

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for a contract for air and water testing and balancing for the following project:

Renovation of HVAC System
3rd and 10th floors
Kansas State Office Building
Topeka, Kansas

Interested firms must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. All work must be performed in accordance with standard procedures of the Associated Air Balance Council.

Interested firms must have completed at least five projects of similar size and scope. Firms must be engaged in balancing work on a full time basis. Balance agencies of the same parent company of the designers or contractors of this project will not be considered.

Questions or expressions of interest should be directed to Mr. Jim Struble, Capitol Area Engineer, 625 Polk, Topeka, Kansas 66603, 913/233-9367, prior to February 3, 1984.

JOHN B. HIPPI, AIA
Director
Division of Architectural Services

Doc. No. 001803

State of Kansas

BOARD OF TAX APPEALS

**SUMMARIZED ORDERS OF
STATE-WIDE IMPACT**

Docket No. 3592-83-DT

Severance Tax—application for exemption of production from “new pool” reservoir; retroactive or prospective application to 24-month period commencing April 1, 1983. In re appeal of Tech-American Resource, dated January 4, 1984.

The Kansas severance tax act permits exemption of production (oil and gas) from a new pool reservoir for the first 24-months of production. Appellant seeks a retroactive application of the 24-month period to permit exemption to its lease which first commenced production in January 1982. The severance tax act became effective April 1, 1983 and is silent as to the imposition of *exemption* dates. No tax was to be applied retroactive to April 1, 1983.

The exemption is to be applied to a new pool, designated as such by the state corporation commission. The board does not find that the purpose of this exemption is to discount flush production. Most first-time production leases experience flush. The intent of the Legislature was to continue to stimulate *new* exploration in Kansas. A new pool means exactly that—a newly discovered reservoir, designated as such by the state corporation commission. The general rule of statutory construction is followed in Kansas that a statute will operate prospectively unless its language clearly indicates that the Legislature intended otherwise. The board does not find an intention for retroactive application of the exemption.

CHARLES B. JOSEPH
Chairman

Doc. No. 001800

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**

NOTICE OF PUBLIC HEARING

A public hearing on the Certificate of Need application by MR Associates for the development of a Nuclear Magnetic Resonance Imaging Facility will be conducted by the Kansas Department of Health and Environment on February 3, 1984, at 9:00 a.m., at the Kansas City-Wyandotte County Health Department, 619 Ann Avenue, Kansas City, Kansas. Interested persons are welcome to testify. For further information, call the Kansas Department of Health and Environment at 913-862-9360, extension 535.

BARBARA J. SABOL
Secretary

Doc. No. 001810

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT
STATEWIDE HEALTH COORDINATING
COUNCIL**

NOTICE OF MEETING

The Statewide Health Coordinating Council and its two Health Care Cost Study Committees will meet on January 25, 1984, at the Holiday Inn South, 3802 South Topeka Avenue, Topeka, Kansas. Committee meetings will begin at 9:00 a.m.; the Council will meet at 1:15 p.m.

The scheduled agenda for the Committee meetings and Council include: Reimbursement Issues Committee study of diagnostic related grouping (DRG) payment plans, health maintenance organizations, the Medicaid program, and Health Insurance issues; Alternative Issues Committee study of Health Promotion Programs, Accidental Injuries and Deaths, Ambulatory Surgery, and Physician involvement in Health Care Costs; and the full Council chairman's report, review of credentialing procedures, committee reports, and Health Systems Agencies Grant Applications.

The public is invited to attend these meetings. Persons wishing additional information should contact the Office of Health Planning, Kansas Department of Health and Environment, 6700 South Topeka Avenue, Building 321, Topeka, Kansas 66620, (913) 862-9360, extension 535.

BARBARA J. SABOL
Secretary

Doc. No. 001802

State of Kansas

**STATE BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES**

**NOTICE OF HEARING
ON THE PROPOSED DESIGNATION
OF AN INTENSIVE GROUNDWATER
USE CONTROL AREA**

To all interested and concerned parties:

You are hereby notified that a public hearing will be held at 9:00 a.m. on Thursday, February 23, 1984, at the Auditorium of the Fort Hays State University Experiment Station, Hays, Kansas, at which time all interested parties will have an opportunity to be heard regarding the proposed designation of an intensive groundwater use control area in the alluvium of the Smoky Hill River between Cedar Bluff Dam in Trego County, Kansas and the confluence of the Smoky Hill River with Big Creek in Russell County, Kansas.

The exact boundaries of the proposed intensive groundwater use control area are available by request at the address set forth below.

On November 30, 1983, David L. Pope, Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, signed an order which initiated proceedings for designation of an intensive groundwater use control area in the above described area.

The purpose of the hearing will be to determine if an intensive groundwater use control area should be established by the Chief Engineer-Director in accordance with the provisions of K.S.A. 1982 Supp. 82a-1036 *et seq.*, and if so, what the boundaries should be, and what types of restrictions, if any, should be placed on the appropriation of water in the area.

All interested persons may attend the hearing and those attending will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for a person to be present, he or she may submit comments in writing to be received in the Office of the Chief Engineer-Director, Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th Street, 2nd Floor, Topeka, Kansas 66612-1283, on or before February 17, 1984. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda.

Dated at Topeka, Kansas, this 12th day of January, 1984.

DAVID L. POPE, P.E.
Chief Engineer-Director
Division of Water Resources
Kansas State Board of Agriculture

Doc. No. 001808

State of Kansas

KANSAS WATER AUTHORITY**OPEN MEETING NOTICE**

The January meeting of the Kansas Water Authority is scheduled to commence at 10:00 a.m., January 25, 1984, in the Topeka Public Schools Administrative Center, 624 S.W. 24th, Topeka, Kansas. The meeting will conclude by noon January 26, 1984. An agenda may be obtained by writing or calling Bruce W. Janssen, Kansas Water Authority, Box D, Larned, Kansas 67550, 316/285-6514.

H. PHILIP MARTIN
Chairman

Doc. No. 001814

State of Kansas

FISH AND GAME COMMISSION**OPEN MEETING NOTICE**

A meeting of the Kansas Fish and Game Commission is scheduled for January 26, 1984 at the agency's headquarters in Pratt, Kansas. The meeting will begin at 1:30 p.m. on January 26, and will carry over on January 27 at 9:00 a.m., if necessary. Fish and game legislation, review of recommended budgets, and other business matters will be discussed.

RICHARD HANGER
Commission Chairman

Doc. No. 001793

State of Kansas

COMMISSIONER OF INSURANCE**NOTICE OF HEARING
ON PROPOSED TEMPORARY
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Friday, February 9, 1984 at 10:00 a.m. in the Kansas Insurance Department, 420 S.W. 9th Street, Topeka, Kansas to consider the adoption of a proposed temporary regulation of the Insurance Department.

The regulation, K.A.R. 40-2-16, is an NAIC model regulation which has been developed to accommodate the U.S. Supreme Court decision in *Arizona Governing Committee v. Norris*. Specifically, the regulation permits a blending of the sex distinct mortality tables provided for under Kansas law.

Copies of the full text of the regulation and the fiscal impact statement may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, Kansas 66612.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed temporary regulation during the hearing.

