is clearly marked and visible for inspection;

(D) while being accumulated on-site, each container and tank is labeled or clearly marked with the words, "Hazardous Waste";

(E) at least one employee who is designated as the emergency coordinator is either on the premises or on call at all times with the responsibility for coordinating all emergency response measures specified in this section. "On call" means that the emergency coordinator is avail-

able to respond to an emergency by reaching the facility within a short period of time;

(F) the following information is posted next to at least one telephone which is immediately accessible by employees during an emergency:

(i) The name and telephone number of the emergency coordinator;

(ii) the location of fire extinguishers and spill control material, and if present, fire alarms; and

(iii) the telephone number of the fire department unless the facility has a direct alarm;

(G) all employees are thoroughly familiar with proper waste handling and emergency procedures that are relevant to their responsibilities during normal facility operations and emergencies; and

(H) the emergency coordinator or designee is prepared to respond to any emergencies that arise. The appropriate responses are as follows:

(i) In the event of a fire, the emergency coordinator or designee shall call the fire department or attempt to extinguish the fire using a fire extinguisher;

(ii) in the event of a spill, the emergency coordinator or designee shall contain the flow of hazardous waste to the extent possible, and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil;

(iii) in the event of a fire, explosion, or other release which could threaten human health outside the facility or when it appears that a spill has reached surface water, the emergency coordinator shall immediately notify the National Response Center using their 24-hour toll free number 800-424-8802.

(2) All reports to the National Response Center shall contain the following information:

(A) The name, address, and U.S. EPA identification number of the generator;

(B) the date, time, and type of incident;

(C) the quantity and type of hazardous waste involved in the incident;

(D) the extent of any injuries; and

(E) the estimated quantity and disposition of recovered materials, if any.

(i) Extension of accumulation time. Any EPA generator who accumulates hazardous waste for more than 90 days shall be considered an operator of a storage facility and shall be subject to the requirements of 40 CFR Parts 124, 264, 265 and 270, as in effect on July 1, 1992, unless they have been granted an extension to the 90-day period. Such an extension may be granted if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted by the secretary upon written request by the EPA generator. Additional extensions not to exceed 30 days may be granted if the circumstances continue to be valid.

(j) Satellite accumulation areas.

(1) A Kansas or EPA generator may accumulate as much as 55 gallons of each type of hazardous waste or one quart of acutely hazardous waste in no more than one container at or near any point of generation where wastes initially accumulate, and which is under the con-

(continued)

trol of the operator of the process generating the waste, without a permit or interim status and without complying with subsections (g) and (h) if the generator:

(A) Complies with 40 CFR 265.171, 265.172, and 265.173(a), as in effect on July 1, 1992; and

(B) marks the containers with the words "Hazardous Waste."

(2) At the time the generator accumulates more than the amounts listed in this subsection at any satellite accumulation area, the date shall be placed on the full container. This date shall become the accumulation start date for this container and the generator shall move the full container to the hazardous waste storage area within three days. The empty container in which waste is accumulated at the satellite area shall be managed in accordance with paragraph (j)(1) of this subsection.

(k) Inspection requirement. Each Kansas and EPA generator shall document weekly inspections of hazardous waste storage areas in accordance with 40 CFR 265.15(d), as in effect on July 1, 1992.

(l) Transportation restrictions. Any Kansas or EPA generator shipping hazardous waste or offering hazardous waste for transport shall only use a transporter who has properly registered with the department according to K.A.R. 28-31-6.

(m) Small quantity generator requirements. Small quantity generators shall be subject to the following requirements:

(1) If at any time more than a total of 1000 kilograms of hazardous waste or one kilogram of acutely hazardous waste is accumulated, all of those accumulated wastes shall be subject to regulations which are applicable to EPA generators. Upon exceeding 1000 kilograms of hazardous waste or one kilogram of acutely hazardous waste, all requirements of subsection (g) shall apply to the generator.

(2) A small quantity generator who accumulates 25 kilograms or more of hazardous waste shall either recycle, treat or dispose of the waste in an acceptable on-site facility, or ensure delivery to an off-site hazardous waste treatment, storage, or disposal facility, or to some other waste management facility approved by the secretary, and shall be subject to:

(A) The pretransport requirements of paragraph (e) of this regulation;

(B) the container, dating, and marking requirements of sections (B), (C), and (D) of paragraph (h) of this regulation; and

(C) the inspection requirements of paragraph (k) of this regulation.

(3) Each small quantity generator who accumulates up to 25 kilograms of hazardous waste may either treat or dispose of hazardous waste in an acceptable on-site facility, or ensure delivery to an off-site storage, treatment, or disposal facility. In either case, the facility shall be:

(A) Permitted to manage hazardous waste;

(B) operating under interim status;

(C) permitted to manage solid waste; or

(D) a facility which beneficially treats, uses or reuses, or legitimately recycles or reclaims its waste.

(n) Acutely hazardous waste requirements.

(1) All quantities of acutely hazardous waste shall be subject to this regulation and other regulations regarding transportation, treatment, storage and disposal if generated by a generator in the following quantities:

(A) A total of one kilogram of acutely hazardous waste; or

(B) a total of 25 kilograms of any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill, into or on any land or water of any acutely hazardous waste.

(2) If at any time acutely hazardous waste is accumulated in quantities greater than those set forth in paragraph (n)(1), all of those accumulated wastes shall be subject to the requirements of this regulation and other regulations regarding transportation, treatment, storage and disposal. Upon exceeding these quantities, all requirements of subsection (g) shall apply to the generator.

(o) Quantity determinations.

(1) In determining the quantity of hazardous waste generated each calendar month, a generator shall not include either of the following:

(A) Hazardous waste when it is removed from on-site storage; or

(B) hazardous waste produced by on-site treatment including reclamation of hazardous waste, so long as the hazardous waste that is treated or reclaimed is counted each time before treatment or reclamation.

(2) Hazardous waste that is subject to the requirements of 40 CFR 261.6(b) and (c), as in effect on July 1, 1992, and 40 CFR 266 subparts C and F, as in effect on July 1, 1992 shall be included in the quantity determination and shall be subject to the requirements of this regulation.

(p) Mixtures of hazardous waste.

(1) Whenever two or more hazardous wastes are mixed together, the resulting mixture shall be regulated as follows:

(A) If a listed hazardous waste as defined by 40 CFR 261 subpart D, as in effect on July 1, 1992, is mixed with other listed hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all listed hazardous waste numbers contained in the mixture.

(B) If a characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1992, is mixed with other characteristic hazardous waste, the resulting mixture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all characteristic hazardous waste numbers contained in the mixture.

(i) A person may demonstrate that mixing two different characteristic hazardous wastes is a satisfactory treatment method which results in the mixture no longer exhibiting any characteristic of hazardous waste.

(ii) Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the department.

