

KANSAS REGISTER

State of Kansas

**JACK H. BRIER
Secretary of State**

Vol. 1, No. 37

September 16, 1982

Pages 995-1018

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State of Kansas

LEGISLATURE

INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of September 20 through October 1, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Sept. 20	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Staff briefing and hearings on 1982 H.B. 3167. The Kansas Administrative Procedures Act.
Sept. 21	123-S	9:00 A.M.		
Sept. 20	531-N	10:00 A.M.	Social and Rehabilitation Services Review Commission	20th: Meeting at Youth Center in Atchison. Review of Youth Center. 21st: Review of work programs, day care, and proposed rules for alternate family homes.
Sept. 21		9:00 A.M.		
Sept. 22	514-S	10:00 A.M.	Special Committee on Hospital Laws	CANCELLED Rescheduled for Sept. 29 and 30. Consideration of all proposals.
Sept. 23		9:00 A.M.		
Sept. 22	514-S	10:00 A.M.	Special Committee on Ways and Means	Review of Wyandotte county community corrections plan.
Sept. 23		9:00 A.M.		
Sept. 23	Division 5 courtroom, 3rd floor, county courthouse, 7th and Ann, Kansas City, Kansas, 10:00 A.M.		Special Correctional Review Committee	
Sept. 23	519-S	10:00 A.M.	Special Committee on Labor and Industry	Review of bill draft requested by the committee on Proposal 19. Further hearings on Proposal 17—Employment Security Law.
Sept. 24	519-S	9:00 A.M.		
Sept. 28	519-S	10:00 A.M.	Special Committee on Commercial and Financial Institutions	Hearings on Proposal 7—Banking Structure.
Sept. 29	519-S	9:00 A.M.		
Sept. 29	531-N	9:30 A.M.	Special Committee on Hospital Laws	29th: Hearings on city hospital bill draft. 30th: Hearings continued and committee discussion.
Sept. 30	531-N	9:00 A.M.		

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 000599

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Secretary of State
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Carol A. Bell
Publications Director

State of Kansas

KANSAS REAL ESTATE COMMISSION**NOTICE OF HEARING ON
PROPOSED ADMINISTRATIVE REGULATIONS**

You are hereby notified that the Kansas Real Estate Commission will hold a public hearing at 10 a.m. on October 4, 1982, in Brazilian Room D, Holiday Inn, 200 West Turnpike Access Road, Lawrence, Kansas, to consider the adoption of proposed temporary and permanent rules and regulations of the Commission.

All interested persons may submit written comments at any time prior to the hearing by addressing them to the Kansas Real Estate Commission, Room 1212, 535 Kansas, Topeka, Kansas 66603. All interested persons will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations.

Following the hearing on October 4, 1982, all written and oral comments submitted by interested persons will be considered by the Kansas Real Estate Commission as the basis for making changes to the proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Kansas Real Estate Commission, Room 1212, 535 Kansas, Topeka, Kansas 66603.

The following is a brief summary of the proposed regulations:

86-1-5 (permanent)—Fees. An amendment is proposed to direct the regulation to the public. Instead of providing that the testing service designated by the commission shall collect a fee, the amendment provides that the applicant shall pay a fee to the testing service designated by the commission.

86-1-9 (temporary and permanent)—Approval of courses of instruction; procedure. Revocation of this regulation is necessary because of the repeal of K.S.A. 58-3046.

86-1-10 (temporary and permanent)—Approval of courses of instruction; procedure. This new regulation is to implement the educational requirements of 1982 H.B. 3008.

J. PAUL FLOWER
Director

Doc. No. 000556

State of Kansas

DEPARTMENT OF REVENUE**NOTICE OF HEARING ON PROPOSED
ADMINISTRATIVE REGULATIONS**

Notice is hereby given that a public hearing will be held on October 4, 1982, at 10:00 a.m., in the Office of the Kansas Department of Revenue, Secretary's Conference Room, State Office Building, Topeka, Kansas to consider the adoption of proposed temporary and permanent regulations of the Department of Revenue relating to retail liquor excise tax.

A copy of the full text of the proposed regulations and the fiscal impact statement may be obtained by

contacting William L. Edds, Kansas Department of Revenue, State Office Building, Topeka, Kansas 66625.

All interested parties may submit written comments at any time prior to or at the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

A summary of the proposed regulations is set forth below.

92-24-1 to 92-24-8. Revokes existing regulations concerning retail liquor excise tax.

92-24-9. Defines terms used in the remainder of the article.

92-24-10. Sets out requirements for making application for and for obtaining a retail liquor excise tax registration certificate. It further requires conspicuous display of the certificate on club premises and provides for revocation of the certificate for violations.

92-24-11. Describes charges made by club licensees to which the tax applies.

92-24-12. Provides that sales subject to retail liquor excise tax are exempt from retailer's sales tax.

92-24-13. Prohibits a club licensee from holding out or stating that the tax has been assumed by the licensee. It further provides that the tax may be included in the stated drink price only if a sign stating that it is included is conspicuously posted on the club premises.

92-24-14. Sets out the time and manner for making a return and the time for payment of the tax.

92-24-15. Sets out record keeping requirements of club licensees and requires the records' availability for inspection by the secretary or the secretary's representative.

92-24-16. Requires club licensees to document drink sales on source records. It prescribes the information required and the manner in which it is to be recorded.

92-24-17. Requires club licensees to prepare a daily summary of information required to be recorded on source records and information on complimentary drinks dispensed.

92-24-18. Prohibits club licensees from possessing in their inventories alcoholic liquor not documented by sales slips issued by retailers and prescribes the period for which the sales slips are to be maintained and are to be available for inspection.

92-24-19. Requires a club licensee to keep a price listing statement stating the normal retail selling price charged for each drink the licensee serves and prescribes the period for which the statement is to be maintained and is to be available for inspection.

92-24-20. Provides that retail liquor excise tax is not due on complimentary drinks given on an unconditional basis. It further requires club licensees to document complimentary drinks dispensed on service checks.

(continued)

92-24-21. Requires club licensees to prepare written reports detailing alcoholic liquor lost through theft or disaster. It further requires thefts to be reported to and to be substantiated by an appropriate law enforcement agency. It requires substantiation of a disaster loss by an investigative employee of the department of revenue.

92-24-22. Sets out methods by which the director of taxation is to determine the correct amount of tax liability. It further provides that disposition of alcoholic liquor purchased by a club licensee is presumed to be taxable unless the licensee establishes the contrary through authentic records.

92-24-23. Requires applicants for new club licenses or renewal of existing club licenses to post bond in an amount equal to three months' average tax liability or \$1,000, whichever is more, and provides for the manners in which the bond may be satisfied. It further authorizes the secretary to require additional bond if an existing bond is not sufficient to satisfy the three months' average liability of a licensee.

92-24-24. Requires club licensees discontinuing business to notify the director of taxation, return its registration certificate for cancellation, and to preserve all business records until the director issues a receipt indicating that the taxes reported have been paid.

MICHAEL LENNEN
Secretary of Revenue

Doc. No. 000600

State of Kansas

SECRETARY OF STATE

**KANSAS PUBLIC
DISCLOSURE COMMISSION**

Advisory Opinion No. 82-18

Written August 25, 1982 to Patrick J. Hurley, Secretary of Administration, Department of Administration, Room 263-E, State Capitol Building, Topeka, Kansas 66612.

This opinion is in response to your letter dated June 1, 1982, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 46-215 et seq.

We note at the outset that the Commission's jurisdiction is limited to K.S.A. 46-215 et seq. and K.S.A. 75-4301 et seq., the latter of which does not apply to your question. Thus, whether some other common law or statutory system applies to your question is not covered by this opinion.

We understand you to request this opinion in your capacity as the Secretary of Administration. You advise us that consideration is being given to the appointment of Dr. Richard Hayter, to the position of Director of the Kansas Energy Office (KEO). Dr. Hayter is currently an employee of Kansas State University and in prior years has participated in the making of grant agreements whereby KEO has awarded federal grant funds to KSU to carry out certain energy related projects. If Dr. Hayter is named the new KEO Director, it is envi-

sioned that he would serve in that capacity in a one-half time position and continue at KSU in a one-half time position working on energy related projects, the funding of which includes KEO grant funds.

You also advise us that the KEO's state plan for the expenditure of federal grant funds in fiscal year 1983 has been submitted to the federal government for approval. Since the date of your initial request, we have been advised by your office that all agreements between KSU and KEO for fiscal year 1983 have been completed.

We also understand a somewhat similar situation is raised with regard to Mr. David Walsh, who has been an employee of KEO for the past three years. Because the KEO employee position limitation for the fiscal year beginning July 1, 1982, has been reduced to six positions as opposed to the twenty-three positions authorized by the 1981 legislature, it is desired to have Mr. Walsh serve in a one-half time position with the Kansas Energy Office. If not precluded by K.S.A. 46-233, Mr. Walsh would also commence employment with KSU in a one-half time position, working on energy related projects that will be funded in part from KEO grants to KSU. Mr. Walsh has never been a signatory to any grant agreements between KEO and KSU; however, he has had some administrative involvement in the preparation of prior agreements for such grants.

Based on the above factual situations, you ask the following three questions:

1. Is Dr. Hayter precluded under K.S.A. 46-233 from accepting appointment as the Director of the Kansas Energy Office while maintaining a half-time position at Kansas State University?
2. Is Mr. Walsh precluded under K.S.A. 46-233 from accepting a half-time position with Kansas State University while continuing to serve in a half-time capacity with the Kansas Energy Office?
3. If Dr. Hayter may accept the appointment, could grants be entered into between KEO and KSU after his acceptance of the position with KEO?

The following portion of subsection (a) of K.S.A. 46-233 is applicable to your first and second questions:

Whenever any individual has, within the preceding two (2) years participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business for one (1) year following termination of employment as a state officer or employee.

In reviewing this language, we first note that the term "person" is defined in K.S.A. 46-233 to include "a governmental agency unit or subdivision". Thus, Dr. Hayter on behalf of KSU has participated in the making of a contract with a "person"; in this case the KEO; and Mr. Walsh has participated in the making of a contract on behalf of KEO with a "person"; in his case with KSU. Therefore, at first reading, one could argue that they are precluded from accepting half-time employment with the new agency. It is our opinion, however, that the phrase "for one year following ter-

(continued)

mination of employment as a state officer or employee" modifies the entire language of which it is a part. Since neither Dr. Hayter nor Mr. Walsh will be terminating state employment, but rather, accepting new positions and duties within the state system, it is our opinion that K.S.A. 46-233 does not preclude them from accepting the half-time positions with the new agency while maintaining half-time positions with the current agency.