FLETCHER BELL
Commissioner of Insurance

Doc. No. 001809

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by the 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, JANUARY 30, 1984

#25876

Department of Transportation, Topeka—LUBRICANTS

#25881

Osawatomie State Hospital, Osawatomie—SILVER RECOVERY SERVICE

#25886

Statewide—SPICES AND MISCELLANEOUS GROCERIES

#56353

University of Kansas, Lawrence—CLOSED CIRCUIT TV EQUIPMENT

#56358

Department of Transportation, Chanute—MRA B, C, D, AND E AGGREGATE FOR MAINTENANCE BITUMINOUS REPAIR, Hepler

#56359

Department of Transportation, Hutchinson—AB-3 AGGREGATE, COMMERCIAL GRADE, Kingman

#56360

Kansas State University, Manhattan—SEDAN, Fort Hays Experiment Station, Hays

#56361

Department of Transportation, Hutchinson—SNOW PLOW REPAIR PARTS

#56362

Department of Transportation, Norton—GUARD RAIL

#56364

Kansas State University, Manhattan—SPECTROMETER

#56365

University of Kansas Medical Center, Kansas City—LABORATORY APPARATUS

#56366

University of Kansas Medical Center, Kansas City—MODEMS

(continued)

#56368
University of Kansas, Lawrence—STEREO BROADCAST CONSOLE

#56371
Kansas State Industrial Reformatory, Hutchinson—MISCELLANEOUS MEATS

#56372
Kansas State University, Manhattan—WHOLE MILO

#56373
Kansas Highway Patrol, Topeka—AMMUNITION

#56374
Kansas State University, Manhattan—ULTRASONIC DIAGNOSTIC SYSTEM

#56375
Department of Social and Rehabilitation Services, Topeka—VIDEOCASSETTE RECORDER

#56413
University of Kansas Medical Center, Kansas City—VINCRISTINE SULFATE

#56414
Kansas State Penitentiary, Lansing—LAUNDRY BAGS

#56415
Department of Corrections, Topeka—SHOP TOOLS, Kansas State Penitentiary, Lansing

TUESDAY, JANUARY 31, 1984

#A-4776
Rainbow Mental Health Facility, Kansas City—FURNISH AND INSTALL NEW COMBINATION HEATING AND COOLING ROOFTOP UNIT

#25885
Statewide—FROZEN FOODS

#56380
Pittsburg State University, Pittsburg—ELECTRIC MOTOR SHOP EQUIPMENT

#56388
Department of Transportation, Topeka—RANDOM CRACK PAVEMENT SAW

#56389
Kansas State University, Manhattan—WINDOW COVERINGS

#56390
University of Kansas, Lawrence—VERTICAL WINDOW BLINDS AND INSTALLATION

#56391
Emporia State University, Emporia—VEHICLES

#56394
Kansas Technical Institute, Salina—USED AIRCRAFT

#56395
University of Kansas, Lawrence—STUDIO TAPE RECORDER

#56407
Kansas State University, Manhattan—ENERGY CONTROL SYSTEM

#56408
University of Kansas Medical Center, Kansas City—ELECTRONIC PROGRAMMABLE CASH REGISTER SYSTEM

#56409
Kansas State University, Manhattan—MICROCOMPUTER SYSTEM

#56410
Department of Corrections, Topeka—STEEL, GRATING AND DECKING, Kansas State Penitentiary, Lansing

#56411
University of Kansas Medical Center, Kansas City—SNAP-OUT FORMS—RADIOLOGY

#56416
Kansas State University, Manhattan—CHICKEN PIECES

#56417
Kansas Soldiers Home, Fort Dodge and Kansas State University, Manhattan—MISCELLANEOUS GROCERIES

WEDNESDAY, FEBRUARY 1, 1984

#25877
Kansas Fish and Game Commission, Pratt—RENTAL OF EQUIPMENT, Perry Wildlife Area

#25883
Department of Social and Rehabilitation Services, Topeka—COTTON BATTS, Kansas Industries for the Blind, Kansas City

#56382
University of Kansas, Lawrence—SURVEY—WICHITA METROPOLITAN AREA

#56386
Department of Administration, Division of Printing, Topeka—CARBONLESS PAPER—ROLLS

#56402
Youth Center at Topeka, Topeka—OFFSET PRESS WITH CHAIN DELIVERY

#56412
University of Kansas Medical Center, Kansas City—ELECTRONIC LIGHTING SYSTEM, Wichita

#56418
Kansas State Industrial Reformatory, Hutchinson—TOBACCO

#56419
University of Kansas Medical Center, Kansas City—BEDDING PLANTS

THURSDAY, FEBRUARY 2, 1984

#25888
University of Kansas Medical Center, Kansas City—SECURITY GUARD SERVICES, Wichita

FRIDAY, FEBRUARY 3, 1984

#25887
Department of Economic Development, Topeka—PUBLICATION OF "KANSAS" MAGAZINE

MONDAY, FEBRUARY 6, 1984

#25874
University of Kansas Medical Center, Kansas City and Other State Agencies—LABORATORY CHEMICALS (CLASS 42)

TUESDAY, FEBRUARY 7, 1984

#25758—Supplement
University of Kansas Medical Center, Kansas City and Statewide—MISCELLANEOUS HOSPITAL SUPPLIES

TUESDAY, FEBRUARY 21, 1984

#25878
Statewide (except for Department of Transportation)—AUTOMOBILE LIABILITY INSURANCE

#56399
Kansas Fish and Game Commission, Pratt—LEASE OF LAND on Tuttle Creek Wildlife Management Area

NICHOLAS B. ROACH
Director of Purchases

State of Kansas

**DEPARTMENT OF HUMAN RESOURCES
KANSAS COUNCIL ON EMPLOYMENT
AND TRAINING**

**NOTICE OF MEETING
AND AGENDA**

The Kansas Council on Employment and Training will meet from 9:00 a.m. to 12:00 noon on Friday, January 27, 1984, in the Conference Room, Southwestern Bell Administrative Office, 220 East 6th Street, Topeka, Kansas. The meeting agenda includes the following:

- I. Recommendations of Dislocated Worker Committee
- II. Recommendations of Plans Review Committee
- III. Orientation on Kansas Labor Market and Performance Standards
- IV. Recommendations of State Plan Committee
- V. Calendar of KCET Meetings

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.
Assistant Secretary

Doc. No. 001801

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-185

Laws, Journals and Public Information—Records Open to Public—Conviction Records of Certain Traffic Offenses; Closed to Public.

Amendments to the United States Constitution—Rights and Immunities of Citizens—Fourteenth Amendment; Equal Protection.

Constitution of the State of Kansas—Bill of Rights—Equal Rights. Senator Roy M. Ehrlich, Thirty-Fifth District, Hoisington, December 30, 1983.

1983 Senate Bill No. 310 (L. 1983, ch. 28) provides that speeding convictions for traveling not more than 10 miles per hour in excess of the 55 mile per hour speed limit established by K.S.A. 8-1336(a)(3) shall not be part of the public record and shall not be considered by any insurance company in establishing rates for an automobile liability insurance policy or cancelling such coverage. The classification of accessible records created by 1983 Senate Bill No. 310 bears a reasonable relationship to a legitimate legislative function and does not offend the guarantees of equal protection found in the United States and Kansas constitutions. Cited herein: 1983 Senate Bill No. 310 (L. 1983, ch. 28), Kan. Const., Bill of Rights §§ 1, 2, U.S. Const., Fourteenth Amendment. MFC

OPINION NO. 83-186

Infants—Code for Care of Children; Definition of Sexual Abuse and Exploitation in Code; Conformity with Federal Regulations. Alan L. Hurlburt, Depart-

ment of Social and Rehabilitation Services, Topeka, December 30, 1983.

For purposes of civil proceedings under the Code for Care of Children, the Legislature defined types of behavior which would constitute sexual abuse by reference to sex offenses in the criminal code, however, it did not thereby intend to adopt a criminal definition of sexual abuse. Thus, while certain acts described as sex offenses in the criminal statutes may not be punishable crimes if committed with a child age 16 years or older; those same acts may constitute abuse of that child under the definition of that term in the Code for Care of Children. Cited herein: K.S.A. 21-3501, 21-3503, 21-3504 as amended by L. 1983, ch. 109; 21-3509, 21-3510, 21-3511, 21-3516, K.S.A. 1982 Supp. 38-1502 as amended by L. 1983, ch. 140, 42 U.S.C. §§ 5102, 5104, 45 C.F.R. § 1340.2, 1340.14, 48 Fed. Reg. 3698 (January 26, 1983). MFC

OPINION NO. 84-1

Cities and Municipalities—Code for Municipal Courts; Powers and Duties—Contempt Powers. Robert J. Watson, City Attorney, Kansas City, Kansas. January 10, 1984.