(C) If a listed hazardous waste as defined by 40 CFR 261 subpart D, as in effect on July 1, 1992, is mixed with characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1992, the resulting mix-

ture shall be identified for purposes of generation, transportation, storage, treatment and disposal by all listed and characteristic hazardous waste numbers contained in the mixture.

(2) Whenever hazardous waste is mixed with solid waste or non-hazardous material, other than used oil, the resulting mixture shall be regulated as follows:

(A) For characteristic hazardous waste as defined by 40 CFR 261 subpart C, as in effect on July 1, 1992, the resulting mixture shall remain regulated as a characteristic hazardous waste.

(i) A person may demonstrate that mixing characteristic hazardous waste with solid waste or non-hazardous materials is a satisfactory treatment method which results in the mixture no longer exhibiting any characteristic of hazardous waste.

(ii) Upon submittal of an acceptable demonstration, written approval indicating that the resulting mixture is not regulated as hazardous waste may be granted by the department.

(B) For listed hazardous waste, as defined by 40 CFR 261 subpart D, as in effect on July 1, 1992, the resulting mixture shall remain regulated as a listed hazardous waste unless it is listed solely because it exhibits one or more characteristics of hazardous waste identified in 40 CFR 261 subpart C, as in effect on July 1, 1992, and the resulting mixture no longer exhibits these characteristics.

(3) Hazardous waste which is mixed with used oil shall be regulated as follows:

(A) If hazardous waste from a small quantity generator is mixed with used oil, the resulting mixture shall be subject to 40 CFR 266 subpart E, as in effect on July 1, 1992, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment shall also be subject to 40 CFR 266 subpart E, as in effect on July 1, 1992, if it is destined to be burned for energy recovery.

(B) If a Kansas or EPA generator mixes a characteristic or listed hazardous waste with used oil, the resulting mixture shall remain identified as a characteristic or listed hazardous waste.

(4) Small quantity generators may mix their hazardous waste with used oil, non-hazardous waste or other material and remain subject to the requirements of subsection (m) even though the resultant mixture exceeds the quantity limitations of subsection (m), unless the mixture meets any of the characteristics of hazardous waste identified in 40 CFR 261, as in effect on July 1, 1992.

(q) Exports of hazardous waste. 40 CFR 262 subpart E, as in effect on July 1, 1992, is adopted by reference.

(r) Imports of hazardous waste. 40 CFR 262 subpart F, as in effect on July 1, 1992, is adopted by reference.

(s) Farmers. 40 CFR 262 subpart G, as in effect on July 1, 1992, is adopted by reference. (Authorized by and implementing K.S.A. 1995 Supp. 65-3431; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, Feb. 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Feb. 5, 1990; amended April 25, 1994; amended March 22, 1996.)

**28-31-10. Hazardous waste monitoring fees.** (a) Hazardous waste storage facility. Each hazardous waste

storage facility shall pay an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

(1) On-site storage facility	\$ 2,500
(2) Off-site storage facility	\$ 3,500

(b) Hazardous waste treatment facility. Each hazardous waste treatment facility shall pay an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

(1) On-site treatment facility	\$ 4,000
(2) Off-site treatment facility	\$ 5,000
(3) Off-site incinerator facility	\$10,000

(c) Hazardous waste disposal facility. Each hazardous waste disposal facility shall pay an annual monitoring fee before January 1 of each year. This fee shall be based on the following schedule:

(1) On-site landfill or underground injection well	\$10,000
(2) Off-site landfill or underground injection well	\$15,000

(d) Facilities subject to post-closure care. Each hazardous waste storage, treatment, or disposal facility subject to post-closure care shall pay an annual fee. This fee shall become applicable upon receipt by the department of the certification of closure specified in 40 CFR Part 264.115 or 40 CFR Part 265.115. This fee shall be paid before January 1 of each year. This fee shall be based on the following schedule:

Facilities subject to post-closure care	\$4,000
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(e) Multiple activities. Each facility conducting more than one of the hazardous waste activities addressed in subsections (a), (b), (c), and (d) of this regulation shall pay a single fee. This fee shall be in the amount specified for the activity having the highest fee of those conducted. Facilities subject to post-closure care and which have no remaining active storage, treatment, or disposal units shall be subject only to the monitoring fee specified above in subsection (d).

(f) Hazardous waste transporters. Each hazardous waste transporter shall pay an annual monitoring fee. The hazardous waste transporter shall pay this fee at the time the transporter registers with the department in accordance with K.A.R. 28-31-6(b), and before January 1 of each year thereafter. This fee shall be based on the following schedule:

Transporter	\$250
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(g) Hazardous waste generators.

(1) Before March 1 of each year, each EPA generator shall pay an annual monitoring fee for all hazardous waste generated during the previous calendar year. This fee shall be based on the following schedule:

Total Yearly Quantity Generated	Monitoring Fee
Less than or equal to 5 tons .....	\$ 100
Greater than 5 tons but less than or equal to 50 tons .....	\$1,500
Greater than 50 tons but less than or equal to 500 tons ..	\$1,000
Greater than 500 tons .....	\$5,000

(2) Hazardous waste which is reclaimed on-site to recover substantial amounts of either energy or materials shall be exempt from payment of monitoring fees. This exemption shall not apply to hazardous waste residues  
(continued)

produced during reclamation. (Authorized by and implementing K.S.A. 1995 Supp. 65-3431; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-85-2, Jan. 13, 1984; amended May 1, 1984; amended, T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985; amended May 1, 1986; amended, T-87-49, Dec. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended April 25, 1994; amended March 22, 1996.)

James J. O'Connell  
Secretary of Health  
and Environment

Doc. No. 017377

State of Kansas

Office of the Governor

Executive Order No. 96-2

WHEREAS, P.L. 93-415, 42 U.S.C. 5633(a)(3)(A) (the Act), mandates that the State must provide an advisory group appointed by the Governor to participate in the development and review of the State's juvenile justice plan and to review and comment on all juvenile justice and delinquency prevention grant applications submitted under P.L. 93-415, 42 U.S.C. 5601 *et seq.* or other juvenile offender and delinquency prevention programs; and

WHEREAS, the Act mandates that the advisory group be comprised of 15 to 33 members who have training, experience or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice; and

WHEREAS, the Act mandates that membership on the advisory group must not have a majority of members who are full-time employees of the federal, state or local government; and

WHEREAS, the Act mandates that no less than 20% of the advisory group's members must be younger than 24 years old at the time of appointment; and

WHEREAS, the Act mandates that at least three members of the advisory group must be or have been under the jurisdiction of the juvenile justice system; and

WHEREAS, the Act mandates that the advisory group include: a locally elected official representing general purpose local government; representatives of law enforcement and juvenile justice agencies, such as juvenile and family court judges, prosecutors, counsel for children and youth and probation workers; representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social service, mental health, education, special education, recreation, and youth services or programs; volunteers who work with delinquents or potential delinquents; youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities; persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence; and

WHEREAS, the Kansas youth authority became the successor in every way to the powers, duties and functions of the advisory commission on juvenile offenders pursuant to L. 1995, Ch. 259, which repealed K.S.A. 75-5388, 75-5390a, 75-5398 and K.S.A. 1994 Supp. 75-5389 and 75-5390.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Kansas Advisory Group on Juvenile Justice and Delinquency Prevention, as required by the Act.