We turn then to your third question. The following portion of subsection (a) of K.S.A. 46-233 is applicable:

No state officer or employee shall in his or her capacity as such officer or employee participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such person or employee has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to or a participant in the making of such contract and is employed by or has a substantial interest in such person or business.

Keeping in mind that KSU constitutes a "person" for the purposes of this section, the language precludes contracts between KEO and KSU after Dr. Hayter's appointment since he would be employed by KSU and must, as Director of KEO, participate and be a signatory to any grants given by KEO to KSU. He may, however, serve as an administrator concerning pre-existing contractual relationships and those contracts are not affected by his appointment after their completion.

Advisory Opinion No. 82-19

Written on August 25, 1982 to Ms. Nancy Strain, LMSW, Olathe Area SRS, One Patrons Plaza, Olathe, Kansas 66061.

This opinion is in response to your letter of August 6, 1982, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 et seq. and K.S.A. 75-4301 et seq., the latter of which does not apply to your situation. Thus, whether some other common law, statutory system or agency policy applies to your question is not covered by this opinion.

We understand you to request this opinion in your capacity as an employee of the Olathe Social and Rehabilitation Services office serving as a supervisor for a unit composed of four adult service workers, one children and youth worker, and two adoption workers. You advise us that your adoption program focuses on families interested in special needs Kansas state wards. Because of the need for services to Kansas children and because of your limited time and workers, you do not do new studies for other agencies. When you do refer families to other adoption agencies, you send a Metropolitan Adoption Council brochure which includes all agencies in the greater Kansas City area. You never make specific referrals to only one private agency.

You indicate you are interested in outside employment with Holt Foreign Adoption Program within Family and Children Services, Inc., of Kansas City, Missouri. This would involve group work, individual

family assessments, and supervision of placements for children coming from Korea. This work would be part-time employment conducted on your own time.

You also advise us that SRS can contract with Family and Children Services to purchase service for a family for a Kansas child if you have no resource. These families would not be a part of the Holt program. Should the Olathe office contract with Family and Children Services, this would be handled through the foster care unit rather than your unit.

Based on the above factual situation, you ask whether it would be a conflict of interest for you to accept part-time employment with Family and Children Services, Inc., during your service as a full-time employee with the SRS office in Olathe.

We have reviewed K.S.A. 46-215 et seq. in its entirety and it is our opinion so long as you do not participate on behalf of the State in the making of any contracts with Family and Children Services, Inc., that you may accept part-time employment on your own time with that entity during your service as an SRS employee. Please keep in mind you may not use confidential information obtained as a state employee for your personal benefit or that of any other person and the amount of compensation you receive must be reasonable in relationship to the services you will be providing.

In addition, if you are required to file a statement of substantial interests, be certain to disclose the part-time employment if it meets one of the disclosure tests.

Advisory Opinion No. 82-20

Written August 25, 1982 to Dale Jones, Box 405, Larned, Kansas 67550.

This opinion is in response to your letter of July 29, 1982, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction is limited in this case to the application of K.S.A. 46-215 et seq. and K.S.A. 75-4301 et seq., the latter of which does not apply to your question. Thus, whether some other common law or statutory system applies to your question is not covered by this opinion.

You advise us that you request this opinion in your capacity as a state employee serving as a sub-department head at Larned State Hospital. You indicate you are interested in joining several other administrative personnel at Larned in an already existing business which they are conducting. We understand from information you have furnished to our general counsel that the business has no contractual or other relationships with the hospital.

You have advised our general counsel that your question to us is whether it is inappropriate for administrative personnel to be involved in an outside business since this might lead to the appearance of impropriety in promotional decisions within the agency.

Basically, as we understand your question, you are concerned with the possibility of nepotism-type complaints under the situation you have described. K.S.A. 46-215 et seq. has no provision relating to the type of

(continued)

situation you have described. Therefore, we must state that the situation you have described does not constitute a conflict under the specific sections within our jurisdiction.

RICHARD E. DIETZ, Chairman
By Direction of the Commission

Filed with the Secretary of State August 31, 1982.

Doc. No. 000597

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES**

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, SEPTEMBER 27, 1982

#25323

University of Kansas Medical Center, Kansas City—
MEDICAL TRANSCRIPTION SERVICES

#51533

Kansas Fish & Game Commission—PUMP, for
Neosho Wildlife Area, St. Paul

#51536

Kansas State Penitentiary, Lansing—DUMP
TRUCK

#51537

University of Kansas, Lawrence—TESTING AND
EVALUATION SERVICES, Kansas Law Enforcement
Training Center, Hutchinson

#51539

Kansas State Penitentiary, Lansing—COMMUNI-
CATIONS CONTROL CENTER

#51540

Kansas State University, Manhattan—AUTOMATIC
DOOR CONVERSION KIT

#51541

Kansas State University, Manhattan—AUTOMATIC
BALANCED DOOR

#51542

Kansas Fish & Game Commission—EXCAVATION
AND DIRT CONSTRUCTION, P & M Wildlife Area,
Cherokee County

#51575

Adjutant General's Department, Topeka—LABOR,
MATERIALS TO EXPAND SECURITY FENCED
AREA

#51590

Pittsburg State University, Pittsburg—EXTERIOR
BRICK REPAIRS TO GRUBBS HALL

TUESDAY, SEPTEMBER 28, 1982

#51545

Kansas State Park & Resources Authority—
WEATHERPROOF CAMPSITE ELECTRICAL
OUTLETS, at Various State Parks

#51549

University of Kansas, Lawrence—SECURITY
ALARM CONTROLS

#51550

Kansas State Industrial Reformatory, Hutchinson—
STAINLESS STEEL FLOOR MOUNTED COMBI-
NATION FIXTURES

#51553

Department of Human Resources, Topeka—CHAIR
MATS

#51555

Adjutant General's Department—FUEL OIL, Camp
Funston, Fort Riley

#51556

Department of Transportation—SNOW BLADES,
Salina, Norton and Hutchinson

#51558

Kansas Fish & Game Commission—TRACTOR, for
Mined Land Wildlife Area, Columbus

#51565

University of Kansas Medical Center, Kansas City—
COMPUTER SUPPLY PARTS

#A-2749(h)

University of Kansas, Lawrence—REPLACE
WATER LINES AND SOLVENT CABINETS, MA-
LOTT HALL

#A-4596

Department of Health and Environment, Topeka—
PROVIDE INSTALLATION FOR LAMINAR FLOW
HOODS, in Building #740, Forbes Field

WEDNESDAY, SEPTEMBER 29, 1982

#51559

VARIOUS AGENCIES—SALE OF USED VEHI-
CLES

#51562

University of Kansas Medical Center, Kansas City—
ELECTROCARDIOCORDER SYSTEM

#51563

University of Kansas Medical Center, Kansas City—
KITCHEN SUPPLIES (CHINA)

#51566

University of Kansas Medical Center, Kansas City—
ELECTROSURGICAL GENERATOR SYSTEM

#51567

University of Kansas Medical Center, Kansas City—
COMPUTERIZED PULMONARY TESTING SYS-
TEM

#51568

Department of Human Resources, Topeka—CON-
TINUOUS MAILERS—K-BEN 950

#51581

University of Kansas Medical Center, Kansas City—
UPGRADING RESEARCH MICROSCOPE

#A-4417

Kansas State Historical Society—SHAWNEE
METHODIST MISSION—STABILIZATION AND
RENOVATION, at Fairway

#A-4501

Department of Human Resources—RAZE BUILD-
ING AT 301 NORTH EMPORIA, WICHITA JOB
SERVICE CENTER, Wichita

THURSDAY, SEPTEMBER 30, 1982

#51227

Department of Transportation—PLANT MIX AND

(continued)

COMMERCIAL GRADE ASPHALT, Winfield, and
Ottawa

#51573

Kansas Fish & Game Commission—FERTILIZER
AND LIME APPLICATION, Mined Land Wildlife
Area, Southeastern, Kansas

#51578

Kansas Fish & Game Commission, Pratt—PORTA-
BLE PUMP

#51579

Kansas Correctional Industries, Lansing—CATTLE
WORKING CHUTE

#51580

University of Kansas Medical Center, Kansas City—
GAMMA COUNTER

#51586

Topeka State Hospital, Topeka—SCHOOL FURNI-
TURE

#51587

Kansas State University, Manhattan—BIOLOGI-
CAL SAFETY CABINET

#51588

University of Kansas Medical Center, Kansas City—
SAMPLE INJECTOR/AMINO ACID ANALYZER

FRIDAY, OCTOBER 1, 1982

#A-4446

Emporia State University, Emporia—ENERGY
MANAGEMENT EXPANSION

MONDAY, OCTOBER 4, 1982

#25318

Statewide—FINE PRINTING PAPERS

#51572

Kansas State University, Manhattan—COMPUTER
SYSTEM

#51574

University of Kansas, Lawrence—MULTIPLEXER

FRIDAY, OCTOBER 8, 1982

#25324

Pittsburg State University, Pittsburg—SPORTS
BLANKET ACCIDENT POLICY

WEDNESDAY, OCTOBER 20, 1982

#25314

Kansas State University, Manhattan—LIQUID
BULK NITROGEN

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000598

State of Kansas

ATTORNEY GENERAL

OPINION NO. 82-186

Counties and County Officers—General Provisions—
Home Rule Powers; Limitations. Representative
Robert G. Frey, Majority Leader, Liberal, September
3, 1982.

The exercise of county home rule powers is re-
stricted or limited by K.S.A. 19-101a, *Fourth*, regarding
“acts of the legislature prescribing limits of indebted-
ness.” Even though the limits of bonded indebtedness
prescribed by K.S.A. 1981 Supp. 10-306 do not apply
uniformly to all counties, a county is precluded by
K.S.A. 19-101a, *Fourth*, from exempting itself from
these limits. Cited herein: K.S.A. 1981 Supp. 10-306,
K.S.A. 19-101a. RVE

OPINION NO. 82-187

Crimes and Punishments—Code; Classification of
Crimes and Penalties—Prospective Application of In-
creased Penalties, Jay W. Vander Velde, Lyon County
Attorney, Emporia, September 3, 1982.

The increased penalty provisions of K.S.A. 21-4501
(as amended by L. 1982, ch. 137, §1) and K.S.A. 21-
4608 (as amended by L. 1982, ch. 150, §1) do not apply
to crimes committed before July 1, 1982 (the effective
date of the amendments), but are applicable to sen-
tencing for crimes committed after July 1, 1982.