A municipality, through the exercise of constitutional home rule powers, may grant to the municipal court the power to impose contempt sanctions against persons who fail to obey the subpoenas of a municipal administrative agency. Cited herein: K.S.A. 12-4101, 12-4104, 12-4105, 12-4106, 12-4204, 12-4602, Kan. Const. Art. 12, § 5. MWB

OPINION NO. 84-2

Consumer Credit Code—Consumer Loans; Maximum Finance Charges—Loans Secured by Mortgage on Real Estate; Charging of Nonrefundable Origination Fee. Donald O. Phelps, Consumer Credit Commissioner, Topeka, January 10, 1984.

K.S.A. 16a-2-401, as amended by L. 1983, ch. 79, § 3, sets forth the maximum finance charges which may be imposed by a licensed lender under the Consumer Credit Code, K.S.A. 16a-1-101, *et seq.* While subsection (8) of the statute exempts real estate loans which are subject to the Code (*e.g.* those secured by an interest in land subordinate to a prior mortgage and held by a lender other than the lender of the first mortgage) where the interest rate is subject to subsections (b) or (h) of K.S.A. 16-207, as amended by L. 1983, Ch. 74, this exemption extends only the finance charge ceilings and does not affect those portions of the statute which concern other limitations on consumer loans. Cited herein: K.S.A. 16-207, as amended by L. 1983, ch. 74, K.S.A. 1982 Supp. 16a-1-301(13), K.S.A. 16a-2-401, as amended by L. 1983, ch. 79, § 3. JSS

ROBERT T. STEPHAN
Attorney General

Doc. No. 001799

State of Kansas

SECRETARY OF STATE**KANSAS PUBLIC
DISCLOSURE COMMISSION****Advisory Opinion No. 83-45**

Written December 21, 1983 to Jonathan P. Small, General Counsel, Kansas Fish and Game Commission, Suite 1120, First National Bank Tower, 534 Kansas Avenue, Topeka, Kansas 66603.

This opinion is in response to your letter of October 14, 1983, in which you request an opinion from the Kansas Public Disclosure Commission concerning Section 10, Chapter 172, Laws of 1983.

We understand you request this opinion in your capacity as General Counsel for the Kansas Fish and Game Commission.

You advise us that the Commission employs certain individuals whom it licenses annually as fur dealers pursuant to K.S.A. 32-163. It also expects these same individuals to apply next year for re-licensing. Those licensees conduct fur dealer operations during the year as a business entity, but as we understand it, they are doing so either as a single individual (i.e., the licensee) or an association which uses the license of an individual to conduct an auction for the purpose of buying and selling furs, etc. The individuals in the organization conduct their business under that single license, but they do so on an individual and not a collective basis. In each case, however, the licensee is participating in a business operation as a fur dealer, and as such receives remuneration from the activity even though the business entities may not employ the licensee in the sense that a contractual relationship exists or that the organization pays the licensee for his services.

You also state that the Commission does not per se issue a license to the organization or business entity as such, but rather it issues the license to the individual under which the business is conducted. The license also is issued only for a particular location.

Based on this factual situation you ask whether the express provisions of Section 10 apply to licensed fur dealers who conduct their operations as indicated above and who are at the same time licensed as fur dealers by the agency with whom they are employed.

Section 10, Chapter 172, Laws of 1983 provides, in pertinent part, as follows:

"No state officer or employee may accept a position with an outside organization which is licensed by, inspected by or is regulated by the agency in which the state officer or employee is employed."

As we understand the factual situation, the agency does not license "an outside organization," rather it licenses individuals. Thus, the express language of the above section does not apply to the situation you have described.

Advisory Opinion No. 83-46

Written December 21, 1983 to Ron Desch, Department of Revenue, Driver Licensing/Control Administrator, State Office Building, Topeka, Kansas 66612.

This opinion is in response to your letter of October 26, 1983, 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.* Thus, whether some other common law, statutory system, or agency rule and regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a Driver Licensing/Control Administrator. You advise us that pursuant to K.S.A. 74-2012, certain drivers records are provided to insurance companies and prospective employers. We understand there are currently three companies operating in Kansas which obtain this information from the state and convey it on to insurance companies. You indicate your wife contemplates operating a similar business.

You also advise us that you do not regulate these companies and we assume from the tenor of your letter that you do not participate on behalf of the state in making contracts with any of the companies. You state your involvement to be limited to expediting the information flow from the Dept. of Revenue to the service companies by explaining the data processing requirements and billing procedures of the Department.

Based on the above factual situation, you ask whether you may retain state employment in your current position while your spouse operates one of the service companies.

Based on the factual situation provided to us, where you do not participate in the regulation of the companies or in the making of contracts with them, it is our opinion that you may retain your state employment while your wife operates a service company.

Please be advised that you may not provide confidential information to her under K.S.A. 46-241 and, if the appropriate tests are met, you must disclose your wife's interests on a substantial interest disclosure statement.

RICHARD E. DIETZ, Chairman
By Direction of the Commission

Filed with the Secretary of State January 5, 1984.

Doc. No. 001794

State of Kansas

**DEPARTMENT OF
ECONOMIC DEVELOPMENT**

**NOTICE OF PROPOSED DISTRIBUTION
OF FUNDS UNDER THE
KANSAS SMALL CITIES CDBG PROGRAM**

In August of 1981, the U.S. Congress enacted major revisions in the *Housing and Community Development Act of 1974* which provided States with the option of administering the HUD Small Cities Community Development Block Grant Program. In fiscal year 1984, Kansas will administer the non-entitlement portion of the CDBG program for the first time.

The purpose of the program is to develop viable communities by funding activities which carry out one or more of the three (3) national objectives:

- 1) Maximum feasible priority to activities that benefit Low and Moderate Income (LMI) families
- 2) Aid in the prevention of elimination of slums or blight
- 3) Meets urgent CD needs which pose a threat to the health or welfare of the community

The total amount of funds allocated to Kansas for the FY 1984 Small Cities CDBG Program will be approximately \$17.5 million, of which the state will use approximately 1.5% for state administration. The remaining funds will be distributed to local units of government to fund eligible community development and economic development activities. Eligible applicants include all Kansas cities under 50,000 population, except the seven cities funded under the entitlement program, and all counties. Eligible activities range from installation of water and sewer systems to economic development job creation activities.

The three grant categories are described below:

1. Economic Development Grants

Projects must demonstrate a benefit primarily for low-moderate income persons and 1) create new jobs or 2) retain existing jobs and/or 3) expand the tax base. Eligible applicants may submit one application per funding period. There will be three application periods in 1984 ending on May 31, August 31 and November 30. Funding awards will be made no later than June 30, September 30 and December 20 respectively.

2. Community Improvement Grant

Projects must demonstrate a benefit principally for low-moderate income persons and address 1) the conservation or improvement of community facilities, and/or 2) the rehabilitation of existing house. Eligible applicants may submit one application per program year for a Community Improvement grant. A joint and/or "in behalf of" application does not preclude an individual jurisdiction's application.

Applications for Community Improvement grants will be accepted between April 1 and June 1, 1984. Funding announcements will be made no later than July 31.

3. State Discretionary Grants

This set-aside provides funding for eligible

CDBG activities which address state priority or other urgent needs.

Requests will be reviewed and funded in part on a competitive basis, and in part on a case-by-case basis. Application and funding announcements will be made in a timely manner.

Allocation for each grant type are as follows:

Grant Type	Approximate Amount	Allocation
Economic Development	\$3.5m—\$ 6.9m	20-40%
Community Improvement	\$9.5m—\$12.1m	50-70%
State Discretionary	\$1.7m	10%

The funding ceiling per grant is 3% of the total state program allocation or approximately \$500,000.

A formal system is used to evaluate, select and fund applications for grants. The selection criteria are designed to facilitate an objective assessment of the community and economic development needs of the area and the applicant's ability to provide an effective and timely response.

Under the selection system, applications will be evaluated and awarded points according to criteria designed to measure community need and effort, strategy, impact and benefit to low and moderate income persons. The system allows for competitively awarding a maximum number of 1,000 points involving criteria described below.