- (1) The membership of the Advisory Group shall be composed of members of the Kansas Youth Authority to the extent provided under K.S.A. 1995 Supp. 75-7007.
- (2) In addition to these designated members, the Advisory Group shall include such additional members as are necessary to meet the minimum requirements of the Act for membership, including the required minimum of 15 members. These additional members shall be appointed by official commission of appointment of the Governor, certified by and filed with the Secretary of State, and shall serve at the pleasure of the Governor.
- (3) The Chairperson and Vice Chairperson of the Advisory Group shall be appointed by the Governor by official commission of appointment of the Governor, certified by and filed with the Secretary of State, and shall serve at the pleasure of the Governor.
- (4) The Advisory Group shall participate in the development and review of the State's juvenile justice plan, shall review and comment on all juvenile justice and delinquency prevention grant applications, and shall make recommendations to the Kansas Youth Authority regarding the grant applications.
- (5) The Advisory Group shall meet semiannually. Special meetings may be called by the Chairperson.
- (6) Members of the Advisory Group shall not receive compensation, except that members of the Kansas Youth Authority shall be authorized to participate in the Advisory Group as part of their duties and may receive compensation as permitted by K.S.A. 1995 Supp. 75-7009. Members of the Advisory Group shall receive subsistence allowances, mileage, and expense reimbursements as provided in K.S.A. 75-3223 and amendments thereto for travel to and attendance at official meetings of the Advisory Group. The subsistence allowances, mileage, and expense reimbursements shall be paid from available appropriations of the Kansas Youth Authority, except that expenses of any state agency representatives shall be paid by the agencies represented.

Executive Order 91-134 is hereby superseded by this Order and the force and effect of Executive Order 91-134 is hereby rescinded.

This document shall be filed with Secretary of State as Executive Order No. 96-2 and shall become effective immediately.

Dated February 16, 1996.

Bill Graves  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 017364

## State of Kansas

## Secretary of State

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

In Testimony Whereof, I have hereunto subscribed my name and affixed by official seal.

Ron Thornburgh  
Secretary of State

(Published in the Kansas Register March 7, 1996.)

## HOUSE BILL No. 2602

AN ACT relating to the regulation of traffic; concerning speed limits; amending K.S.A. 8-1558 and 8-2002 and K.S.A. 1995 Supp. 8-1559, 8-1560, 8-2118 and 8-2204 and repealing the existing sections; also repealing K.S.A. 8-1334, 8-1335, 8-1336, 8-1336a, 8-1338a, 8-1338b, 8-1339, 8-1340, 8-1341 and 8-1341a and K.S.A. 1995 Supp. 8-1337 and 8-1338.

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

New Section 1. (a) Whenever the governing body of any improvement district which is located adjacent to any park or recreation area within Wabaunsee county determines that the maximum speed prescribed by law is greater than is reasonable and safe under the conditions found to exist upon any highway or part of a highway located within such improvement district, the governing body, by resolution, may determine and declare a reasonable and safe maximum limit thereon. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper and a copy thereof filed with the board of county commissioners of the county. Speed limits fixed pursuant to this section shall become effective only after appropriate signs giving notice thereof are erected upon the highway or part thereof affected.

(b) The authority of any improvement district to fix speed limits upon any highway or part thereof under the provisions of this section shall cease and terminate on the date which the county in which the district is located determines and declares and places in effect a county speed limit upon the same highway or part thereof.

(c) Violations of any speed limit fixed pursuant to this section shall be prosecuted in the district court of Wabaunsee county.

(d) For purposes of this section, the governing body of an improvement district specified in subsection (a), shall be deemed a "local authority" for purposes of K.S.A. 8-1432 and 8-1560, and amendments thereto.

New Sec. 2. Notwithstanding the provisions of K.S.A. 8-1558, and amendments thereto, the Kansas turnpike authority, as defined in K.S.A. 68-2001, and amendments thereto, by resolution, may fix maximum and minimum speed limits for vehicles upon a highway or any part thereof under the authority's jurisdiction, which speed limits shall be effective when appropriate signs giving notice thereof are erected upon such highway or any part thereof.

New Sec. 3. (a) Any conviction or forfeiture of bail or bond for exceeding the maximum speed limit established by paragraph (2) of subsection (a) of K.S.A. 8-1558, and amendments thereto, by not more than 10 miles per hour shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(b) Any conviction or forfeiture of bail or bond for exceeding the maximum speed limit established by paragraphs (3) or (4) of subsection (a) of K.S.A. 8-1558, and amendments thereto, or subsection (b) of K.S.A. 8-1560, and amendments thereto, by not more than five miles per hour shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

New Sec. 4. (a) Convictions under paragraph (2) of subsection (a) of K.S.A. 8-1558, and amendments thereto, for not more than 10 miles per hour in excess of the maximum speed limit allowed under such paragraph (2) of subsection (a) of K.S.A. 8-1558, and amendments thereto, shall not be a part of the public record and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto.

(b) Convictions under paragraphs (3) or (4) of subsection (a) of K.S.A. 8-1558, and amendments thereto, or subsection (b) of K.S.A. 8-1560, and amendments thereto, for not more than five miles per hour in excess of the maximum speed limit allowed under such paragraphs (3) or (4) of subsection (a) of K.S.A. 8-1558, and amendments thereto, or subsection (b) of K.S.A. 8-1560, and amendments thereto, shall not be a part of the public record and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto.

Sec. 5. K.S.A. 8-1558 is hereby amended to read as follows: 8-1558. (a) ~~Subject to~~ Except as provided in subsection (b) subsections (b) and (e) and except when a special hazard exists that requires lower speed for compliance with K.S.A. 8-1557, and amendments thereto, the limits hereinafter specified in this subsection or established as authorized by law shall be maximum lawful speeds, and no person shall drive operate a vehicle at a speed in excess of such maximum limits:

- (1) In any urban district, 30 miles per hour;
- (2) in other locations during the daytime, 70 miles per hour; and
- (3) (2) in such other locations during the nighttime, 60 miles per hour on any separated multilane highway, as designated and posted by the secretary of transportation, 70 miles per hour;
- (3) on any county or township highway, 55 miles per hour; and
- (4) on all other highways, 65 miles per hour.