The term “conditional release,” as used in K.S.A.
21-4608 (as amended), refers to release from incarceration,
subject to rules and conditions imposed by the
releasing authority, following imprisonment for the
maximum term imposed, minus work and good be-
havior credits. Cited herein: K.S.A. 21-4501 (as
amended by L. 1982, ch. 137, §1), 21-4608 (as amended
by L. 1982, ch. 150, §1), 22-3718, U.S. Const., Art. I,
§9. MBM

OPINION NO. 82-188

Roads and Bridges—County and Township Roads—
Tax Levies by Townships; Effect of Election on Cer-
tification of Budget and Levy Amount. Delton M.
Gilliland, Fairfax Township Treasurer, Lyndon; Vir-
ginia Kersten, Osage County Clerk, Lyndon, Sep-
tember 3, 1982.

Pursuant to K.S.A. 68-518c, a township located in a
county which does not operate a county road unit
system may make an annual tax levy of up to 5 mills for
road purposes. If additional moneys are required, a
resolution authorizing a levy of up to 8 mills may be
passed. Such an increased figure is subject to the ap-
proval of township voters in an election if valid peti-
tions to that effect are submitted. If such an election is
held in conjunction with the general election in No-
vember, after the township is required to submit its
budget and the county clerk is required to levy the tax
at issue, such deadlines are directory in nature and may
be enlarged to await the outcome of the election. Cited
herein: K.S.A. 1981 Supp. 10-120, K.S.A. 68-518c, 72-

(continued)

8809, K.S.A. 1981 Supp. 79-1801, 79-1803 (as amended by L. 1982, ch. 391, §38), K.S.A. 79-1962. JSS

OPINION NO. 82-189

Taxation—Intangibles Tax—Repeal Thereof. Thomas L. Wilson, Woodson County Attorney, Yates Center, September 3, 1982.

A board of county commissioners, which has chosen to impose the tax authorized by 1982 House Bill No. 3142 without a vote of the electorate, may determine subsequently that the tax should no longer be imposed by the county and, without a vote of the electorate, may repeal the county resolution pursuant to which the tax is imposed. Cited herein: 1982 HB 3142 (L. 1982, ch. 63, §1). RJB

OPINION NO. 82-190

Infants—Visitation Rights of Grandparents—Appointment of Guardian *Ad Litem* for Minor Child or Counsel for Indigent Parent. Keith D. Hoffman, Dickinson County Attorney, Abilene, September 3, 1982.

In a proceeding to determine grandparent visitation rights pursuant to K.S.A. 38-129, the appointment of a guardian *ad litem* for a child or an attorney for an indigent parent, is not statutorily required. Furthermore, visitation does not generally involve the type of interference with parental rights which necessitates such due process safeguards as the appointment of counsel or a guardian *ad litem*. However, a court may decide that, in certain circumstances, due process considerations justify appointment of counsel or a guardian *ad litem*. In the event of such appointments, the court is authorized to assess these expenses against either party pursuant to K.S.A. 38-131. Cited herein: K.S.A. 38-129, 38-131, 38-821. MBM

OPINION NO. 82-191

Agriculture—Conservation Districts—Authority to Engage in Commercial Activities. Dennis E. Shay, Sedgwick County Soil Conservation District, Wichita, September 7, 1982.

A soil conservation district, established pursuant to K.S.A. 2-1901 *et seq.*, may sell irrigation equipment for profit to land occupiers within the bounds of the district. Such commercial activity is not violative of either the constitutional prohibition regarding internal improvements or the public purpose doctrine. Cited herein: K.S.A. 2-1901, K.S.A. 1981 Supp. 2-1902, 2-1907b, 2-1907c, 2-1908, Kan. Const., Art. 11 §9. RVE

OPINION NO. 82-192

Cities and Municipalities—System of Public Recreation and Playgrounds—Establishment and Operation. Dr. Merle R. Bolton, Commissioner of Education, Topeka, September 7, 1982.

A board of education of a unified school district, on its own initiative, may establish and operate a system of public recreation and playgrounds, under the authority of K.S.A. 12-1901. In addition, if such action is taken, the board of education, under the authority of K.S.A. 1981 Supp. 12-1902, may delegate the operation of the system to a recreation commission created by the

board of education. However, if a board of education, on its own initiative, establishes such a system, the provisions of K.S.A. 1981 Supp. 12-1904 to K.S.A. 1981 Supp. 12-1908 (as amended by L. 1982, ch. 77, §1), inclusive, are inapplicable, and the board of education must fund the system with moneys derived from the school district's general fund tax levy, and with gifts received by the board, as authorized by K.S.A. 12-1903. In addition, since the provisions of K.S.A. 1981 Supp. 12-1908, as amended, are inapplicable to a system of public recreation and playgrounds established by a board of education on its own initiative, a recreation commission, established by said board of education, cannot certify a budget to the school board, which the school board is required to fund through the imposition of a separate property tax levy.

Finally, the provisions of K.S.A. 1981 Supp. 12-1902 do not prohibit a school district from establishing a system of public recreation and playgrounds, although a city located wholly or partially within the boundaries of the school district is operating a system of its own, and such action by a school district has no effect upon the system of public recreation and playgrounds being operated by the city. Attorney General Opinion No. 74-66 is withdrawn. Letter opinion, dated August 8, 1969, to Jan G. Banker, VI Op's of the Att'y Gen. 595, is affirmed. Cited herein: K.S.A. 12-1901, K.S.A. 1981 Supp. 12-1902, K.S.A. 12-1903, K.S.A. 1981 Supp. 12-1904, K.S.A. 12-1906, 12-1907, K.S.A. 1981 Supp. 12-1908 (as amended by L. 1982, ch. 77, §1). RJB

OPINION NO. 82-193

Cities and Municipalities—Libraries—Annual Tax Levy for Maintenance of Library. Duane F. Johnson, State Librarian, Topeka, September 7, 1982.

The amount of money to be raised through the imposition of a property tax to maintain a library established under the provisions of K.S.A. 12-1218 *et seq.* is to be determined by the board of directors of the library, not by the governing body of the municipality. Although the sum requested cannot result in a mill levy in excess of that allowed by law, the governing body of the municipality may not reduce the amount requested by the library board. Cited herein: K.S.A. 1981 Supp. 12-1215, K.S.A. 12-1216, 12-1218, K.S.A. 1981 Supp. 12-1220. RJB

OPINION NO. 82-194

Personal and Real Property—Real Estate Brokers and Salespersons—Licensure of Nonresidents. J. Paul Flower, Director, Kansas Real Estate Commission, Topeka, September 8, 1982.

Kansas residency is a continuing requirement for licensure as a resident real estate broker or salesperson. When a resident licensee moves to another state, such licensee is not eligible for renewal of a resident license, but must instead apply for a nonresident license and, consequently, provide proof of compliance with all provisions of K.S.A. 1981 Supp. 58-3040, including the requirement of licensure by the new state of residence. Cited herein: K.S.A. 1981 Supp. 58-3039, 58-3040, 58-3045. MBM

(continued)

OPINION NO. 82-195

Banks and Banking—Bank Holding Companies—Definition of Bank Holding Company. John A. O'Leary, Jr., State Bank Commissioner, Topeka, September 8, 1982.

The state bank commissioner has the ultimate responsibility for determining whether a violation of the Kansas bank holding company statutes has occurred. Such determination requires a case by case application of these statutes to the factual circumstances established by the commissioner. Thus, where it is proposed that each of three existing one-bank holding companies is to own voting shares of a new company which will own a national bank, the bank commissioner must determine whether any of the existing one-bank holding companies will directly or indirectly own, control or hold with power to vote 25% or more of the national bank's voting shares, or will control in any manner the election of a majority of the directors of the national bank. If neither of such determinations can be made, none of the existing one-bank holding companies is a "bank holding company," as defined in K.S.A. 9-504(a). Cited herein: K.S.A. 9-504, 9-505a, 9-505b, 9-505c, 12 U.S.C.A. §1841, 12 C.F.R. §225.1. WRA

OPINION NO. 82-196

Banks and Banking—Bank Holding Companies—Definition of Bank Holding Company. John A. O'Leary, Jr., State Bank Commissioner, Topeka, September 8, 1982.

The participation of Fourth Financial Corporation in the ownership of Coffeyville Bancshares, Inc., a company which is to own all of the voting shares of the First National Bank of Coffeyville, will not, as a matter of law, render Fourth Financial Corporation a "bank holding company" within the meaning of K.S.A. 9-504(a). Such participation will not afford Fourth Financial Corporation any legal right to directly or indirectly own, control or hold with power to vote 25% or more of the voting shares of said bank, and it will have no legal basis for controlling in any manner the election of a majority of the bank's directors. Cited herein: K.S.A. 9-504, 9-505c, 77-201. WRA

ROBERT T. STEPHAN
Attorney General

Doc. No. 000601

State of Kansas

STATE CORPORATION COMMISSION

NOTICE PERTAINING TO
MOTOR CARRIER HEARINGS
BEFORE THE

STATE CORPORATION COMMISSION

Applications set for hearing, are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, Kansas, commencing at 10:00 a.m. unless otherwise noticed.*

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka, Kansas, 66612, or telephone (913) 296-3352 or 296-2110.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228 of "Rules of Practice and Procedure Before the Commission."

**The Following Application is being RESCHEDULED from November 4, 1982 to October 5, 1982—
TOPEKA, KANSAS**

*Application to transfer Certificate of
Convenience and Necessity:*

Marion Quick (deceased)) Docket No. 46,883 M
P.O. Box 155)
Redfield, Kansas 66769) Route No. 4198

TO:

Ronnie L. Felt
Route #1
Redfield, Kansas 66769

Applicant's Attorney: None

*Livestock, Ordinary, Show and Purebred, Building
Stone (rough and finished),*

Between all points and places in Bourbon County, Kansas and that portion of Allen County, Kansas east of U.S. Hwy 59 and bordered on the north by U.S. Hwy 54; on the east by the Allen-Bourbon County line and on the south by the Allen-Neosho County line.

Also,

Between all points and places in the afore described area, on the one hand and all points and places in Kansas, on the other.

Processed Mill Feeds,

Between all points and places in the afore described area.

Also,

Between all points and places in the afore described area on the one hand and Kansas City, Kansas on the other.

Farm Machinery, New and Used, Set-up,

Between all points and places in the afore described area.

Also,

Between all points and places in the afore described area, on the one hand and Parsons, Wichita and Kansas City, Kansas, on the other.