Rating Points

0	1. Threshold requirements
	2. Need Factors
150	(a) Community Need
150	(b) Community Effort
	3. Project quality and impact
200	(a) Strategy
250	(b) Results
250	(c) Benefit to low and Moderate Income Persons

The KDED has conducted five public hearings and will continue to accept written comments on the FY 1984 Small Cities CDBG program through January 31, 1984.

More detailed description of the program is available upon request from the Kansas Department of Economic Development, Small Cities Program Section, 503 Kansas Avenue, Topeka, Kansas 66614 (913-296-3485).

CHARLES J. SCHWARTZ
Secretary

Doc. No. 001811

(Published in the KANSAS REGISTER, January 19, 1984.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., February 2, 1984 and then publicly opened:

DISTRICT I

Atchison—73-3 K 1942-01—6.1 miles Bituminous Overlay ($\frac{3}{4}$ "), beginning at the Atchison city limits, then south on US-73 (State Funds).

Atchison—73-3 M 1325-01—6.063 miles Crack Repair, beginning 3.4 miles north of the Atchison-Leavenworth County line, then north on US-73 (State Funds).

Atchison—74-3 K 1683-01—3.0 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at Potter, then east on K-74 to the jct. of K-74 and US-73 (State Funds).

Atchison—73-3 K 1514-01—3.4 miles Bituminous Recycling, beginning at the Leavenworth-Atchison County line, then north on US-73 (State Funds).

Douglas—23 U 0862-01—Traffic Signal Installation at 9th and Tennessee and 9th and Kentucky in the City of Lawrence (Federal Funds).

Douglas—10-23 K 2133-01—8.3 miles Bituminous Recycling, beginning at Lawrence, then east on K-10 to the Douglas-Johnson County line (State Funds).

Douglas—59-23 K 1980-01—4.2 miles Surface Recycling, beginning at the south city limits in Lawrence, then south on US-59 (State Funds).

Johnson—35-46 K 0429-06—Highway Signing and Delineation, at I-35 and 95th Street (Federal Funds).

Johnson—56-46 K 1522-02—10.363 miles Pavement Marking, beginning at the west city limits in Gardner on US-56 to the jct. of I-35—US-50—US-56 (State Funds).

Johnson—56-46 K 1522-01—10.363 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the west city limits in Gardner on US-56 to the jct. of I-35—US-50—US-56 (State Funds).

Johnson—10-46 K 2129-01—11.8 miles Bituminous Recycling, beginning at the Douglas-Johnson County line, then east on K-10 to the south jct. of K-7 and K-10 (State Funds).

Leavenworth—73-52 K 1513-02—10.910 miles Pavement Marking, beginning at Leavenworth, then northwest on US-73 to the Leavenworth-Atchison County line (Federal Funds).

Leavenworth—5-52 K 1968-01—7.6 miles Bituminous Overlay (1"), beginning at the Wyandotte-Leavenworth County line, then northwest on K-5 to the jct. of K-5 & US-73 (State Funds).

Leavenworth—73-52 K 1513-01—11.7 miles Bituminous Recycling, beginning at Leavenworth, then northwest on US-73 to the Leavenworth-Atchison County line (State Funds).

Leavenworth—73-52 K 1970-01—2.8 miles Bitu-

minous Recycling, beginning 3.2 miles north of the Wyandotte-Leavenworth County line, then north on US-73 (State Funds).

Pottawatomie—24-75 K 1908-01—3.836 miles Surface Recycling, beginning .053 mile east of the Riley-Pottawatomie County line, then east on US-24 (eastbound lane only) (State Funds).

Wyandotte—5.105 K 1969-01—3.3 miles Bituminous Overlay (1"), beginning at the Wyandotte-Leavenworth County line, then southeast on K-5 (State Funds).

DISTRICT II

Dickinson—4-21 K 1993-01—9.0 miles Bituminous Sealing, beginning at the jct. of K-4 and K-15, then east on K-4 to the jct. of K-4 and K-43 (State Funds).

Dickinson—4-21 K 1981-01—7.9 miles Bituminous Overlay ($\frac{3}{4}$ "), beginning at the jct. of K-4 and K-43, then east on K-4 to the Dickinson-Morris County line (State Funds).

Dickinson—218-21 K 1975-01—2.1 miles Bituminous Overlay ($\frac{3}{4}$ "), beginning at the jct. of K-218 and US-56, then west and north on K-218 (State Funds).

Geary—31 U 0822-01—Repair of Bridge on North Washington Street over the Republican River in the City of Junction City (Federal Funds).

Jewell—28-45 K 1982-01—15.9 miles Bituminous Sealing, beginning at the jct. of K-28 & US-36, then north on K-28 to the Kansas-Nebraska State line (State Funds).

Lincoln—14-53 K 1953-01—11.6 miles Bituminous Overlay ($\frac{3}{4}$ "), beginning at the jct. of K-14 & K-18, then north on K-14 to the Lincoln-Mitchell County line (State Funds).

McPherson—61-59 K 2498-01—Repair of eastbound Bridge #099 on K-61 over K-153 at McPherson (State Funds).

Morris—4-64 K 2107-01—15.907 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the Dickinson-Morris County line, then east on K-4 to the beginning curb and gutter in White City (State Funds).

DISTRICT III

Cheyenne—27-12 K 1955-01—6.000 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the Sherman-Cheyenne County line, then north on K-27 (State Funds).

Sherman—27-91 K 1995-01—6.007 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning 7.1 miles north of the Wallace-Sherman County line, then north on K-27 (State Funds).

Thomas—24-97 K 1570-01—8.517 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the east city limits in Colby, then east on US-24 to the jct. of US-24 and US-83 (State Funds).

Thomas—25-97 K 1944-01—7.750 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the south city limits in Colby, then south on K-25 (State Funds).

Thomas—25-97 K 1954-01—11.492 miles Bituminous Overlay ($1\frac{1}{2}$ "), beginning at the north city limits in Colby, then north on K-25 to the Thomas-Rawlins County line (State Funds).

(continued)

Wallace—27-100 K 1945-01—14.182 miles Bituminous Overlay (1½"), beginning at the Greeley-Wallace County line, then north on K-27 (State Funds).

Wallace—27-100 K 1934-01—16.220 miles Bituminous Recycling, beginning at the jct. of US-40 and K-27, then north on K-27 to the Wallace-Sherman County line (State Funds).

DISTRICT V

Butler—8 C 1715-01—0.2 mile Grading and Bridge, beginning approx. 3.0 miles north and 1.7 miles east of Potwin, then east on county highway FAS-862 (Federal Funds).

Cowley—18 U 0312-01—1.001 miles Grading and Surfacing, beginning at 19th Avenue on Wheat Road, then north to Simpson in Winfield (Federal Funds).

Sedgwick—87 U 0837-01—0.631 mile Grading and Surfacing, beginning at the jct. of Kellogg and Webb Road, then north on Webb Road to Central in Sedgwick County (Federal Funds).

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

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001791

(Published in the KANSAS REGISTER, January 19, 1984.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., February 17, 1984 and then publicly opened:

DISTRICT I

Atchison—73-3 K 0117-01—8.585 miles Grading and Bridge, beginning at Lancaster, then east on US-73 to the city of Atchison (Federal Funds).

Osage—35-70 M 1323-01—0.5 mile Pavement Patching, beginning 0.6 mile west of the west jct. of K-31 and I-35, then east on I-35 (State Funds).

Shawnee—89 U 0686-02—0.480 mile Grading and Concrete Pavement, beginning at 21st to 27th Street

on Kansas Avenue in the City of Topeka (Federal Funds).

DISTRICT IV

Anderson—57-2 K 1595-01—7.1 miles Bituminous Overlay (1½"), beginning at the Coffey-Anderson County line, then east on K-57 to the North jct. of K-57 & US-169 (State Funds).

Bourbon—3-6 K 2410-01—0.5 miles Bituminous Overlay, beginning at the west jct. of K-3 and K-39, then east on K-3 to the east jct. of K-3 and K-39 (State Funds).