(b) On any highway outside the corporate limits of any city, passenger vehicles and buses, other than school buses, and motor vehicles registered for a gross weight of 12,000 pounds or less, shall be subject to a maximum speed limit during the daytime of 70 miles per hour and a maximum speed limit during the nighttime of 60 miles per hour; except on interstate highways where the maximum lawful speed during the daytime shall be 75 miles per hour and during the nighttime the maximum lawful speed shall be 70 miles per hour. On any highway outside the corporate limits of any city, any combination of vehicles and trucks registered for a gross weight of more than 12,000 pounds shall not exceed at any time a maximum speed limit of 60 miles per hour; and No person shall drive a school bus being driven to or from school, or interschool or intraschool functions or activities, shall not exceed at a speed greater than 45 miles per hour on any roadway having a dirt, sand or gravel surface, and in no event shall a school bus be driven to and from school, or functions or activities, at a speed in excess of 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection relating to school buses shall apply to buses used for the transportation of students enrolled in community colleges or area vocational schools, when such buses are transporting students to or from school, or functions or activities.

(c) The secretary of transportation shall not be liable for any damage or loss, asserted to have been sustained between the effective date of this act and July 1, 1996, based on a claim of failure to post any speed limit, or to erect signs or place markings in relation to any speed limit established by this act, on any highway under the secretary's jurisdiction.

(e) As used in this section, daytime means from 30 minutes before sunrise to 30 minutes after sunset; nighttime means at any other hour.

(d) The maximum speed limits in this section may be altered as authorized in K.S.A. 8-1559 and 8-1560, and amendments thereto.

(e) The provisions of subsections (a) and (b) shall not apply to the driving of vehicles on a highway which is under the jurisdiction of the Kansas turnpike authority, as defined in K.S.A. 68-2001. The turnpike authority may, by resolution, fix maximum and minimum speed limits for vehicles upon a highway or any part thereof under the authority's jurisdiction, which speed limits shall be effective when appropriate signs giving notice thereof are erected upon such highway or any part thereof.

(f) Notwithstanding amendments to this section, the suspension provided for in K.S.A. 8-1340 and amendments thereto shall remain in effect in accordance with the terms thereof.

(e) The speed limits established in paragraphs (2) and (4) of subsection (a) shall be effective 15 days following the effective date of this act. During such interim fifteen-day period, the maximum speed limit under paragraph (2) of subsection (a) shall be 65 miles per hour and the maximum speed limit under paragraph (4) of subsection (a) shall be 55 miles per hour.

Sec. 6. K.S.A. 1995 Supp. 8-1559 is hereby amended to read as follows: 8-1559. (a) Whenever The secretary of transportation shall may determine upon the basis of and declare:

(continued)

(1) Based on an engineering and traffic investigation that any maximum speed an existing speed limit is greater or less than what is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the state highway system, or upon any city street which is a state highway connecting link, the secretary may determine and declare a reasonable and safe maximum limit thereat, which shall be effective when appropriate signs giving notice thereof are erected; or

(2) based on information or circumstances known to the secretary, without an engineering or traffic investigation, that a speed less than the maximum otherwise allowed is warranted. If the secretary determines to designate a speed limit under authority of this paragraph the secretary shall prepare a statement and notice of alteration of maximum speed limit. The statement shall be in writing, shall specify the designated maximum speed limit, the route or routes affected, or any segment thereof, the factors upon which the decision is based and the date on which the speed limit shall be effective. The notice shall specify the route or routes affected, or segments thereof, the designated maximum speed limit and the effective date. The notice required under this paragraph shall be sent to the Kansas highway patrol and the sheriff of any county in which the affected route or routes are located prior to the effective date of the new maximum speed limit.

(b) Any such maximum speed limit declared under subsection (a) may be declared to be effective at all times or at such times as are indicated upon said signs designated times; and differing speed limits may be established for different times of day, different types of vehicles, varying weather conditions, and or other factors bearing on safe speeds, which. In addition to any other requirement imposed on the secretary of transportation, no alteration in the speed limits under subsection (a) shall be effective when until posted upon appropriate fixed or variable signs.

(b)(c) The secretary of transportation may establish the speed limit within a road construction zone, as defined in K.S.A. 1995 Supp. 8-1458a, and amendments thereto, upon any highway under the jurisdiction of the secretary, and the speed limit shall be effective when appropriate signs giving notice thereof are erected.

(d) The secretary of transportation shall not establish any maximum speed limit in excess of the maximum speed limits established by K.S.A. 8-1558, and amendments thereto.

(e) The secretary of transportation shall not alter any speed limit established under paragraph (4) of subsection (a) of K.S.A. 8-1560, and amendments thereto, without first obtaining approval from the local authority.

Sec. 7. K.S.A. 1995 Supp. 8-1560 is hereby amended to read as follows: 8-1560. (a) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which:

(1) Decreases the limit at intersections;

(2) increases the limit within an urban district but not to exceed the maximum speed limit established by or pursuant to subsection (a)(3) of K.S.A. 8-1336, and amendments thereto of 65 miles per hour;

(3) decreases the limit outside an urban district, but not to less than 20 miles per hour, except as authorized by section 1 of this act;

(4) decreases the limit within an urban district in a school zone to not less than 20 miles per hour, except that any such decreased limit shall apply only during the hours in which students are normally en route to or from school, such zones and hours to be determined by ordinance or resolution of such local authority; or

(5) decreases the limit within any residence district, but not to less than 20 miles per hour.

(b) Local authorities in their respective jurisdictions shall may determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under this act for an urban district or other location in which the arterial street is situated, except that in no event shall any local authority establish any such maximum limit in excess of 65 miles per hour.

(c) Except as otherwise provided in paragraph (4) of subsection (a), any altered limit established as authorized shall be effective at all times or during hours of darkness or at other times as may be determined when

appropriate signs giving notice thereof are erected upon such street or highway.

(d) Any alteration of maximum limits on city connecting links shall not be effective until such alteration has been approved by the secretary of transportation.

(e) If local authorities in their respective jurisdictions have established a speed limit within any residence district which is less than 30 miles per hour, prior to the effective date of this act, such speed limit shall be deemed valid and shall not require an engineering and traffic investigation.

(f) Local authorities in their respective jurisdictions may establish the speed limit within a road construction zone, as defined in K.S.A. 1995 Supp. 8-1458a, and amendments thereto, upon any highway under the jurisdiction of such local authorities.

(g) The provisions of subsection (e) of K.S.A. 8-1558, and amendments thereto, section 2 shall apply to the limitations on speed limits provided by subsection (a) of this section.

Sec. 8. K.S.A. 8-2002 is hereby amended to read as follows: 8-2002.