(continued)

Fence Posts, Wooden,

Between all points and places in the afore described area.

Coal,

From mines at or near Fort Scott and Pittsburg, Kansas, to all points and places in the afore described area.

Sand,

From Kansas City, Kansas, to all points and places in the afore described area.

Fertilizer, Commercial,

From Chanute, Lawrence, Military and Kansas City, Kansas, to all points and places in the afore described area.

Building tile and cement blocks,

From Humboldt, Weir City, Pittsburg and Fort Scott, Kansas, to all points and places in the afore described area.

Emigrant Farm Movables,

Between all points and places in the afore described area.

Also, between all points and places in the afore described area, on the one hand and all points and places in an area bounded on the west by U.S. Hwy 75, on the south by Kansas Hwy 96, on the east by the Kansas-Missouri state line and on the north by Kansas Hwy 68; when moving from farm to farm, farm to town or town to farm.

Unprocessed Hay, Grain and Seeds,

Between all points and places in the afore described area.

Also, between all points and places in the afore described area, on the one hand, and all points and places in an area bordered on the west by U.S. Hwy 281, on the north by the Kansas-Nebraska state line, on the east by Kansas-Missouri state line and on the south by the Kansas-Oklahoma state line, on the other.

The Following Application is being RESCHEDULED from November 2, 1982, to October 5, 1982—
TOPEKA, KANSAS

Application to transfer Certificate of Convenience and Necessity:

Lewis Transportation Co.,) Docket No. 26,790 M
Inc.)
P.O. Box 403)
Winfield, Kansas 67156) Route No. 2019

TO:
Tom Russell, dba)
Russell Truck Line)
716 South First)
Arkansas City, Kansas 67005)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas

Livestock,

Between points and places in the following Kansas counties: Cowley, Butler, Elk, Chautauqua; and the

portion of Sumner County bounded on the east by the county line between Sumner & Cowley County; on the south by the Kansas-Oklahoma line from the eastern border of Sumner County, Kansas, to a point touching the western edge of Hunnwell, Sumner County, Kansas to a point 4 miles west of Mayfield, Sumner County, Kansas at the intersection of KS Hwy 49 and U.S. Hwy 160; thence north to a point one mile east of Viola, Sedgwick County, Kansas & the northern border of Sumner County; thence north to the western edge of Goddard, Sedgwick County, Kansas; thence to a point intersecting the northern border of Sedgwick County, Kansas, 3 miles east of Sedgwick, Sedgwick County, Kansas; thence north east to the northern edge of Elbing, Butler County, Kansas; thence north to a point one mile north of Burns, Marion County, Kansas; thence east to the northern edge of Teterville, Greenwood County, Kansas; thence southeast to Neal, Greenwood County, on U.S. Hwy 54, Kansas; thence south to the intersection of the eastern county line of Greenwood County, Kansas & KS Hwy 96; thence south through New Albany and Buxton in Wilson County, Kansas; thence southwest to a point 5 miles east of Hale, Chautauqua County, Kansas; thence southwest to the Kansas-Oklahoma line to a point eleven miles west of Caney, Montgomery County, Kansas.

Between all points & places within the described area including all markets, community sales, feed lots, show places, farms, pastures and rural locations. Also, between all points & places described above and all farms, ranches & pastures in the State of Kansas.

*Emigrant farm movables; machinery, new & used; processed mill feeds; unprocessed farm feeds; fence posts; *salt; building materials; (including roofing material, cement, lumber, tile & hardware).*

Between all points & places in Cowley County, Kansas & that portion of Butler County, Kansas bounded by the western, southern & eastern borders of Butler County to a point 4½ miles north of El Dorado, Kansas on U.S. Hwy 77; thence southwest to a point eight (8) miles west of Towanda, Kansas on Kansas Hwy 254; thence southwest to a point 1½ miles east of Haysville, Sedgwick County, Kansas on U.S. Hwy 81; thence south to the eastern edge of Peck, Sedgwick County, Kansas; thence south to a point five (5) miles east of Wellington, Sumner County, Kansas on U.S. Hwy 160; thence southeast to the Kansas-Oklahoma line; thence east to the Cowley-Chautauqua County line; thence northeast to a point two (2) miles east of Wauneta, Chautauqua County, Kansas on U.S. Hwy 166; thence northeast to the western edge of Elk Falls, Elk County, Kansas on U.S. Hwy 160; thence north to a point one (1) mile west of Severy, Greenwood County, Kansas on Kansas Hwy 99; thence northwest to a point seven (7) miles west of Eureka, Greenwood County, Kansas on U.S. Hwy 54; thence west to a point 4½ miles north of El Dorado, Butler County, Kansas on U.S. Hwy 77.

* Carrier has authority to transport salt between Hutchinson, Kanopolis or Lyons & all farms & ranches located in the area described above.

(continued)

The Following Application is being RESCHEDULED from November 2, 1982 to October 5, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
Convenience and Necessity:*

Material Contracting, Inc.) Docket No. 134,317 M
7th & Olive)
St. Joseph, Missouri 64501)

Applicant's Attorney: Tom B. Kretsinger, Sr., 20 East
Franklin, P.O. Box 258, Liberty, Missouri 64068

General Commodities in bulk,

Between all points in Kansas.

The Following Application is being RESCHEDULED from November 4, 1982 to October 5, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

Elkin Oil Co., Inc.) Docket No. 134,318 M
Route 2, Box 153A)
Coffeyville, Kansas 67337)

Applicant's Attorney: Joe L. Levy, 806½ Walnut, Coffeyville, Kansas

Fresh Water & Salt Water,

Between all points and places in Montgomery, Labette and Chautauqua counties, Kansas.

The Following Application is being RESCHEDULED from November 4, 1982 to October 5, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

D & L Transfer Co.) Docket No. 134,449 M
1346 Jasper)
North Kansas City,)
Missouri 64116)

Applicant's Attorney: None

*To transport food grade starches, industrial adhesives,
paint, industrial chemicals empty containers,*

Between all points and places in Kansas City, Lenexa, Overland Park, Olathe & Gardner, Kansas, on the one hand, and all points and places in the State of Kansas, on the other hand.

The Following Application is being RESCHEDULED from November 9, 1982 to October 5, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

August Windholz, Jr., dba) Docket No. 134-454 M
Augie's Auto Repair)
506-A Vine Street)
Hays, Kansas 67601)

Applicant's Attorney: William B. Barker, 641 Harrison,
P.O. Box 1979, Topeka, Kansas

Wrecked and disabled vehicles,

Between points in Rooks, Trego, Ellis, Russell and Rush Counties, Kansas, on the one hand, and on the other, points in Kansas.

Applications set for October 5, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

O. E. Brunner, dba) Docket No. 133,763 M
O. T. Cab Co.)
122 E. 5th)
Newton, KS 67114)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler St., Suite 110-L, Topeka, KS 66612

Passengers, and light hand baggage,

Between points in KS bounded on the west by U.S. Highway 83, bounded on the north by Interstate Highway 70 and bounded on the east by U.S. Highway 75 and bounded on the south by the Kansas-Oklahoma State line.

Restricted, however,

To movements which originate on or are destined to railroad trackage of Santa Fe Railway Co. or railway trackage utilized by Santa Fe Railway Co.

*Application for Extension of Certificate of
Convenience and Necessity:*

Red Line, Inc.) Docket No. 130,259 M
P.O. Box 823)
1410 Drury Lane)
Emporia, KS 66801)

Applicant's Attorney: Larry E. Gregg, 641 Harrison St.,
P.O. Box 1979, Topeka, KS 66601

*Food and related products and such commodities as
are dealt in or used by grocery and food business
homes and institutions,*

Between points in Kansas.

Application for Contract Permit:

Transportation, Inc.) Docket No. 133,642 M
P.O. Box 362, Rt. 4)
Ottawa, KS 66067)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler St., Suite 110-L, Topeka, KS 66612

Coal,

Between points and places in Crawford County, KS. Also,

Between points and places in Crawford County, KS on the one hand, and points in KS on the other hand.

Under contract with Mackie-Clemens Fuel Co., of Pittsburg, Kansas.

(continued)

Application for Amendment to Contract Permit:

Thies Transportation, Inc.) Docket No. 120,230 M
P.O. Box 49)
Great Bend, KS 67530) C 33-909

Applicant's Attorney: John E. Jandera, 641 Harrison,
P.O. Box 1979, Topeka, KS 66601

Meat, meat products, meat by-products and articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except in hides and skins),

Between the facilities of John Morrell & Co. located in the State of Kansas.

Under contract with John Morrell & Co., of Chicago, Illinois.

The Following Application is being RESCHEDULED from November 30, 1982 to October 7, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

Roy Hensley, dba) Docket No. 134,509 M
Hensley Trucking)
RR)
Ford, Kansas 67842)

Applicant's Attorney: None

Grain, feed, feed mill products and seed (both bulk & bag) and livestock,

Between Ford, Dodge City, Minneola, Bloom, Kingsdown, Bucklin, Millinville, Jay, Greensburg, Centerview, Kinsley, Offerle, Bellefont, Spearville & Wright, Kansas.

The Following Application is being RESCHEDULED from November 30, 1982, to October 7, 1982—TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

H.C., Inc.) Docket No. 134,507 M
500 W. Stolp)
Box 328)
Medicine Lodge,)
Kansas 67104)

Applicant's Attorney: Luke Chapin, Box 148, Medicine Lodge, Kansas 67104

Oilfield Supplies and oilfield equipment,

Between all points and places in Kansas.

The Following Application is being RESCHEDULED from October 21, 1982 to October 7, 1982—
TOPEKA, KANSAS

Application to Transfer Contract Permit:

Garst & Thomas Hybird) Docket No. 78,950 M
Corn Co.)
615 Main)
Coon Rapids, IA 50058) CF 7514

TO:
Garst Seed Co.
Box 300
Coon Rapids, IA 50058

Applicant's Attorney: David L. Ryan, 209 Washburn Law School Building, Topeka, KS 66621

Persons,

From various locations from, to and within Brown, Atchison, Doniphan, Jackson, Jefferson, Nemaha, Wyandotte, Douglas, Johnson, Shawnee, Washington, Clay, Cloud, Republic, Greeley, Wichita, Scott, Hamilton, Kearny, Finney, Hodgeman, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Phillips, Smith, Jewell, Marshall, Rooks, Mitchell, Riley, Pottawatomie, Osborne, Lincoln, Ottawa, Leavenworth, Geary, Miami, Rush, Russell, Ellsworth, Barton, Saline, Dickinson, Pawnee, Stafford, Rice, McPherson, Franklin, Edwards, Reno, Harvey, Butler, Kiowa, Pratt, Sedgwick, Kingman, Barber, Harper, Cowley, Sumner, Crawford, and Cherokee Counties, Kansas.