Bourbon—7-6 K 1589-01—7.8 miles Bituminous Overlay (1½"), beginning at the jct. of K-7 and K-39, then east on K-7 to the jct. of K-7 and US-69 (State Funds).

Bourbon—39-6 K 1597-01—6.0 miles Bituminous Overlay (1½"), beginning at the Neosho-Bourbon County line, then east on K-39 to the west jct. of K-39 and K-3 (State Funds).

Bourbon—39-6 K 2411-01—8.3 miles Bituminous Overlay (1½"), beginning at the east jct. of K-39 and K-3, then east on K-39 to the west jct. of K-39 & K-7 (State Funds).

Bourbon—69-6 K 1998-01—0.6 mile Bituminous Overlay (¾"), beginning at Fort Scott, then north on US-69 to the concrete pavement (State Funds).

Coffey—57-16 K 1594-01—12.0 miles Bituminous Overlay (1½"), beginning at the south jct. of K-57 & US-75, then east on K-57 to the Coffey-Anderson County line (State Funds).

Franklin—35-30 M 1324-01—7.5 miles Pavement Patching, beginning 1.4 miles west of county highway FAS-1647, then northeast on I-35 (State Funds).

Linn—52-54 K 1965-01—3.5 miles Bituminous Overlay (¾"), beginning at the north jct. of K-52 and US-69, then east on K-52 to the Kansas-Missouri State line (State Funds).

Linn—152-54 K 1956-01—5.0 miles Bituminous Overlay (¾"), beginning at the jct. of K-152 and K-7, then east on K-152 (State Funds).

Miami—68-61 K 1964-01—3.5 miles Bituminous Overlay (¾"), beginning at the old jct. of K-68 and US-69, then east on K-68 to the Kansas-Missouri State line (State Funds).

Neosho—39-67 K 1596-01—3.0 miles Bituminous Overlay (1½"), beginning at the east jct. of K-39 and US-59, then east on K-39 to the Neosho-Bourbon County Line (State Funds).

DISTRICT V

Barton-Harvey—56-106 K 2408-01—Highway Lighting at various locations on US-56 in Barton County and US-50 in Harvey County (Federal Funds).

Butler—77-8 K 1958-01—16.9 miles Bituminous Overlay (¾"), beginning at the north city limits in El Dorado, then north on US-77 to the Butler-Marion County line (State Funds).

Butler—54-8 K 1622-01—9.1 miles Bituminous Recycling, beginning at the east jct. of US-54 and K-96, then north on US-54 to the south city limits of El Dorado (southbound lane only) (State Funds).

(continued)

Cowley—160-18 K 0209-01—0.184 mile Grading and Bridge, Br. #20 over the Arkansas River approx. 1 mile east of Oxford on US-160 (Federal Funds).

Cowley—77-18 K 0215-04—3.9 miles Grading and Surfacing, beginning 0.6 mile north of the jct. of US-77 and K-15, then north on US-77 to the Cowley-Butler County line (State Funds).

Cowley—166-18 K 1990-01—14.2 miles Bituminous Overlay (1½"), beginning at the jct. of US-166 and FAS-156, then east on US-166 to the west jct. of US-166 and K-15 (State Funds).

Cowley—166-18 K 2488-01—4.1 miles Bituminous Overlay (1½"), beginning at the east city limits of Arkansas City, then east on US-166 to the jct. of US-166 and FAS-156 (State Funds).

Kiowa—49 U 0682-01—0.664 mile Plant Mix Bituminous Mixture (Comm. Grade), at various locations in the City of Greensburg (Federal Funds).

Sedgwick—87 C 1598-01—0.555 mile Grading and Bridge, beginning 2.7 miles west and 2.0 miles north of Haysville, then north (Federal Funds).

Stafford—281-93 K 2000-01—9.1 miles Bituminous Overlay (1½"), beginning at the Pratt-Stafford County line, then north on US-281 to the jct. of US-281 and US-50 (State Funds).

Sumner—44-96 K 2002-01—11.6 miles Bituminous Sealing, beginning at the Harper-Sumner County line, then east on K-44 to the jct. of K-44 and K-49 (State Funds).

Sumner—160-96 K 1950-01—11.2 miles Bituminous Overlay (¾"), beginning at the east city limits of Wellington, then east on US-160 to the west city limits of Oxford (State Funds).

Sumner—160-96 K 1951-01—12.4 miles Bituminous Overlay (¾"), beginning at the Harper-Sumner County line, then east on US-160 to the east jct. of US-160 and K-49 (State Funds).

Sumner—81-96 K 1621-01—5.9 miles Bituminous Recycling, beginning at the jct. of US-81 and K-55, then north on US-81 to the Sumner-Sedgwick County line (State Funds).

Sumner—160-96 K 1620-01—9.1 miles Bituminous Recycling, beginning at the east jct. of US-160 and K-49, then east on US-160 to the west city limits of Wellington (State Funds).

DISTRICT VI

Clark—34-13 K 2276-01—4.0 miles Bituminous Sealing, beginning at the jct. of K-34 and FAS-711, then north on K-34 to the Clark-Ford County line (State Funds).

Clark—94-13 K 2274-01—6.9 miles Bituminous Sealing, beginning at the Clark County Lake, then north on K-94 to the Clark-Ford County line (State Funds).

Ford—34-29 K 2291-01—5.9 miles Bituminous Sealing, beginning at the Clark-Ford County line, then north on K-34 to the jct. of K-34 and US-54 (State Funds).

Ford—94-29 K 2275-01—3.9 miles Bituminous Sealing, beginning at the Ford-Clark County line, then north on K-94 to the jct. of US-54 and K-94 (State Funds).

Finney—50-28 K 2108-01—1.5 miles Bituminous Overlay (¾"), beginning at the jct. of US-50 and K-156, then south on US-50 to the jct. of US-50 and US-83 (State Funds).

Finney—83-28 K 1979-01—2.4 miles Bituminous Overlay (¾"), beginning at the south jct. of US-83 and US-83b, then northeast on US-83 to the jct. of US-50 and US-83 (State Funds).

Greeley—27-36 K 2296-01—14.2 miles Bituminous Overlay (1½"), beginning at the Hamilton-Greeley County line, then north on K-27 to the jct. of K-27 and K-96 (State Funds).

Hamilton—50-38 K 1645-01—16.1 miles Bituminous Recycling, beginning at the Colorado-Kansas State line, then east on US-50 to the west city limits of Syracuse (State Funds).

Kearny—47 C 1494-01—2.007 miles Bituminous Surfacing, beginning 7.2 miles north of Deerfield, then west (Federal Funds).

Kearny—50-47 K 1646-01—9.5 miles Bituminous Overlay (1½"), beginning at the east city limits of Lakin, then east on US-50 to the Kearny-Finney County line (State Funds).

Morton—27-65 K 2286-01—34.1 miles Bituminous Sealing, beginning at the Oklahoma-Kansas State line, then north on K-27 to the Morton-Stanton County line (State Funds).

Stanton—27-94 K 2284-01—12.1 miles Bituminous Sealing, beginning at the Morton-Stanton County line, then north on K-27 to the south jct. of K-27 and US-160 (State Funds).

Wichita—25-102 K 2281-01—18.6 miles Bituminous Overlay (1½"), beginning at the Kearny-Wichita County line, then north on K-25 to the south city limits of Leoti (State Funds).

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

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

JOHN B. KEMP
Secretary

Doc. No. 001812

State of Kansas

LEGISLATURE

The following list gives the numbers and titles of bills and resolutions recently introduced in the Legislature.

Copies of bills and resolutions are available free of charge. (Limit: 5 copies of any one item.) Write: Legislative Document Room; State Capitol; Topeka, KS 66612. Or call: (913) 296-7394.