(a) The provisions of this act shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

(1) Regulating or prohibiting stopping, standing or parking;

(2) regulating traffic by means of police officers or official traffic-control devices;

(3) regulating or prohibiting processions or assemblages on the highways;

(4) designating particular highways or roadways for use by traffic moving in one direction as authorized in K.S.A. 8-1521, and amendments thereto;

(5) establishing speed limits for vehicles in public parks notwithstanding the provisions of subsection (a)(3) of K.S.A. 8-1560, and amendments thereto;

(6) designating any highway as a through highway or designating any intersection or junction of roadways as a stop or yield intersection or junction;

(7) restricting the use of highways as authorized in K.S.A. 8-1912, and amendments thereto;

(8) regulating the operation of bicycles and requiring the registration and inspection of same, including the requirement of a registration fee;

(9) regulating or prohibiting the turning of vehicles or specified types of vehicles;

(10) altering or establishing speed limits as authorized in K.S.A. 8-1560, and amendments thereto;

(11) establish school zones as provided in subsection (a)(4) of K.S.A. 8-1560, and amendments thereto;

(12) designating no-passing zones as authorized in K.S.A. 8-1520, and amendments thereto;

(13) prohibiting or regulating the use of controlled-access roadways by any class or kind of traffic as authorized in K.S.A. 8-1525, and amendments thereto;

(14) prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;

(15) establishing minimum speed limits as authorized in subsection (b) of K.S.A. 8-1561, and amendments thereto;

(16) designating hazardous railroad grade crossings as authorized in K.S.A. 8-1552, and amendments thereto;

(17) designating and regulating traffic on play streets;

(18) prohibiting pedestrians from crossing a roadway in a business district or any designated highway except in a crosswalk as authorized in K.S.A. 8-2006, and amendments thereto;

(19) restricting pedestrian crossings at unmarked crosswalks as authorized in K.S.A. 8-2007, and amendments thereto;

(20) regulating persons propelling push carts;

(21) regulating persons upon skates, coasters, sleds and other toy vehicles;

(22) adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions;

(23) adopting such other traffic regulations as are specifically authorized by this act.

(b) No local authority shall erect or maintain any official traffic-control device at any location so as to require the traffic on any state highway to stop before entering or crossing any intersecting highway unless ap-

proval in writing has first been obtained from the secretary of transportation.

(c) No ordinance, resolution or regulation enacted under paragraph (4), (5), (6), (7), (9), (10), (12), (13), (14), (16), (17) or (19) of subsection (a) of this section shall be effective until official traffic-control devices giving notice of such local traffic regulations are erected upon or at the entrances to the highway or part thereof affected as may be most appropriate.

(d) Until the expiration of K.S.A. 8-1336, as provided in K.S.A. 8-1340; No ordinance, resolution or regulation enacted under paragraph (5), (10) or (22) shall establish a speed limit in excess of the speed limit established by or pursuant to subsection (a)(3) of K.S.A. 8-1336. Until the expiration of K.S.A. 8-1338, as provided in K.S.A. 8-1340; any reference to K.S.A. 8-1560 in subsection (a) of this section is hereby declared to be a reference to K.S.A. 8-1338 subsection (a) of K.S.A. 8-1558, and amendments thereto, or paragraph (2) of subsection (a) or subsection (b) of K.S.A. 8-1560, and amendments thereto.

Sec. 9. K.S.A. 1995 Supp. 8-2118 is hereby amended to read as follows: 8-2118. (a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

(b) Prior to the time specified in the notice to appear, a person charged with a traffic infraction may enter a written appearance, waive right to trial, plead guilty or no contest and pay the fine for the violation as specified in the uniform fine schedule in subsection (c) and court costs provided by law. Payment may be made by mail or in person and may be by personal check. The traffic citation shall not have been complied with if a check is not honored for any reason, or if the fine and court costs are not paid in full. When a person charged with a traffic infraction makes payment without executing a written waiver of right to trial and plea of guilty or no contest, the payment shall be deemed such an appearance, waiver of right to trial and plea of no contest.

(c) The following uniform fine schedule shall apply uniformly throughout the state but shall not limit the fine which may be imposed following a court appearance, except an appearance made for the purpose of pleading and payment as permitted by subsection (a). The description of offense contained in the following uniform fine schedule is for reference only and is not a legal definition.

Description of Offense	Statute	Fine
Refusal to submit to a preliminary breath test	8-1012	\$30
Unsafe speed for prevailing conditions	8-1335	\$20
	or	
	8-1557	
Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone	8-1336	1-10 mph over the limit, \$10;
	to	
	8-1338	
	or	
	8-1558	11-20 mph over the limit, \$10 plus
	to	\$2 per mph over
	8-1560	10 mph over the
	section 1	limit;
	or	
	section 2	21-30 mph over the limit, \$30 plus
		\$3 per mph over
		20 mph over the
		limit;
		31 and more mph
		over the limit, \$60
		plus \$5 per mph
		over 30 mph over
		the limit;
Disobeying traffic control device	8-1507	\$20
Violating traffic control signal	8-1508	\$20
Violating pedestrian control signal	8-1509	\$10
Violating flashing traffic signals	8-1510	\$20
Violating lane-control signal	8-1511	\$20
Unauthorized sign, signal, marking or device	8-1512	\$10
Driving on left side of roadway	8-1514	\$20

Failure to keep right to pass oncoming vehicle	8-1515	\$20
Improper passing; increasing speed when passed	8-1516	\$20
Improper passing on right	8-1517	\$20
Passing on left with insufficient clearance	8-1518	\$20
Driving on left side where curve, grade, intersection, railroad crossing, or obstructed view	8-1519	\$20
Driving on left in no-passing zone	8-1520	\$20
Driving wrong direction on one-way road	8-1521	\$20
Improper driving on laned roadway	8-1522	\$20
Following too close	8-1523	\$20
Improper crossover on divided highway	8-1524	\$10
Failure to yield right-of-way at uncontrolled intersection	8-1526	\$20
Failure to yield to approaching vehicle when turning left	8-1527	\$20
Failure to yield at stop or yield sign	8-1528	\$20
Failure to yield from private road or driveway	8-1529	\$20
Failure to yield to emergency vehicle	8-1530	\$30
Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$10
Failure to comply with restrictions in road construction zone	8-1531a	\$10
Disobeying pedestrian traffic control device	8-1532	\$10
Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$20
Improper pedestrian crossing	8-1534	\$10
Failure to exercise due care in regard to pedestrian	8-1535	\$10
Improper pedestrian movement in crosswalk	8-1536	\$10
Improper use of roadway by pedestrian	8-1537	\$10
Soliciting ride or business on roadway	8-1538	\$10
Driving through safety zone	8-1539	\$10
Failure to yield to pedestrian on sidewalk	8-1540	\$10
Failure of pedestrian to yield to emergency vehicle	8-1541	\$10
Failure to yield to blind pedestrian	8-1542	\$10
Pedestrian disobeying bridge or railroad signal	8-1544	\$10
Improper turn or approach	8-1545	\$20
Improper "U" turn	8-1546	\$20
Unsafe starting of stopped vehicle	8-1547	\$10
Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully	8-1548	\$20
Improper method of giving notice of intention to turn	8-1549	\$10
Improper hand signal	8-1550	\$10
Failure to stop or obey railroad crossing signal	8-1551	\$30
Failure to stop at railroad crossing stop sign	8-1552	\$20
Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$30
Improper moving of heavy equipment at railroad crossing	8-1554	\$10
Vehicle emerging from alley, private roadway, building or driveway	8-1555	\$20
Improper passing of school bus; improper use of school bus signals	8-1556	\$60
Improper passing of church or day-care bus; improper use of signals	8-1556a	\$60
Impeding normal traffic by slow speed	8-1561	\$10
Speeding on motor-driven cycle	8-1562	\$20
Speeding in certain vehicles or on posted bridge	8-1563	\$10
Improper stopping, standing or parking on roadway	8-1569	\$10
Parking, standing or stopping in prohibited area	8-1571	\$10
Improper parking	8-1572	\$10
Unattended vehicle	8-1573	\$10
Improper backing	8-1574	\$10
Driving on sidewalk	8-1575	\$10
Driving with view or driving mechanism obstructed	8-1576	\$10
Unsafe opening of vehicle door	8-1577	\$10
Riding in house trailer	8-1578	\$10
Improper driving in defiles, canyons, or on grades	8-1579	\$10
Coasting	8-1580	\$10
Following fire apparatus too closely	8-1581	\$20
Driving over fire hose	8-1582	\$10
Putting glass, etc., on highway	8-1583	\$30