The Following Application is being RESCHEDULED from September 28, 1982 to October 7, 1982

Application for Extension of Certificate of Convenience and Necessity:

Jerry & Ralph Arensdorf,) Docket No. 72,611 M
dba)
Arensdorf Trucking)
Box 155)
410 W. Anthony)
Medicine Lodge, KS 67104) Route No. 6624

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Street, Suite 110-L, Topeka, KS 66612

Gypsum and gypsum products and building materials,

Between points in Barber County, KS, on the one hand and points in the State of Kansas, on the other hand.

Also,

Gypsum Rock,

Between points in Barber County, KS, on the one hand, and points and places in the State of Kansas, on the other hand.

Applications set for October 7, 1982—

TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Charles Colvin, dba) Docket No. 33,943 M
Colvin Trucking Service)
Box 63)
Burden, KS 67019)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Street, Suite 110-L, Topeka, KS 66612

Grain,

Between all points and places in Cowley, Sedgwick and Sumner Counties, KS; that portion of Chautauqua County north of US Hwy 166 and west of KS Hwy 99; and that portion of Elk County west of KS Hwy 99 and south of US Hwy 160.

Also, Between all points and places within the above described territory, on the one hand, and points and places in the State of Kansas, on the other hand. Restricted, however, to originate no Grain in that portion of Cowley County, west of US Hwy 177.

Application for Certificate of Convenience and Necessity:

All-Vets, Inc.) Docket No. 133,762 M
P.O. Box 404)
Salina, KS 67401)

Applicant's Attorney: John E. Jandera, 641 Harrison, P.O. Box 1979, Topeka, KS 66601

Passengers, baggage and express, restricted to operate no vehicles for the transportation of more than 12 passengers.

Between points and places within an area bounded on the south by U.S. Hwy 54, on the north by U.S. Hwy 36, on the west by U.S. Hwy 183, and on the east by U.S. Hwy 77,

also, Between the points and places above described, on the one hand, and on the other, between points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Sanders Oil Company) Docket No. 132,315 M
222 Sutton Place)
Wichita, KS 67202)

Applicant's Attorney: None

Salt Water,

Between all points & places in Sumner, Sedgwick, Reno, Harvey, Stafford, Barton, Pawnee, Harper, Kingman & Rice Counties, KS.

Application for Transfer of Certificate of Convenience and Necessity:

Ronald R. Boltz) Docket No. 30,657 M
Morrill, KS 66515) Route No. 2768

TO: Boltz Trucking & Leasing,)
Inc.)
Morrill, KS 66515)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Suite 110-L, Topeka, Kansas 66612

Livestock, ordinary, show and purebred,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS north of KS Hwy 37, west of KS Hwy 120 & south of KS Hwy 7.

Also,

Between all points & places within the above described territory, on the one hand, & Sabetha & Seneca in Nemaha County, Holton in Jackson County, Horton in Brown County, Netawaka in Jackson County, Troy in Doniphan County, Atchison in Atchison County, Hutchinson in Reno County, Wichita in Sedgwick County, Topeka in Shawnee County & Kansas City in Wyandotte County, KS, on the other hand.

Also,

Between all points & places within the above described territory, on the one hand, & farms, pastures & rural locations in Smith, Jewell, Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Osborne, Mitchell, Cloud, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Russell, Lincoln, Ottawa, Ellsworth, Saline, Dickinson, Geary, Wabunsee, Shawnee, Douglas, Johnson, Rice, McPherson, Marion, Morris, Chase, Lyon, Osage, Franklin, Miami, Coffey, Anderson, Linn, Harvey, Sedgwick, Butler, Greenwood, Woodson, Allen, Bourbon, Elk, Wilson, Neosho, Crawford, Chautauqua, Montgomery, Labette, Cherokee, that portion of Phillips County east of U.S. Hwy 183; that portion of Rooks County east of U.S. Hwy 183; that portion of Barton County east of U.S. Hwy 281; that portion of Reno County north of U.S. Hwy 50 & east of KS Hwy 14; that portion of Sumner County east of KS Hwy 49 & north of U.S. Hwy 160 & that portion of Cowley County north of U.S. Hwy 160, on the other hand.

Also,

Between any farm, rural location or community sale within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & the markets at Kansas City in Wyandotte County, Topeka in Shawnee County, Wichita in Sedgwick County & farms, rural locations & community sales in the state of KS, on the other.

Unprocessed hay, grain, feed & seeds,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS north of KS Hwy 37, west of KS Hwy 120 & south of KS Hwy 7.

Also,

Between all points & places within the above described territory, on the one hand, & all farms & rural locations in Nemaha, Brown, Doniphan, Jackson, Jef-

(continued)

erson, that portion of Marshall County east of KS Hwy 99; that portion of Pottawatomie County north of KS Hwy 16 & that portion of Leavenworth County north of KS Hwy 92, on the other hand.

Also,

Between all points & places within the above described territory; on the one hand & Atchison in Atchison County, Lawrence in Douglas County, Topeka in Shawnee County & Kansas City in Wyandotte County, KS on the other hand.

Unprocessed hay & grain,

Between all points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & all points & places in Nemaha, Brown, Doniphan, Jackson, Atchison, that portion of Marshall County east of U.S. Hwy 77 & north of KS Hwy 9; that portion of Pottawatomie County east of KS Hwy 99; that portion of Shawnee County north of U.S. Hwy 24 & that portion of Jefferson County north of KS Hwy 4 & KS Hwy 92, on the other hand.

Hay, grain, unprocessed feeds & seeds,

Between points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & points & places within the state of KS, on the other hand.

Processed mill feeds,

Between points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & Atchison in Atchison County, Kansas City in Wyandotte County, Manhattan in Riley County, Salina in Saline County, Seneca in Nemaha County, Topeka in Shawnee County & Wichita in Sedgwick County, on the other hand.

Also,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS north of KS Hwy 37, west of KS Hwy 120, & south of KS Hwy 7.

Also,

Between all points & places within the above described territory, on the one hand, & Atchison in Atchison County, Lawrence in Douglas County, Topeka in Shawnee County & Kansas City in Wyandotte County, KS, on the other hand.

Farm machinery, new & used, knocked down & set up, & parts,

Between points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159.

Also,

Between all points & places within the above described territory, on the one hand, & Seneca in Nemaha County, Topeka in Shawnee County, Salina in Saline County, Wichita in Sedgwick County, Manhattan in Riley County, Atchison in Atchison County, & Kansas City in Wyandotte County, KS., on the other hand.

New and used farm machinery,

Between points & places within that portion of Ne-

maha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & all points & places in Nemaha, Brown, Doniphan, Jackson, Atchison, that portion of Marshall County east of U.S. Hwy 77 & north of KS Hwy 9; that portion of Pottawatomie County east of KS Hwy 99; that portion of Shawnee County north of U.S. Hwy 24; & that portion of Jefferson County north of KS Hwy 4 & KS Hwy 92, on the other hand.

New and used farm machinery, knocked down and set up,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS north of KS Hwy 37, west of KS Hwy 120 & south of KS Hwy 7.

Also,

Between all points & places within the above described territory, on the one hand, & Atchison in Atchison County, Topeka in Shawnee County & Kansas City in Wyandotte County, KS, on the other hand.

Building materials,

Between points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159.

Also,

Between points & places within the above described territory, on the one hand, & Sabetha & Seneca in Nemaha County, Hiawatha in Brown County, Holton in Jackson County, Bonner Springs in Wyandotte County, Humboldt in Allen County, Topeka in Shawnee County & Kansas City in Wyandotte County, on the other hand.

Also,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS north of KS Hwy 37, west of KS Hwy 120 & south of KS Hwy 7.

Also,

Between all points & places within the above described territory, on the one hand, & Atchison in Atchison County, Topeka in Shawnee County & Kansas City in Wyandotte County, KS, on the other hand.

Fertilizer,

Between points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159.

Also,

Between all points & places within the above described territory, on the one hand, & points & places within the state of KS, on the other hand.

Emigrant farm movables,

Between all points & places within that portion of Nemaha County east of KS Hwy 63 & north of KS Hwy 9 & that portion of Brown County west of U.S. Hwy 159, on the one hand, & all points & places in KS, on the other hand, when moving from farm to farm, farm to town or town to farm.

Also,

Between all points & places within Brown County, KS, & that portion of Doniphan County, KS, north of KS Hwy 37, west of KS Hwy 120 & south of KS Hwy 7, when moving from farm to farm, farm to town & town to farm.

(continued)

Also,

Between all points & places within the above described territory, on the one hand, & points & places within the state of KS, on the other hand, when moving from farm to farm, farm to town & town to farm.

Application to Transfer Certificate of Convenience and Necessity:

James Shepherd, dba) Docket No. 61,601 M
 Shepherd Tank Service)
 P.O. Box 19)
 Hamilton, KS 66853) Route No. 5552

TO:

S. Lance Inwood, dba
 IS Oil, Inc.
 P.O. Box 27
 Hamilton, KS 66853

Applicant's Attorney: None

Crude oil, used in and for production, processing, treating, salvage, construction and lease road purposes, in bulk, fresh water for drilling purposes and salt water for disposal purposes,

Between all points & places in the counties of Greenwood, Butler, Lyon, Coffey, Woodson, Wilson, Elk & Chase.

Application for Transfer of Certificate of Convenience and Necessity:

Black Earth Developers,) Docket No. 127,229 M
 Ltd.)
 806 Hickman Street)
 Coffeyville, Kansas 67337) Route No. 17626

TO:

Earth Scientists (Petroservices), Ltd.
 806 Hickman
 Coffeyville, Kansas 67337

Applicant's Attorney: Jon R. Viets, 815 Union, P.O. Box 575, Coffeyville, Kansas 67337

Crude Oil used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, also fresh water for drilling purposes and salt water for disposal purposes

In the Counties of Chautauqua, Montgomery, and Labette, Kansas.

**The Following Application is being RESCHEDULED from September 9, 1982 to October 12, 1982—
 TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Martin Emery) Docket No. 128,496 M
 P.O. Box 405)
 North Village Street)
 Tonganoxie, KS 66086) Route No. 18278

Applicant's Attorney: None

Livestock,

Between all points & places in the following Kansas Counties: Wyandotte, Jefferson, Leavenworth, Atchison, Douglas.