Bills Introduced Through January 11:

- SB 466**, by Senator Steineger: An act enacting the Kansas hospital cost containment act; establishing the Kansas hospital commission and the advisory committee on hospital costs; providing for a uniform system of financial reporting for hospitals and review and regulation of hospital budgets and changes in hospital rates and charges.
- SB 467**, by Senators Thiessen, Allen, Angell, Bogina, Ehrlich, Francisco, Gordon, Hayden, Hein, Johnston, Kerr, Montgomery, Morris, Norvell, Pomeroy, Roitz, Vidriksen, and Werts: An act relating to property taxation; concerning the preparation of personal property valuation guides; amending K.S.A. 75-5105a and repealing the existing section.
- SB 468**, by Senator Hayden: An act concerning proceedings for review of an order of the state corporation commission; amending K.S.A. 66-118b and repealing the existing section.
- SB 469**, by Senator Rehorn (by request): An act concerning the school district equalization act; affecting the definition of pupil; amending K.S.A. 1983 Supp. 72-7033 and repealing the existing section.
- SB 470**, by Special Committee on Assessment and Taxation, re Proposal No. 1: An act relating to the financing of public schools; authorizing the levy of individual income taxes by school districts; imposing a tax upon the Kansas taxable income of corporations and fiduciaries; imposing a tax upon the privilege of doing business in this state by insurance companies and certain financial institutions; providing duties for certain state officers relating to the administration thereof.
- SB 471**, by Special Committee on Commercial and Financial Institutions, re Proposal No. 6: An act amending the uniform consumer credit code; defining creditor; amending K.S.A. 1983 Supp. 16a-1-301 and repealing the existing section.
- SB 472**, by Special Committee on Commercial and Financial Institutions, re Proposal No. 6: An act amending the uniform consumer credit code; amending K.S.A. 16a-2-301, 16a-2-307, 16a-2-308, 16a-2-501, 16a-2-502, 16a-3-205, 16a-3-206, 16a-3-402, 16a-4-202, 16a-5-203 and 16a-6-104 and K.S.A. 1983 Supp. 16a-1-301, 16a-2-201, 16a-2-401, 16a-2-510 and 16a-3-204 and repealing the existing sections; also repealing K.S.A. 16a-3-308, 16a-6-302 and 16a-6-303.
- SB 473**, by Special Committee on Education, re Proposal No. 14: An act concerning schools; relating to minimum competency assessment of basic skills of pupils thereof; amending K.S.A. 1983 Supp. 72-9402, 72-9403, 72-9404 and 72-9406, and repealing the existing sections.
- SB 474**, by Special Committee on Education, re Proposal No. 17: An act concerning school districts; authorizing boards of education to increase budgets of operating expenses for the operation of certain summer programs and the adoption of extended performance salary plans; providing for increases in budget limitations under certain conditions; amending K.S.A. 1983 Supp. 72-7055 and repealing the existing section.
- SB 475**, by Special Committee on Education, re Proposal No. 17: An act concerning school districts; relating to adoption by boards of education of extraordinary performance pay plans for professional employees; providing for state aid to school districts under certain conditions.
- SB 476**, by Special Committee on Education, re Proposal No. 18: An act concerning school districts, area vocational-technical schools and community colleges; relating to the termination or nonrenewal of contracts of certain employees thereof; amending K.S.A. 72-5436, 72-5442, 72-5445 and 72-5446, and repealing the existing sections.
- SB 477**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act concerning taxation; relating to minimum payments and refunds; amending K.S.A. 1983 Supp. 79-1112, 79-1575, 79-1579, 79-3225, 79-3226 and 79-32,105 and repealing the existing sections.
- SB 478**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act relating to liability for damages under the Kansas tort claims act; concerning standards for construction of and improvements to highways; amending K.S.A. 1983 Supp. 75-6104 and repealing the existing section.
- SB 479**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act abolishing certain state boards, committees, commissions and offices; amending K.S.A. 8-255c, 39-1003, 39-1204, 72-9510, 74-6603, 74-6609 and K.S.A. 1983 Supp. 8-247, 46-1212c and 68-406 and repealing the existing sections; and also repealing K.S.A. 8-255b, 31-153, 31-154, 39-1004, 74-2807, 74-6501, 74-6503, 74-6504, 74-6505, 74-6506, 74-6507, 74-6508, 74-6509, 74-6605, 74-6606, 74-6701, 74-6702, 74-6704, 74-6705, 74-6706, 74-6707, 74-6708, 75-130, 75-131, 75-5716, 75-5717 and K.S.A. 1983 Supp. 31-151, 31-152, 39-1203, 74-6502, 74-6703 and 75-129.
- SB 480**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act concerning the corrections ombudsman board; relating to the number of members of such board; amending K.S.A. 1983 Supp. 74-7401 and repealing the existing section.
- SB 481**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act concerning projects for the construction of buildings and for major repairs or improvements to buildings for state agencies; concerning the convening of negotiating committees for engineering or architectural services; amending K.S.A. 1983 Supp. 75-3741, 75-5404 and 75-5804 and repealing the existing sections.
- SB 482**, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act concerning the Kansas state employees award committee; relating to the payment of cash awards; amending K.S.A. 1983 Supp. 75-2956b and repealing the existing section.
- SB 483**, by Special Committee on Energy and Natural Resources, re Proposal No. 20: An act concerning the production and conservation of natural gas; relating to economic waste; amending K.S.A. 55-702 and repealing the existing section.
- SB 484**, by Special Committee on Judiciary, re Proposal Nos. 27 and 29: An act enacting the Kansas parentage act; amending K.S.A. 23-102, 38-113, 38-126, 59-501, 59-2102, 59-3002, 60-460 and 65-2422 and K.S.A. 1983 Supp. 21-3603, 39-708c and 77-201 and repealing the existing sections; also repealing K.S.A. 23-124 through 23-132, 38-1101 through 38-1109, 59-2105 and 65-2424 and K.S.A. 1983 Supp. 38-113a.
- SB 485**, by Special Committee on Judiciary, re Proposal No. 28: An act concerning heterologous artificial insemination; relating to surrogate motherhood; requiring certain consents and contract terms; establishing certain conditions and limitations in regard to persons who may become surrogate mothers; prohibiting certain acts and providing penalties for violations; amending K.S.A. 23-128, 23-129, 23-130 and 65-2409 and repealing the existing sections.
- SB 486**, by Special Committee on Judiciary, re Proposal No. 31: An act concerning adoption; relating to procedures therefor; amending K.S.A. 59-2278 and repealing the existing section.
- SB 487**, by Legislative Educational Planning Committee, re Proposal No. 37: An act relating to the taxation of income; providing for a credit therefrom for contributions of qualified instructional equipment to certain institutions of postsecondary education; amending K.S.A. 1983 Supp. 79-32,120 and 79-32,138 and repealing the existing sections.
- SB 488**, by Special Committee on Special Care Services, re Proposal No. 38: An act relating to guardianships; amending K.S.A. 59-1701, 59-2905, 59-2907 and 59-3018 and repealing the existing sections.
- SB 489**, by Special Committee on Transportation, re Proposal No. 41: An act concerning motor vehicles; restriction and suspension of drivers' licenses; amending K.S.A. 1983 Supp. 8-255 and repealing the existing section.
- SB 490**, by Special Committee on Transportation, re Proposal No. 42: An act concerning regulation of traffic; classification of traffic offenses; procedure for administration and enforcement of traffic laws and ordinances; amending K.S.A. 8-1503, 8-1513, 8-1525, 8-1543, 8-1558, 8-1565, 8-1566, 8-1586, 8-1605, 8-1606, 8-1608, 8-1701, 8-1717, 8-1742, 8-1743, 8-1746, 8-1749a, 8-2104, 8-2106, 8-2109, 8-2110, 8-2116, 12-4113, 12-4209, 12-4212, 12-4305, 21-3105, 21-3204, 22-2303, 22-2401, 22-2403, 22-3404, 22-3405 and 22-3409, and K.S.A. 1983 Supp. 8-1567, 8-2107, 20-302b, 21-4503, 21-4619, 22-3210, 22-3412, 22-3600a and 28-172a, and repealing the existing sections; also repealing K.S.A. 8-1502 and 8-2105.
- SB 491**, by Special Committee on Ways and Means, re Proposal No. 46: An act relating to the Kansas police and firemen's retirement system; concerning coverage of certain emergency medical service technicians by counties and cities which provide emergency medical service as a third function apart from police and fire protection.
- SB 492**, by Special Committee on Conflict of Interest and Ethics, re Proposal No. 54: An act relating to conflicts of interests; concerning disclosure of and limitations relating to certain outside interests; amending K.S.A. 46-249 and K.S.A. 1983 Supp. 46-229, 46-248, 46-282, 46-284, 46-285 and 46-286 and repealing the existing sections.
- SB 493**, by Special Committee on Conflict of Interest and Ethics, re Proposal No. 54: An act concerning conflicts of interests; relating to officers and employees of governmental subdivisions of the state; amending K.S.A. 75-4301, 75-4304, 75-4305 and 75-4306 and K.S.A. 1983 Supp. 75-4302 and 75-4303a and repealing the existing sections; also repealing K.S.A. 46-279.
- SB 494**, by Senators Johnston and Kerr: An act concerning drivers' licenses and non-drivers' identification cards; amending K.S.A. 1983 Supp. 8-246 and 8-1326 and repealing the existing sections.
- SB 495**, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1984, for the department of corrections, Kansas state penitentiary, Winfield state hospital and training center and Larned state hospital; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing.
- SB 496**, by Committee on Ways and Means: An act relating to corrections; concerning a prerelease program for persons sentenced to the custody of the secretary of corrections; establishment and operation of prerelease centers; local advisory committees.
- SB 497**, by Committee on Energy and Natural Resources: An act amending the Kansas water appropriation act; conditioning water appropriation rights to minimum desirable streamflow requirements; amending K.S.A. 1983 Supp. 82a-711 and repealing the existing section.
- SB 498**, by Senators McCray and Gaines: An act relating to compulsory attendance of children at school; amending K.S.A. 72-1111 and repealing the existing section.
- SB 499**, by Committee on Judiciary: An act concerning court services officers; amending K.S.A. 20-345, 20-346a, 21-4603, 21-4604, 22-2202, 22-2814, 22-2816, 22-3716, 22-3720, 38-502, 38-531 and 38-544 and K.S.A. 1983 Supp. 21-3504, 75-5202, 75-5212 and 75-5297 and repealing the existing sections.
- SB 500**, by Committee on Judiciary: An act providing for mailing of notices and other items by restricted mail; amending K.S.A. 1-313, 2-1319, 2-1331, 2-1332, 2-2006, 2-2008, 2-2452, 5-405, 5-408, 8-135, 8-402, 8-1102, 8-1751, 8-1759, 9-908, 9-1506, 9-1507, 10-129, 12-520a, 12-521, 12-833, 12-1429, 12-1685, 12-1752, 12-1772, 12-1796, 12-17,104, 12-1905, 12-3204, 12-5303, 13-1011, 13-1228d, 16-6a10, 17-1263, 17-1335a, 17-2018, 17-4759, 17-4907, 17-5201, 17-5225b, 17-5227, 17-5414, 17-5415, 17-5631, 17-6206, 17-6702, 17-6703, 17-6706, 17-6712, 19-1423, 19-1430, 19-2752b, 19-2774, 21-3702, 22-4302, 22-4401, 23-487, 25-3202, 25-3902, 25-4148, 25-4152, 39-945, 39-946, 39-947, 40-281, 40-718, 40-945, 40-2002, 40-2417, 40-2419, 40-2506, 40-2704, 41-321, 41-410, 41-2702, 42-706, 44-510g, 44-512a, 44-520a, 44-527, 44-610, 44-1005, 46-280, 46-801, 46-914, 47-835, 47-1005d, 47-1213, 47-1216, 47-1707, 47-1708, 48-1608, 48-1904, 50-631, 55-214, 55-220, 57-206, 58-220, 58-601, 58-1018, 58-2510, 58-3044, 58-3052, 58-3319, 59-2292, 60-1402, 65-171d, 65-171s, 65-407, 65-1627e, 65-2843, 65-3412, 65-4015, 65-4606, 66-1,179, 66-1502, 66-1504, 66-1505, 73-523, 74-1405, 74-4906, 74-7028, 75-2714, 79-1441a, 79-3309, 79-3378, 79-3380, 79-3384, 79-3403, 79-3405, 79-3407, 79-3411, 79-3484a, 82a-632, 82a-718, 82a-720, 82a-725, 84-6-106, 84-6-107, 84-6-108 and 84-8-403 and K.S.A. 1983 Supp. 10-108, 12-3504, 34-230, 38-1535, 38-1628, 39-931, 40-3118, 40-3304, 40-3409, 41-409, 41-901, 41-1101, 41-2705, 44-510b, 44-717, 65-430, 65-504, 65-1449, 65-3440, 66-1,105, 68-102a, 68-151a, 68-509, 68-701, 68-703, 68-729, 75-2724, 75-2929d, 75-2929e, 75-2949, 75-3620, 75-5357, 77-201, 79-1564, 79-1575, 79-2017, 79-2101, 79-3226, 79-3230, 79-3478, 79-3496, 82a-641 and 82a-724; also amending Form No. 4 in the appendix of forms following K.S.A. 60-269 and Form No. 3 in the appendix of forms following K.S.A. 61-2605; also repealing K.S.A. 60-103 and 77-203.
- SB 501**, by Committee on Energy and Natural Resources: An act concerning the Kansas water office; abolishing certain positions and terminating the employment of certain persons thereof; reclassifying certain positions thereof; amending K.S.A. 1983 Supp. 74-2614 and repealing the existing section.
- SB 502**, by Senator Montgomery: An act relating to school districts; concerning the use of school buses owned or leased thereby; amending K.S.A. 1983 Supp. 72-8302 and repealing the existing section.
- SB 503**, by Committee on Ways and Means: An act relating to the financing of public schools; concerning the distribution of state financial aid; amending K.S.A. 72-7049, 72-7050, 72-7067 and 72-7068 and repealing the existing sections.
- SB 504**, by Committee on Ways and Means: An act relating to the legislative information system; authorizing the providing of information to state agencies and to private individuals, companies and organizations and the making of charges therefor; amending K.S.A. 46-1503 and repealing the existing section.