(continued)

Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$10
Improper operation of snowmobile on highway	8-1585	\$10
Parental responsibility of child riding bicycle	8-1586	\$10
Not riding on bicycle seat; too many persons on bicycle	8-1588	\$10
Clinging to other vehicle	8-1589	\$10
Improper riding of bicycle on roadway	8-1590	\$10
Carrying articles on bicycle; one hand on handlebars	8-1591	\$10
Improper bicycle lamps, brakes or reflectors	8-1592	\$10
Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$10
Improper operation of motorcycle on laned roadway	8-1595	\$20
Motorcycle clinging to other vehicle	8-1596	\$10
Improper motorcycle handlebars or passenger equipment	8-1597	\$20
Motorcycle helmet and eye-protection requirements	8-1598	\$10
Unlawful riding on vehicle	8-1578a	\$20
Equipment offenses that are not misdemeanors	8-1701	\$20
Driving without lights when needed	8-1703	\$20
Defective headlamps	8-1705	\$10
Defective tail lamps	8-1706	\$10
Defective reflector	8-1707	\$10
Improper stop lamp or turn signal	8-1708	\$10
Improper lighting equipment on certain vehicles	8-1710	\$10
Improper lamp color on certain vehicles	8-1711	\$10
Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$10
Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$10
No lamp or flag on projecting load	8-1715	\$20
Improper lamps on parked vehicle	8-1716	\$10
Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$10
Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$10
Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$10
Improper lamps or lights on emergency vehicle	8-1720	\$10
Improper stop or turn signal	8-1721	\$10
Improper vehicular hazard warning lamp	8-1722	\$10
Unauthorized additional lighting equipment	8-1723	\$10
Improper multiple-beam lights	8-1724	\$10
Failure to dim headlights	8-1725	\$20
Improper single-beam headlights	8-1726	\$10
Improper speed with alternate lighting	8-1727	\$10
Improper number of driving lamps	8-1728	\$10
Unauthorized lights and signals	8-1729	\$10
Improper school bus lighting equipment and warning devices	8-1730	\$10
Unauthorized lights and devices on church or day-care bus	8-1730a	\$10
Improper lights on highway construction or maintenance vehicles	8-1731	\$10

Defective brakes	8-1734	\$10
Defective or improper use of horn or warning device	8-1738	\$10
Defective muffler	8-1739	\$10
Defective mirror	8-1740	\$10
Defective wipers; obstructed windshield or windows	8-1741	\$10
Improper tires	8-1742	\$10
Improper flares or warning devices	8-1744	\$10
Improper use of vehicular hazard warning lamps and devices	8-1745	\$10
Improper air-conditioning equipment	8-1747	\$10
TV screen visible to driver	8-1748	\$10
Improper safety belt or shoulder harness	8-1749	\$10
Improper wide-based single tires	8-1742b	\$20
Defective motorcycle headlamp	8-1801	\$10
Defective motorcycle tail lamp	8-1802	\$10
Defective motorcycle reflector	8-1803	\$10
Defective motorcycle stop lamps and turn signals	8-1804	\$10
Defective multiple-beam lighting	8-1805	\$10
Improper road-lighting equipment on motor-driven cycles	8-1806	\$10
Defective motorcycle or motor-driven cycle brakes	8-1807	\$10
Improper performance ability of brakes	8-1808	\$10
Operating motorcycle with disapproved braking system	8-1809	\$10
Defective horn, muffler, mirrors or tires	8-1810	\$10
Unlawful statehouse parking	75-4510a	\$ 5

(d) Traffic offenses classified as traffic infractions by this section shall be classified as ordinance traffic infractions by those cities adopting ordinances prohibiting the same offenses. A schedule of fines for all ordinance traffic infractions shall be established by the municipal judge in the manner prescribed by K.S.A. 12-4305 and amendments thereto. Such fines may vary from those contained in the uniform fine schedule contained in subsection (c).

(e) Fines listed in the uniform fine schedule contained in subsection (c) shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone as defined in K.S.A. 1995 Supp. 8-1458a, and amendments thereto.

Sec. 10. K.S.A. 1995 Supp. 8-2204 is hereby amended to read as follows: 8-2204. This act shall be known and may be cited as the uniform act regulating traffic on highways. The uniform act regulating traffic on highways includes K.S.A. 8-1334 through 8-1341, and amendments thereto sections 1 through 4 of this act; all sections located in articles 10 and 14 through 22 of chapter 8 of Kansas Statutes Annotated; K.S.A. 8-1,129, 8-1,130a, 8-1428a, 8-1742a, 8-2118 and K.S.A. 1995 Supp. 8-1599, and amendments thereto.

Sec. 11. K.S.A. 8-1334, 8-1335, 8-1336, 8-1336a, 8-1338a, 8-1338b, 8-1339, 8-1340, 8-1341, 8-1341a, 8-1558 and 8-2002 and K.S.A. 1995 Supp. 8-1337, 8-1338, 8-1559, 8-1560, 8-2118 and 8-2204 are hereby repealed.