Also,

Between all points & places in the Kansas Counties of Wyandotte, Jefferson, Leavenworth, Atchison & Douglas, on the one hand and all points & places in the State of Kansas on the other.

**Applications set for October 12, 1982—
 TOPEKA, KANSAS**

Application for Transfer of Certificate of Convenience and Necessity:

Clayton U. Beatty, dba) Docket No. 33,939 M
 Beatty Truck Line)
 Lyndon, KS 66451) Route No. 3144

TO:

Hobbs Trucking, Inc.
 Princeton, KS

Applicant's Attorney: Clyde Burns, Lyndon, KS 66451

Livestock,

Between all points and places in an area bounded on the North by U.S. Highway 56 in Osage County, Kansas; on the south by State Highway No. 31 on a line through and including the City of Melvern, in Osage County, Kansas; bounded on the west by a line seven (7) miles west of U.S. Highway 75 in Osage County, Kansas; and bounded on the east by a north-south line eleven miles west of U.S. Highway 59, when moving from farm to farm, farm to town, town to farm, or between rural locations and town to town, in the described area, with service to, from and between all points including unnumbered county roads in the described area on the one hand and markets and community sales at Osage City, Overbrook, Topeka, Ottawa, Emporia and Lawrence, Kansas, on the other.

Unprocessed farm products,

Between all points and places within the above-described boundaries.

Also,

From all points and places within the above-described boundaries, to the markets at Osage City, Topeka, Ottawa, Wakarusa, Pauline and Carbondale, Kansas.

Processed mill feeds and unprocessed feeds,

From the markets at Osage City, Topeka, Ottawa, Wakarusa, Pauline and Carbondale, Kansas, on the one hand, to all points and places within the above-described boundaries on the other.

Farm machinery,

Between all points and places within the above-described boundaries on the one hand and Topeka, Ottawa, Osage City, and Overbrook, Kansas, on the other.

Sand,

From Osage City, Topeka, Ottawa and Overbrook, Kansas, to points and places within the above-described boundaries.

(continued)

Cement and cement blocks,

From Osage City, Topeka, Ottawa and Overbrook, Kansas, to points and places within the above-described boundaries.

Lumber and shingles,

From Osage City, Topeka, Ottawa and Overbrook, Kansas, to points and places within the above-described boundaries.

Brick and tile,

From Osage City, Topeka, Ottawa and Overbrook, Kansas, to points and places within the above-described boundaries.

Emigrant farm movables,

Between points and places within the above-described boundaries, when moving from farm to farm, farm to town or town to farm.

Soybeans,

Between all points and places in an area bounded on the North by southeast 45th Street in Shawnee County, Kansas; on the south by the City of Burlington, Kansas; on the west by Highway 99 at Emporia, Kansas; and on the east by U.S. Highway 35, one mile east of Ottawa, Kansas, on the one hand and on the other to the City of Emporia, Kansas and all places and routes within the above-described boundaries, including intermediate points and unnumbered county roads.

Application for Transfer of Certificate of Convenience and Necessity:

Clayton U. Beatty, dba) Docket No. 78,129 M
Beatty Truck Line)
Lyndon, KS 66451) Route No. 7240

TO:

Hobbs Trucking, Inc.
Princeton, KS

Applicant's Attorney: Clyde Burns, Lyndon, KS 66451

Livestock,

Between all points and places in an area bounded on the north by, and including the City of Wakarusa, Kansas, and bounded by an unmarked County Road going east and west on the south through and including the town of New Strawn, Kansas; bounded on the west by the Kansas Turnpike #35; and bounded on the east by Highway 59 when moving from farm to farm, farm to town, town to farm, or between rural locations and town to town, via unnumbered County Roads, with service authorized for all intermediate points within the above-described boundaries, including all highways and unmarked county roads.

Also,

Between all points and places within the above-described boundaries on the one hand, and all markets, community sales, feed lots, show places, ponds, pastures and rural locations within the State of Kansas, on the other hand.

Fertilizer,

Between all points and places within the above-described boundaries.

Also,

Between all points and places within the above-described boundaries on the one hand and all other Kansas points of fertilizer supply, on the other. RESTRICTED HOWEVER, to offer or perform no service for the transportation of fertilizer between Lawrence and Topeka, Kansas, and points within three miles thereof, and Cherokee County, on the one hand, and points in Kansas, on the other.

Unprocessed feeds, seeds, hay and grain,

Between all points and places within the above-described boundaries.

Also,

Between farms and rural locations within said boundaries, on the one hand and all mills, elevators, feed and seed houses, farms and rural locations within the State of Kansas, on the other hand.

Mill feeds, processed and mixed,

Between all points and places within the above-described boundaries.

Also,

Between points and places within said boundaries on the one hand, and points and places within the State of Kansas, on the other hand.

Application for Transfer of Certificate of Convenience and Necessity:

Erwin C. Schoepflin, dba) Docket No. 28,993 M
E & J Trucking Service)
Lyndon, KS 66451) Route No. 2382

TO:

Edward L. Tillman
Vassar, KS 66543

Applicant's Attorney: Clyde Burns, Lyndon, KS 66451

Livestock,

Between all points and places in an area bounded on the north by an east-west line and including Topeka, Kansas; bounded on the south by the southern boundary of Coffey County, Kansas; bounded on the west by a north-south line through and including the town of Americus, Lyon County, Kansas; and bounded on the east by a north-south line, through and including the town of Stanton, Miami County, Kansas, when moving from farm to farm, farm to town, town to farm or between rural locations and town to town, in the described area via U.S. or State highways, or unnumbered county roads, with service authorized between all intermediate points within the above-described boundaries.

Also,

Between all points and places within the above-described boundaries on the one hand, and all points and places in the State of Kansas, on the other.

Unprocessed hay, grain and seed,

Between all points and places within the above-described boundaries,

Also,

Between all points and places within the above-de-

(continued)

scribed boundaries on the one hand and all points and places in the State of Kansas on the other.

Processed mill feeds, farm machinery,

Between any town within the above-described boundaries on the one hand and any farm or rural location within said boundaries on the other,

Also,

Between all rural locations within said boundaries on the one hand and all points and places in the State of Kansas on the other.

Building material,

Between any town within the above-described boundaries on the one hand and any farm within said boundaries on the other.

Also,

Between all points and places within said boundaries on the one hand and all points and places in the State of Kansas on the other.

Coal,

Between Osage City and Burlingame, Kansas, on the one hand and all rural points within the above-described boundaries on the other.

Fertilizer,

Between all rural locations within the above-described boundaries on the one hand, and all points and places in the State of Kansas, on the other. RESTRICTED against the hauling of commodities in bulk.

Emigrant farm movables,

Between all points and places within the above-described boundaries when moving from farm to farm, farm to town, or town to farm.

Application for Certificate of Convenience and Necessity:

Robert Law, dba) Docket No. 134,706 M
Robert Law Trucking)
5738 E. Harry)
Wichita, KS 67218)

Applicant's Attorney: None

Grain,

Between Dodge City, Ford County, KS & Wichita, Sedgwick County, KS.

Also,

Between all points & places in Ford County & Kiowa County, KS, on the one hand & all points & places in the state of KS, on the other.

Application for Certificate of Convenience and Necessity:

Yenom, Inc.) Docket No. 134,712 M
930 Cooper)
Wichita, KS 67208)

Applicant's Attorney: Moulos Law Office, 1108 Jefferson, Wichita, KS 67203

Junk cable,

From all points & places in KS to Wichita, KS.

Application for Extension of Certificate of Convenience and Necessity:

Charles Kielhorn, dba) Docket No. 100,179 M
Ark City Warehouse)
Truck Line)
Box 1205)
Arkansas City, KS 67005) Route No. 10291

Applicant's Attorney: W. Boyd Evans, Suite 600, One Twenty Bldg., 120 S. Market, Wichita, KS 67202

Meat, meat products, meat by-products & articles distributed by meat packing houses,

To, from & between all points & places in the State of KS.

Application for Extension of Certificate of Convenience and Necessity:

Elliott Truck Line, Inc.) Docket No. 116,454 M
101 E. Excelsior)
P.O. Box 1)
Vinita, OK 74301) Route No. 14540

Applicant's Attorney: Tom B. Kretsinger, 20 East Franklin, P.O. Box 258, Liberty, MO 64068

Commodities in bulk, barite and mud additives, in containers and in bags,

Between points & places in KS.

Application for Certificate of Convenience and Necessity:

Christopher S. Vogel, dba) Docket No. 134,708 M
Chris Vogel Trucking)
RR #3)
Dodge City, KS 67801)

Applicant's Attorney: Tom Rost, 827 S. Topeka Blvd., Topeka, Kansas 66612

Livestock, grain, agricultural commodities, fertilizer (liquid and dry), feeds (processed and unprocessed), and feed ingredients,

Between all points & places in KS.

Application for Certificate of Convenience and Necessity:

Cape Air Freight, Inc.) Docket No. 134,709 M
5115 Linden)
Shawnee Mission,)
KS 66201)

Applicant's Attorney: None

General commodities,

Between all points & places in the state of KS.

(continued)

The Following Application is being RESCHEDULED from November 6, 1982 to October 13, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

Liberty Transport, Inc.) Docket No.
P.O. Box 9182)
2501 Nicholson)
Kansas City, MO)

Applicant's Attorney: Tom B. Kretsinger, 20 East Franklin, P.O. Box 258, Liberty, MO 64068

General Commodities,

Between points and places in Kansas.

The Following Application is being RESCHEDULED from December 7, 1982 to October 13, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Emporia Motor Freight, Inc.) Docket No. 56,841 M
P.O. Box 1103)
Emporia, Kansas 66801) Route No. 4980

Applicant's Attorney: John L. Richeson, Second & Main, PO Box 7, Ottawa, Kansas 66067

General Commodities, (except Classes A & B explosives),

Between all points and places in Kansas.

The Following Application is being RESCHEDULED from December 2, 1982 to October 13, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Kansas City Piggyback, Inc.) Docket No. 122,524 M
3600 Great Midwest Drive)
Kansas City, MO 64161) Route No. 16459

Applicant's Attorney: Tom B. Kretsinger, 20 East Franklin, P.O. Box 258, Liberty, MO 64068

General Commodities,

Between points and places in Kansas.

The Following Application is being RESCHEDULED from December 2, 1982 to October 13, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

Kenneth L. Pettibon) Docket No. 134,472 M
533 E. C Street)
Pomona, Kansas)

Applicant's Attorney: Eugene W. Hiatt, 207 Casson Bldg., 603 Topeka Ave., Topeka, KS 66603

House trailers, mobile homes, buildings in sections on their own removable under carriages and pre-fabricated buildings in sections,

Between all points and places in the State of Kansas.