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SB 505, by Committee on Ways and Means: An act relating to insurance companies; concerning the time for payment of taxes by insurance companies; amending K.S.A. 40-252 and repealing the existing section.

SB 506, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1985, for the department of transportation and Kansas highway patrol; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 507, by Committee on Ways and Means: An act relating to health care providers; concerning the health care provider insurance availability act; providing a privilege for peer review proceedings and records; providing for the appointment by the state board of healing arts of a disciplinary administrator and of review committees and establishing the powers and duties thereof; amending K.S.A. 40-3402, 40-3408 and 40-3415 and K.S.A. 1983 Supp. 40-3403 and 40-3404 and repealing the existing sections.

HB 2585, by Representative Heinemann: An act concerning real property; relating to certain mortgages and deeds of trust.

HB 2586, by Representative Heinemann: An act concerning municipalities; relating to revenue bonds; amending K.S.A. 1983 Supp. 10-1201 and repealing the existing section.

HB 2587, by Representative Heinemann: An act concerning disclosure of records of certain speeding convictions; amending K.S.A. 1983 Supp. 8-1341a and repealing the existing section.

HB 2588, by Representative Baker: An act concerning programs for the elderly in cities and counties; amending K.S.A. 12-1680 and repealing the existing section.

HB 2589, by Representative Heinemann: An act concerning the state corporation commission; authorizing the commission to audit telephone public utilities.

HB 2590, by Representative Heinemann: An act concerning telecommunications; relating to the powers of the state corporation commission.

HB 2591, by Representative Heinemann: An act concerning the power of the state corporation commission to regulate telecommunications services.

HB 2592, by Representative Heinemann: An act concerning telephone public utilities; relating to the regulation of certain services thereof by the state corporation commission.

HB 2593, by Representative Heinemann: An act concerning telephone public utilities; requiring such utilities to file certain reports with the state corporation commission.