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

**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 1995 Supplement to the *Kansas Administrative Regulations*.

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1-2-1	Revoked	V. 14, p. 1441
1-2-4	Amended	V. 14, p. 1441

1-2-5	Revoked	V. 14, p. 1441	1-2-51	Amended	V. 14, p. 1442
1-2-8	New	V. 14, p. 1441	1-2-54	New	V. 14, p. 1442
1-2-9	Amended	V. 14, p. 1441	1-2-55	Revoked	V. 14, p. 1442
1-2-11	Revoked	V. 14, p. 1441	1-2-67	Amended	V. 14, p. 1442
1-2-14	New	V. 14, p. 1441	1-2-68	New	V. 14, p. 1443
1-2-17	Amended	V. 14, p. 1441	1-2-70	New	V. 14, p. 1443
1-2-20	New	V. 14, p. 172, 483	1-2-71	Amended	V. 14, p. 1443
1-2-26	Revoked	V. 14, p. 1441	1-2-72	New	V. 14, p. 1443
1-2-27	Revoked	V. 14, p. 1441	1-2-73	Amended	V. 14, p. 1443
1-2-29	Revoked	V. 14, p. 1441	1-2-75	Revoked	V. 14, p. 1443
1-2-31	Amended	V. 14, p. 1441	1-2-79	Amended	V. 14, p. 1443
1-2-35	Amended	V. 14, p. 1441	1-2-83	Revoked	V. 14, p. 1443
1-2-37	Revoked	V. 14, p. 1441	1-2-84	Amended	V. 14, p. 1443
1-2-39	Revoked	V. 14, p. 1441	1-2-85	Amended	V. 14, p. 1443
1-2-42	New	V. 14, p. 1441	1-2-86	New	V. 14, p. 1443
1-2-42a	New	V. 14, p. 1441	1-2-88	Amended	V. 14, p. 1443
1-2-43	Revoked	V. 14, p. 1442	1-2-91	Revoked	V. 14, p. 1443
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1-2-50	Amended	V. 14, p. 1442	1-5-4	Amended	V. 14, p. 1444





66-7-3	Amended	V. 15, p. 185
66-8-1	Amended	V. 15, p. 185
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AGENCY 67: BOARD OF HEARING AID EXAMINERS

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67-2-4	Amended	V. 14, p. 66

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68-1-1f	Amended	V. 14, p. 125
68-2-12a	Amended	V. 14, p. 125
68-2-20	Amended	V. 14, p. 125
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68-7-14	Amended	V. 14, p. 126
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68-20-15a	Amended	V. 14, p. 126
68-20-18	Amended	V. 14, p. 127
68-20-19	Amended	V. 14, p. 128

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70-3-2	Amended	V. 14, p. 90
70-3-4	Revoked	V. 14, p. 90

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71-5-1 through 71-5-6	New	V. 14, p. 1533, 1534

AGENCY 74: BOARD OF ACCOUNTANCY

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74-4-1	Amended	V. 14, p. 1736
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74-4-5	Revoked	V. 14, p. 1736
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74-5-2	Amended	V. 14, p. 1736
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74-5-203	Amended	V. 14, p. 1738
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74-8-2	Revoked	V. 14, p. 1739
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82-3-103	Amended	V. 14, p. 132
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82-5-13	Amended	V. 14, p. 1047
82-8-100 through 82-8-108	Revoked	V. 14, p. 1047
82-12-1 through 82-12-9	New	V. 14, p. 1048, 1049

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 14, p. 1495
86-1-11	Amended	V. 14, p. 1660
86-1-12	Amended	V. 14, p. 1496
86-1-13	Amended	V. 14, p. 1497
86-1-15	Amended	V. 14, p. 1497
86-1-17	New	V. 14, p. 1497
86-1-18	New	V. 14, p. 1498
86-2-4	Revoked	V. 14, p. 1660
86-2-6	Revoked	V. 14, p. 1660
86-3-25	New	V. 14, p. 1498

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-30	Amended	V. 14, p. 1704
91-1-34	Amended	V. 14, p. 1705
91-1-35	Amended	V. 14, p. 1705
91-1-36	Revoked	V. 14, p. 1706
91-1-44	Amended	V. 14, p. 1706
91-1-45	Amended	V. 14, p. 1706
91-1-46	Amended	V. 14, p. 1706
91-1-48	Amended	V. 14, p. 1706
91-1-68a through 91-1-68d	Amended	V. 14, p. 677-680
91-1-68e	New	V. 14, p. 681
91-1-70a	New	V. 14, p. 682
91-1-70b	New	V. 14, p. 682
91-1-103	Revoked	V. 14, p. 1707
91-1-113b	Amended	V. 14, p. 1707
91-1-114a	Amended	V. 14, p. 1707
91-1-115a	Amended	V. 14, p. 1707
91-1-117a	Amended	V. 14, p. 1708
91-1-118a	Amended	V. 14, p. 1708
91-1-123	Revoked	V. 14, p. 1708
91-1-127a	Amended	V. 14, p. 1708
91-1-128a	Revoked	V. 14, p. 1708
91-1-145	Amended	V. 14, p. 1709
91-1-146d	Amended	V. 14, p. 1709
91-12-22	Amended	V. 15, p. 226
91-12-23	Amended	V. 14, p. 91
91-12-25	Amended	V. 14, p. 91
91-12-29	Revoked	V. 14, p. 92
91-12-34	Revoked	V. 14, p. 92
91-12-35	Amended	V. 14, p. 92
91-12-41	Amended	V. 14, p. 92
91-12-42	Amended	V. 14, p. 93
91-12-51	Amended	V. 14, p. 94
91-12-54	Amended	V. 14, p. 94
91-12-55	Amended	V. 15, p. 230
91-12-56	Amended	V. 14, p. 94
91-12-60	Amended	V. 14, p. 95
91-12-61	Amended	V. 15, p. 230
91-12-74	New	V. 14, p. 95

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-38-1	Amended	V. 14, p. 676

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-1	Amended	V. 14, p. 1014
102-1-4	Amended	V. 14, p. 488
102-1-5	Amended	V. 14, p. 488
102-1-10	Amended	V. 14, p. 1015
102-1-13	Amended	V. 14, p. 1016
102-2-3	Amended	V. 14, p. 1016
102-3-2	Amended	V. 14, p. 1016
102-4-1	Amended	V. 14, p. 489
102-4-2	Amended	V. 14, p. 1016
102-4-4	Amended	V. 14, p. 490
102-4-5	Amended	V. 14, p. 490
102-4-6	Amended	V. 14, p. 491
102-4-7	Revoked	V. 14, p. 492
102-4-10	Amended	V. 14, p. 492
102-5-2	Amended	V. 14, p. 1016
102-6-1	New	V. 14, p. 796
102-6-2	New	V. 14, p. 797
102-6-4	New	V. 14, p. 797
102-6-5	New	V. 14, p. 797
102-6-8	New	V. 14, p. 798
102-6-9	New	V. 14, p. 798

102-6-10	New	V. 14, p. 798
102-6-11	New	V. 14, p. 799
102-6-12	New	V. 14, p. 799

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended	V. 7, p. 1710
109-10-1	Amended	V. 14, p. 1242

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 13, p. 1045
111-2-1	Amended	V. 14, p. 311
111-2-2	Amended	V. 12, p. 1261
111-2-2a through 111-2-2e	New	V. 14, p. 1633, 1634
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through 111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 14, p. 403
111-2-31	New	V. 14, p. 170
111-2-32	New	V. 14, p. 311
111-2-33	Amended	V. 14, p. 1741
111-2-34	Amended	V. 14, p. 722
111-2-35	New	V. 14, p. 796
111-2-36	New	V. 14, p. 908
111-2-37	New	V. 14, p. 1094
11-2-38	New	V. 14, p. 1741
111-2-39	New	V. 14, p. 1502
111-2-40	New	V. 14, p. 1502
111-2-41	New	V. 14, p. 1742
111-2-42	New	V. 14, p. 1742
111-3-1	Amended	V. 14, p. 908
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 13, p. 1826
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-19	Revoked	V. 13, p. 1827
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 13, p. 1827
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 14, p. 909
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through 111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through 111-4-15	Revoked	V. 12, p. 113
111-4-66 through 111-4-77	New	V. 7, p. 207-209