The Following Application is being RESCHEDULED from December 7, 1982 to October 13, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

Bernard K. Freeman, dba Freeman and Sons) Docket No. 134,501 M
Trucking)
RR #1, Box 148)
Lawrence, Kansas 66044)

Applicant's Attorney: Don Hults, P.O. Box 225, Lawrence, National Bank Bldg., Lawrence, Kansas 66044

Grain, feed, hay and farm products and supplements,
Between all points and places in Kansas.

Applications set for October 13, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity

Service Trucking, Inc.) Docket No. 134,766 M
Route #1)
Pratt, Kansas 67124)

Applicant's Attorney: William B. Barker, 641 Harrison Street, P.O. Box 1979, Topeka, Kansas 66601

Grain,

Between Hutchinson, Salina and Wichita, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

H-30, Inc.) Docket No. 134,767 M
251 North Water, Suite 10)
Wichita, Kansas)

Applicant's Attorney: W. Boyd Evans, 600 One Twenty Building, 120 South Market, Wichita, Kansas 67202

Oil Field Equipment, Oil Field Machinery and Materials within and between oil fields and between supply points and oil fields and for the transportation of pipeline materials, equipment and supplies;

Between all points and places within the State of Kansas over irregular routes.

(continued)

Application for Certificate of Convenience and Necessity:

Weco, Inc.) Docket No. 134,770 M
 500 Scott Street)
 P.O. Box 5128)
 Kansas City, Kansas 66119)

Applicant's Attorney: Erle W. Francis, 719 Capitol Federal Bldg., Topeka, Kansas 66603

Flour, in bags, packages and containers,

Between points in Shawnee County, Kansas on the one hand, and points and places in Kansas, on the other.

Restricted against transportation of flour in bulk.

Application for Certificate of Convenience and Necessity:

Capitol City Oil Co., Inc.) Docket No. 134,774 M
 916 Adams St.)
 P.O. Box 618)
 Topeka, Kansas)

Applicant's Attorney: Tom Rost, 827 S. Topeka Blvd., Topeka, Kansas 66612

Any and all liquids, liquid compounds, salt water, sludge, dredgings, and any and all other waste materials that may be in liquid, semi-liquid, or gaseous forms, excluding the liquids and gases known as refined petroleum products.

Between all points and places in the following Kansas Counties: Shawnee, Douglas, Jefferson, Jackson, Leavenworth, Atchison, Nemaha, Brown, Wabaunsee and Pottawatomie.

Application for Contract Carrier Permit:

Jack E. Washburn, dba) Docket No. 134,631 M
 Washburn Wheat Flour)
 Co.)
 4149 Clarendon)
 Wichita, Kansas)

Applicant's Attorney: None

Wheat flour & mill feed,

From Wichita, Newton and Wellington, Kansas, to Continental U.S. Under contract with Cargill, Inc., of Wichita, Kansas.

The Following Application is being RESCHEDULED from July 22, 1982 to October 14, 1982-
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Double E Refrigerated) Docket No. 129,872 M
 Truck Line, Inc.)
 5905 Lamar)
 Mission, KS 66202) Route No. 18407

Applicant's Attorney: Tom B. Kretsinger, Jr., 20 East Franklin, P.O. Box 258, Liberty, Missouri 64068
Such commodities as are dealt in by wholesale, retail and chain stores,

Between the facilities of Inland Distribution Center, Inc., and all points and places in Kansas.

**Applications set for October 14, 1982—
 TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Robson Oil Co., Inc.) Docket No. 134,062 M
 101 S. Cedar)
 P.O. Box 694)
 Abilene, Kansas 67410)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Gasoline and diesel fuel, in bulk, and petroleum products in containers,

From all refineries and supply points and pipeline terminals located in the State of Kansas to points in Saline, Marion, Clay, Geary, Pottawatomie, Riley, Cloud, Dickinson and Harvey Counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Jim C. Taylor, Jr., dba) Docket No. 128,766 M
 Taylor Truck & Rigging)
 711 W. 12th St.)
 P.O. Box 235)
 Coffeyville, Kansas 67337) Route No. 18565

Applicant's Attorney: Larry E. Gregg, 641 Harrison Street, P.O. Box 1979, Topeka, Kansas 66601

Machinery, foundry equipment and supplies, construction materials, equipment and supplies,

Between points in Kansas.

Application for Transfer of Certificate of Convenience of Necessity:

James L. Fry, dba) Docket No. 101,279 M
 French Wrecker Service)
 P.O. Box 1291)
 Liberal, Kansas 67901) Route No. 10876

TO:
 French Wrecker Service, Inc.
 P.O. Box 291
 Liberal, Kansas 67901

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Wrecked and disabled vehicles,

Between points & places in Grant, Haskell, Stevens, Seward, Meade Counties, that portion of Morton

(continued)

County east of KS Hwy 27 & south of KS Hwy 51; & that portion of Gray County south of U.S. Hwy 56.

Also,

Between points & places in the above described territory, on the one hand, & points & places in the State of Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

Hoffman Transfer, Inc.) Docket No. 132,313 M
1015 Bethany St.)
Kansas City, Kansas 66105) Route No. 19798

Applicant's Attorney: D. S. Hults, Lawrence National Bank Bldg., Lawrence, Kansas

General commodities,

Between all points & places in the State of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Lawrence Freight Line, Inc.) Docket No. 13,175 M
1321 N. 3rd St.)
Lawrence, Kansas 66044) Route No. 494

Applicant's Attorney: D. S. Hults, Lawrence National Bank Bldg., Lawrence, Kansas

General commodities,

Between all points & places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Groendyke Transport, Inc.) Docket No. 42,135 M
P.O. Box 632)
Enid, Oklahoma 73702) Route No. 3847

Applicant's Attorney: Don Hults, P.O. Box 225, Lawrence National Bank Bldg., Lawrence, Kansas 66044

General commodities,

Between all points and places in the State of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Williams Tank Truck Service, Inc.) Docket No. 56,631 M
P.O. Box 483)
Madison, KS) Route No. 5048

Applicant's Attorney: William L. Mitchell, 119 West Sherman, P.O. Box 604, Hutchinson, Kansas 67501

Crude oil used in and for production, processing, treating, salvage construction and for lease road purposes in bulk, fresh water for drilling purposes or any other related purpose and salt water for drilling or disposal purposes or any related purpose,

Between points and places in Marshall, Nemaha,

Brown, Douglas, Jefferson, Atchison or Doniphan Counties on the one hand and the State of Kansas on the other.

**Applications set for October 19, 1982—
TOPEKA, KANSAS**

Application for Contract Carrier Permit:

Hapes Truck Line, Inc.) Docket No. 134,118 M
RR #1)
Garden City, Kansas 67846)

Applicant's Attorney: John E. Jandera, 641 Harrison Street, P.O. Box 1979, Topeka, Kansas 66601

Meats, meat products, meat by-products, articles distributed by meat packing houses and such commodities as are used by meat packers,

Between points in Kansas under continuing contract with Iowa Beef Processors of Dakota City, Nebraska.

Application for Extension of Certificate of Convenience and Necessity:

Rauniket, Inc.) Docket No. 31,002 M
RR 1)
Carl Junction, Missouri)
64834) Route No. 2749

Applicant's Attorney: Tom B. Kretsinger, 20 East Franklin, P.O. Box 258, Liberty, Missouri 64068

Commodities in bulk,

Between all points in Kansas,

Application for Certificate of Convenience and Necessity:

Trans-Oil, Ltd.) Docket No. 134,063 M
4303 Speaker Road)
Kansas City, Kansas)

Applicant's Attorney: John L. Richeson, Second & Main, Box 7, Ottawa, Kansas 66067

Petroleum products, in bulk,

Between all refinery and pipeline terminals in the State of Kansas, on the one hand, and points and places in the following named Kansas counties, to-wit: Wyandotte, Johnson, Brown, Doniphan, Jackson, Atchison, Jefferson, Leavenworth, Shawnee, Douglas, Osage, Franklin, Miami, Coffey, Anderson, Linn, Allen, Bourbon and Crawford Counties, on the other.

Application for Extension of Certificate of Convenience and Necessity:

Charles Holmes, dba) Docket No. 32,896 M
Charles Holmes Trucking)
6315 Interurban)
Wichita, Kansas 67204) Route No. 3016

(continued)

Applicant's Attorney: Warner Moore, 1014 Century Plaza Bldg., Wichita, Kansas 67202

Feed and feed ingredients and fertilizer,

TO, FROM, AND BETWEEN: All points & places in Sedgwick, Harvey, Reno, Sumner, Cowley, Butler, Greenwood, Kingman, McPherson, & Elk County, Kansas, on the one hand, & all points & places within the State of Kansas on the other; and,

TO, FROM, AND BETWEEN: All points & places within Sedgwick, Harvey, Reno, Sumner, Cowley, Butler, Greenwood, Kingman, McPherson, & Elk County, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Matador Service, Inc.) Docket No. 23,157 M
P.O. Box 2256)
Wichita, Kansas 67201) Route No. 1516

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Meat, meat products, meat by-products & articles distributed by meat packing houses,

To, from & between all points & places in the State of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Groendyke Transport, Inc.) Docket No. 42,135 M
P.O. Box 632)
Enid, Oklahoma 73701) Route No. 3847

Applicant's Attorney: Don Hulst, P.O. Box 225, Lawrence National Bank Bldg., Lawrence, Kansas 66044

Anhydrous Ammonia,

From storage facilities at Nickerson, Reno County, Kansas, to all points and places in Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Kindsvater, Inc.) Docket No. 24,993 M
P.O. Box 1037)
Dodge City, Kansas 67801) Route No. 1758

TO:
Matador Service, Inc.
4111 E. 37th St. N.
Wichita, Kansas 67220

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Petroleum products, in bulk, in tank truck loads, as common carrier, as follows:

Between all refinery and pipe line terminals, in the State of Kansas, on the one hand, and all points located within the counties of Edwards, Finney, Gray, Hamilton, Hodgeman, Kearney and Kiowa, on the other hand.

Liquid petroleum products, having a vapor pressure of not to exceed 15 pounds per square inch at 100 degrees fahrenheit, in bulk, in tank truck loads,

Between any refinery and pipe line terminal in the State of Kansas, on the one hand, and any point or place located in Pawnee County, Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Paul Wegner, dba) Docket No. 134,711 M
M & S Trailer Repair)
4200 S. Broadway)
Wichita, Kansas 67216)

Applicant's Attorney: William B. Barker, 641 Harrison Street, P.O. Box 1979, Topeka, Kansas 66601

Mobile homes and recreational vehicles,

Between points in Sedgwick, Sumner, & Butler Counties, Kansas, on the one hand, & on the other, all points & places in Kansas.

Application for Certificate of Convenience and Necessity:

Eagle Motor Lines, Inc.) Docket No. 134,547 M
830 N. 33rd)
Birmingham, Alabama)
35222) Route No. 19966

Applicant's Attorney: Larry E. Gregg, 641 Harrison Street, P.O. Box 1979, Topeka, Kansas 66601

Structural steel,

Between the facilities of Geo. C. Christopher & Sons, Inc. in Sedgwick County, Kansas, on the one hand, & on the other, points in Kansas.

Application for Certificate of Convenience and Necessity:

Dennis Garrett, dba) Docket No. 134,720 M
Garrett Trucking &)
Brokerage)
P.O. Box 866)
McCook, Nebraska 69001)

Applicant's Attorney: None.

Feed, feed ingredients, grains, & freight,

Between all points & places in the State of Kansas.

(continued)

The Following Application is being RESCHEDULED from October 5, 1982 to October 21, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Spikes Commodities, Inc.) Docket No. 113,621 M
P.O. Box 759)
Hugoton, Kansas 67951) Route No. 14052
Applicant's Attorney: Larry E. Gregg, 641 Harrison
Street, P.O. Box 1979, Topeka, Kansas 66601
*Mill feed and feed ingredients and grain and grain
products,*
Between points in Kansas.

Applications set for October 21, 1982—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

R. L. Jones & Sons, Inc.) Docket No. 134,061 M
4900 E. 12th St.)
Kansas City, Missouri)
64127)
Applicant's Attorney: Tom B. Kretsinger, 20 East
Franklin, P.O. Box 258, Liberty, Missouri 64068
General commodities,
Between all points in Kansas.

Application for Certificate of Convenience and Necessity:

Thomas E. Jones) Docket No. 134, 768 M
2112 North 7th)
Garden City, Kansas 67846)
Applicant's Attorney: None
Livestock & un-manufactured, agricultural commodities,
Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Mid-Continent Delivery,) Docket No. 134,769 M
Inc.)
10201 N. Everton Avenue)
Kansas City, Missouri)
64153)
Applicant's Attorney: None
General Commodities,
Between points and places in Kansas.

Application for Certificate of Convenience and Necessity:

ABC/Fry-Wagner, Inc.) Docket No. 134,771 M
14851 W. 101st Terrace)
Lenexa, Kansas 66215)
Applicant's Attorney: None
Household goods,
Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Middlewest Freightways,
Inc.) Docket No. 85,243 M
6810 Prescott Ave.)
St. Louis, Missouri 63147) Route No. 8568
Applicant's Attorney: John Small, Suite 120, First National
Bank Tower, Topeka, Kansas 66603
General commodities,
Between points & places in Kansas.

Application for Certificate of Convenience and Necessity:

Donald Brubaker, dba) Docket No. 132,314 M
3 B. Cattle)
Rt. 1, Box 19)
Sawyer, Kansas 67134)
Applicant's Attorney: None.

Livestock,

Between all points and places in Barber and Pratt
Counties, Kansas.
Also,
Between all points and places in Barber and Pratt
counties, Kansas, on the one hand and all points and
places in the State of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Wharry Enterprises, Inc.,) Docket No. 134,929 M
dba)
Adventure Some Coaches)
104 S. First)
Mulvane, Kansas 67110)
Applicant's Attorney: Clyde N. Christey, 1010 Tyler,
Suite 110-L, Topeka, Kansas 66612
Passengers and their baggage, in charter party service,
Between all points and places in Kansas.
Passengers and their baggage, in guided bus tour service,

Between all points and places in Kansas.
Restricted, however, to transport no more than 25
persons and their baggage in one vehicle at one time.

(continued)

The Following Application is being RESCHEDULED from November 23, 1982 to October 26, 1982—TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

L. E. Troutman, dba) Docket No. 134,506 M
 L. E. Troutman Grain &)
 Elevator Co.)
 Route 1)
 Wellington, Kansas 67152)

Applicant's Attorney: None

*Processed and unprocessed farm feed,
 Between all points and places in Kansas.*

Applications set for October 26, 1982—
 TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Stella Conley) Docket No. 124,531 M
 1033 Osage)
 Leavenworth, KS 66048) Route No. 16789

Applicant's Attorney: Clyde N. Christey, 1010 Tyler,
 Suite 110-L, Topeka, KS 66612

Passengers,

Between points and places within Leavenworth, Wyandotte and Jefferson Counties; that portion of Doniphan County south of U.S. Highway 36, east and south of KS. Highway 20 and south of KS. Highway 137; that portion of Atchison County, east of U.S. Highway 159 and south of KS. Highway 116; that portion of Douglas County north of U.S. Highway 40, east of U.S. Highway 59 and north of U.S. Highway 56; and that portion of Johnson County, northwest of U.S. Highway 56 and north of U.S. Highway 169.

Also,

Between points and places within the above described territory, on the one hand, and points and places in Kansas, on the other hand.

RESTRICTED, however, to provide no transportation of more than five passengers in one vehicle at one time.

Application for Certificate of Convenience and Necessity:

Joe Gerstner, dba) Docket No. 134,308 M
 Teko Tank Service)
 Rt. 1)
 Ness City, KS 67560)

Applicant's Attorney: Larry D. Tittel, P.O. Box 636,
 Jetmore, KS 67854

Mineralized water & salt water,

Between all points and places in Ness, Wichita, Greeley, Sheridan, Kearney, Lane, Gove, Wallace, Sherman, Hamilton, Finney, Scott, Logan, Thomas, Hodgeman Counties, Kansas.

Also,

Between all points & places in Ness, Wichita, Greeley, Sheridan, Kearney, Lane, Gove, Wallace, Sherman, Hamilton, Finney, Scott, Logan, Thomas, Hodgeman Counties, Kansas on the one hand, and all points and places in the state of Kansas on the other hand.

Application for Certificate of Convenience and Necessity:

L. E. Troutman, dba) Docket No. 134,506 M
 L. E. Troutman Grain &)
 Elevator Co.)
 RR #1)
 Wellington, KS 67152)

Applicant's Attorney: None

*Processed and unprocessed farm feeds,
 Between all points and places in Kansas.*

Application for Certificate of Convenience and Necessity:

George Rosel Dirt, Inc.) Docket No. 134,710 M
 330 S. Clay St.)
 Liberal, KS)

Applicant's Attorney: None

Crude oil, used in and for production, processing, treating, salvage, construction, and for lease road purposes In-Bulk, Fresh Water for Drilling purposes and Salt Water for disposal purposes,

Between all points & places in the counties of Grant, Morton, Stevens, Seward, Meade, Haskell, Stanton, Hamilton, Kearney & Finney, KS.

Applications set for October 28, 1982—
 TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Alexander Truck Line, Inc.) Docket No. 84,044 M
 337 E. Main)
 Lyons, KS 67554) Route No. 7881

Applicant's Attorney: Ray D. Siehndel, Box 369,
 Lyons, Kansas 67554

General commodities except those of unusual values, and except dangerous explosives, household goods as defined in practice of motor common carriers of household goods, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading,

Between points and places in the state of Kansas.

(continued)

**Application for Certificate of Convenience
and Necessity:**

Lloyd B. Taylor, dba) Docket No. 134,251 M
Kansas Mobile Home)
Transfer)
930 Graphic Arts Rd.)
#107)
Emporia, KS 66801) Route No. 19859

Applicant's Attorney: None

*Mobile homes and mobile home set-up equipment and
mobile offices,*

Between all points and places in the State of KS.

**Application for Certificate of Convenience
and Necessity:**

Robert C. Buchanan, dba) Docket No. 134,309 M
Robert C. Buchanan, Inc.)
Rt. 4, Box 340)
Manhattan, KS 66502)

Applicant's Attorney: Wallace M. Buck, Jr., 615 To-
peka Avenue, Topeka, KS 66603

*Grain, feed (processed and unprocessed), fertilizer
(bulk, dry),*

Between all points and places between Highway 75
on the east, Highway 50 on the south, Highway 81 on
the west and the Nebraska-Kansas border on the north.

Also,

Between all points and places in the above described
area on the one hand, and all points and places in the
State of Kansas on the other.

**Application for Certificate of Convenience
and Necessity:**

Dick Brothers Fertilizer,) Docket No. 134,938 M
Inc.)
Box 157)
Silver Lake, KS)

Applicant's Attorney: Bob Storey, Suite 310, Colum-
bian Title Bldg., 820 Quincy, Topeka, KS 66612

*Grain, feed, feed ingredients, agricultural chemicals,
fertilizer (liquid and dry, in bulk and in bag), and salt
water,*

Between all points and places in an area bounded on
the north by US Highway 36; on the east by the
Missouri-Kansas line; on the south by U.S. Highway
50 and I-35; and on the west by U.S. Highway 77.

**Application for Certificate of Convenience
and Necessity:**

Frazier-Farris, Inc.) Docket No. 134,939 M
P.O. Box 178)
Gower, MO)

Applicant's Attorney: Tom B. Kretsinger, 20 East
Franklin, P.O. Box 258, Liberty, MO 64068

Commodities in bulk,

Between points and places in the State of Kansas.

**Application for Certificate of Convenience
and Necessity:**

Purolator Courier Corp.) Docket No. 134,707 M
255 Old New Brunswick)
Rd.)
Piscataway, NJ 08854)

Applicant's Attorney: Larry E. Gregg, 641 Harrison
Street, P.O. Box 1979, Topeka, Kansas 66601

*General commodities (except A & B explosives, articles
of unusual value, household goods as defined by the
Commission,*

Between points & places in KS.

Application for Contract Carrier Permit:

Customized Transportation,) Docket No. 134,607 M
Inc.)
4814 Phillips Hwy)
Jacksonville, FL 32207)

Applicant's Attorney: Larry E. Gregg, 641 Harrison
Street, P.O. Box 1979, Topeka, KS 66601

*Pneumatic tires, tubes and related automotive prod-
ucts,*

Between facilities of the Firestone Tire & Rubber
Co., at Lenexa, KS, on the one hand, &, on the other,
points in the state of KS. Under contract with The
Firestone Tire & Rubber Co., of Akron, OH.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 000602

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