111-4-674 through 111-4-677	New	V. 14, p. 312, 313
111-4-678 through 111-4-682	New	V. 14, p. 438, 439
111-4-683 through 111-4-694	New	V. 14, p. 404-406
111-4-695 through 111-4-702	New	V. 14, p. 725-727
111-4-703 through 111-4-723	New	V. 14, p. 909-914
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111-4-737 through 111-4-749	New	V. 14, p. 1095-1098
111-4-750 through 111-4-757	New	V. 14, p. 1408, 1409
111-4-758 through 111-4-761	New	V. 14, p. 1502, 1503
111-4-762 through 111-4-778	New	V. 14, p. 1410-1414
111-4-769 through 111-4-779	Amended	V. 14, p. 1503
111-4-791 through 111-4-792	New	V. 14, p. 1504-1507
111-4-803 through 111-4-804	New	V. 14, p. 1635-1638
111-4-816 through 111-5-1	New	V. 15, p. 116-119
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111-5-15 through 111-5-11	Amended	V. 8, p. 210, 211
111-5-12 through 111-5-17	Amended	V. 9, p. 505
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111-5-34 through 111-5-22	Amended	V. 10, p. 13
111-5-23 through 111-5-24	Amended	V. 8, p. 212
111-5-25 through 111-5-27	Amended	V. 11, p. 415-418
111-5-28 through 111-5-34	Amended	V. 13, p. 1438
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111-6-15 through 111-6-1	New	V. 11, p. 982
111-6-3 through 111-6-4	Amended	V. 11, p. 482
111-6-5 through 111-6-6	Amended	V. 12, p. 317
111-6-7 through 111-6-7a	Amended	V. 12, p. 318
111-6-8 through 111-6-9	Revoked	V. 14, p. 1098
111-6-11 through 111-6-12	Revoked	V. 13, p. 1439
111-6-13 through 111-6-15	Amended	V. 7, p. 213-217
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	Amended	V. 14, p. 313
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111-6-17	Revoked	V. 10, p. 1475
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111-6-20	New	V. 13, p. 340
111-6-21	New	V. 13, p. 881
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111-7-11	Amended	V. 10, p. 1475
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111-7-33 through 111-7-43	New	V. 7, p. 1197, 1198
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111-7-46	Amended	V. 11, p. 1152
111-7-54	Amended	V. 11, p. 1511
111-7-55 through 111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64 through 111-7-75	New	V. 11, p. 13, 14
111-7-66	Amended	V. 14, p. 1742
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111-7-79	Revoked	V. 13, p. 340
111-7-80 through 111-7-83	New	V. 11, p. 1478-1480
111-7-81	Amended	V. 14, p. 1743
111-7-84 through 111-7-90	New	V. 12, p. 677, 678
111-7-91 through 111-7-94	Revoked	V. 13, p. 340
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111-7-99 through 111-7-105	New	V. 12, p. 1376, 1377
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111-7-113 through 111-7-117	New	V. 14, p. 171
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111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886
111-8-4	New	V. 7, p. 1714
111-8-4a	Revoked	V. 13, p. 1406
111-8-5 through 111-8-13	New	V. 7, p. 1634
111-8-14	New	V. 13, p. 881
111-8-15	New	V. 13, p. 881
111-9-1 through 111-9-12	New	V. 7, p. 1714-1716
111-9-1	New	V. 7, p. 1714-1716
111-9-6	Revoked	V. 9, p. 1680

111-9-13 through 111-9-25	Revoked	V. 9, p. 1680
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111-9-55 through 111-9-60	New	V. 12, p. 1263, 1264
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. 14, p. 751
112-3-17	Amended	V. 15, p. 182
112-3-19	Amended	V. 15, p. 222
112-4-1	Amended	V. 15, p. 223
112-4-4a	New	V. 15, p. 182
112-5-2	Amended	V. 15, p. 224
112-6-2	Amended	V. 15, p. 224
112-9-1	Amended	V. 14, p. 751
112-9-21a	Amended	V. 14, p. 751
112-10-38	New	V. 14, p. 1632
112-12-10	Amended	V. 14, p. 1102
112-12-14	Amended	V. 14, p. 1632
112-16-14	Amended	V. 14, p. 1633
112-17-1 through 112-17-13	Amended	V. 14, p. 752-756
112-17-15	Amended	V. 14, p. 756

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 14, p. 949
115-2-2	Amended	V. 14, p. 949
115-2-3	Amended	V. 14, p. 950
115-2-5	New	V. 15, p. 232
115-4-3	Amended	V. 14, p. 493
115-4-5	Amended	V. 14, p. 494
115-4-6	Amended	V. 14, p. 495
115-4-7	Amended	V. 14, p. 497
115-4-8	Amended	V. 14, p. 498
115-18-6	New	V. 14, p. 950
115-18-14	Amended	V. 14, p. 1244
115-20-1	Amended	V. 14, p. 123
115-30-3	Amended	V. 14, p. 123
115-30-11	New	V. 14, p. 950

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2	Amended	V. 14, p. 533
117-3-2	Amended	V. 14, p. 534
117-4-2	Amended	V. 14, p. 534

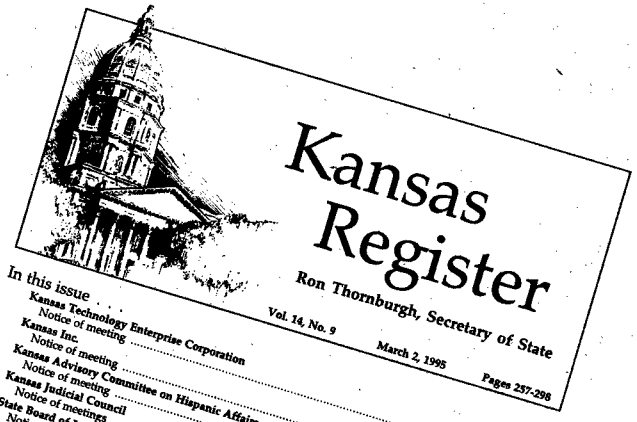
AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-1-1	New	V. 14, p. 1214

AGENCY 122: POOLED MONEY INVESTMENT BOARD

Reg. No.	Action	Register
122-1-1	New	V. 14, p. 1126, 1499
122-2-1	New	V. 14, p. 1126, 1499
122-2-2	New	V. 14, p. 1126, 1499
122-3-1 through 122-3-10	New	V. 14, p. 1127, 1128
122-4-1	New	1499-1501
122-5-1	New	V. 14, p. 1128, 1501

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