HB 2594, by Representative Heinemann: An act concerning telephone public utilities; relating to the power of the state corporation commission to review certain contracts.

HB 2595, by Representative Heinemann: An act concerning the sale of telephone equipment; requiring the disclosure of certain information.

HB 2596, by Representative Heinemann: An act concerning the department of administration; relating to the intervention thereby in hearings by the state corporation commission; amending K.S.A. 66-117a and repealing the existing section.

HB 2597, by Representative Heinemann: An act establishing the Kansas universal telephone service act; creating the Kansas universal telephone service fund; prescribing certain powers and duties to the state corporation commission.

HB 2598, by Representative Baker: An act relating to the sale of tobacco products; declaring certain acts to be unlawful and prescribing penalties for the violation thereof; amending K.S.A. 79-3386 and repealing the existing section.

HB 2599, by Representative Sprague: An act relating to the vesting of title to abandoned real property belonging to any religious organization known as the Free Methodist Church of North America in the Great Plains Annual Conference of the Free Methodist Church of North America, its successors or assigns.

HB 2600, by Representatives Heinemann, Moomaw and Sughrue: An act concerning proceedings for review of an order of the state corporation commission; amending K.S.A. 66-118b and repealing the existing section.

HB 2601, by Representative Hayden: An act authorizing counties to establish special alcohol and drug programs and levy a tax therefor.

HB 2602, by Representative Foster: An act concerning the Kansas general corporation code; relating to the names of certain corporations; amending K.S.A. 17-6002 and repealing the existing section.

HB 2603, by Representative Heinemann: An act concerning land surveys; relating to filings with the secretary of state; amending K.S.A. 58-2011 and repealing the existing section.

HB 2604, by Representatives Dyck and Walker: An act concerning bonds; relating to the redemption thereof; amending K.S.A. 1983 Supp. 10-130 and repealing the existing section.

HB 2605, by Representatives Sprague, Buehler, Dyck, Ediger, Friedeman, L. Fry, Harder, Rezac, Walker and Wunsch: An act concerning counties; relating to sanitary controls; amending K.S.A. 19-3703, 19-3704 and 19-3706 and repealing the existing sections.

HB 2606, by Representatives Sprague, Buehler, Dyck, Ediger, Friedeman, L. Fry, Harder, Rezac, Walker and Wunsch: An act concerning roads and highways; relating to the unlawful obstruction thereof; amending K.S.A. 68-545 and repealing the existing section.

HB 2607, by Representative DeBaun: An act concerning cereal malt beverages; relating to the license for the sale thereof; amending K.S.A. 41-2702 and repealing the existing section.

HB 2608, by Representative Sprague: An act concerning cities; relating to quarterly reports by the city treasurer; amending K.S.A. 12-1608 and repealing the existing section.

HB 2609, by Representative Foster: An act concerning the Kansas inheritance tax act; providing credits against the taxes imposed by that act for the value of certain contributions of works of art.

HB 2610, by Special Committee on Assessment and Taxation, re Proposal No. 1: An act relating to the taxation of income; concerning the apportionment to Kansas of income of certain telephone companies; amending K.S.A. 1983 Supp. 79-3279 and repealing the existing section.

HB 2611, by Special Committee on Assessment and Taxation, re Proposal No. 1: An act relating to taxation of income; concerning taxation of gain from certain corporate liquidations; amending K.S.A. 1983 Supp. 79-32,138 and 79-32,140 and repealing the existing sections.

HB 2612, by Special Committee on Assessment and Taxation, re Proposal No. 2: An act amending the homestead property tax refund act; concerning the eligibility for and amount of refunds thereunder; amending K.S.A. 79-4504 and K.S.A. 1983 Supp. 79-4502, 79-4508 and 79-4511 and repealing the existing sections.

HB 2613, by Special Committee on Assessment and Taxation, re Proposal No. 3: An act relating to taxation of mineral production; concerning computation and determination of exemptions therefrom; amending K.S.A. 1983 Supp. 79-4217, 79-4220 and 79-4221 and repealing the existing sections.

HB 2614, by Special Committee on Commercial and Financial Institutions, re Proposal No. 7: An act relating to motor vehicle liability insurance; concerning the duty to provide information of liability insurance and proof of financial security; amending K.S.A. 8-1604 and K.S.A. 1983 Supp. 40-3104 and repealing the existing sections.

HB 2615, by Special Committee on Communications, Computers and Technology, re Proposal No. 9: An act relating to computer services for certain state agencies; amending K.S.A. 1983 Supp. 75-4705, 75-4706 and 75-4708 and repealing the existing sections.

HB 2616, by Special Committee on Corrections, re Proposals No. 12 and 13: An act concerning the department of corrections; relating to examination and confinement of persons sentenced to the custody of the secretary of corrections; changing the mission of the state reception and diagnostic center; amending K.S.A. 21-4603 and K.S.A. 1983 Supp. 75-5206, 75-5220, 75-5229, 75-5262 and 75-5266 and repealing the existing sections.

HB 2617, by Special Committee on Education, re Proposal No. 15: An act providing for teacher education scholarships and for designation of teacher education scholars.

HB 2618, by Special Committee on Education, re Proposal No. 18: An act concerning schools; affecting the duration of the school day and the school term; revising the definition of pupil for school district finance purposes; amending K.S.A. 1983 Supp. 72-1106 and 72-7033 and repealing the existing sections.

HB 2619, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act abolishing certain state boards, councils, committees and commissions; amending K.S.A. 2-2438a, 65-737a, 65-3506, 71-701, 72-4923, 72-7521, 75-5644 and 82a-1405 and K.S.A. 1983 Supp. 72-4927 and 72-4932 and repealing the existing sections; and also repealing K.S.A. 2-1213, 2-2458, 65-737c, 71-901, 72-4922, 72-8502, 72-8503, 72-8504, 82-8505, 72-8505a, 72-8506, 72-8507, 72-8508, 72-8509, 72-8510, 72-8511, 72-8512, 72-8513, 75-4711, 75-5614, 75-5615, 75-5643, 79-1444, 82a-1404 and K.S.A. 1983 Supp. 58-2007, 58-2008, 65-737b, 74-5019, 75-5287 and 75-5629.

HB 2620, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act relating to contracts for personal property and services by the legislative coordinating council; amending K.S.A. 46-1204 and repealing the existing section.

HB 2621, by Special Committee on Efficiency in State Government, re Proposal No. 19: An act concerning employees of state agencies; relating to information provided or offered to be provided by such employees to a member of the legislature, a legislative committee, an administrative hearing or a court of law; granting certain powers to and imposing certain duties upon the state civil service board; providing for forfeiture of office for certain actions.

HB 2622, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning fish and game; relating to fishing and hunting licenses; amending K.S.A. 1983 Supp. 32-104, 32-104a and 32-104b and repealing the existing sections; also repealing K.S.A. 32-104j, 32-104k and 32-104l and K.S.A. 1983 Supp. 32-104n.

HB 2623, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning fish and game; concerning the issuance of licenses and fees therefor; amending K.S.A. 1983 Supp. 32-104a and 32-164b and repealing the existing sections.

HB 2624, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning fish and game; relating to certain fees; amending K.S.A. 1983 Supp. 32-164b and repealing the existing section.

HB 2625, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning fish and game; relating to the disposition of certain fines; amending K.S.A. 20-2801 and repealing the existing section.

HB 2626, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning the forestry, fish and game commission fee fund; relating to the disposition of moneys received as interest thereon.

HB 2627, by Special Committee on Energy and Natural Resources, re Proposal No. 22: An act concerning the forestry, fish and game commission fee fund; relating to the disposition of moneys remitted to the state treasurer; amending K.S.A. 32-104c and 74-3304 and K.S.A. 1983 Supp. 75-3170a and repealing the existing sections.

HB 2628, by Special Committee on Energy and Natural Resources, re Proposal No. 25: An act concerning hazardous wastes; requiring notification of groundwater contamination relating to the operation of a hazardous waste disposal facility.

HB 2629, by Special Committee on Labor and Industry, re Proposal No. 33: An act concerning the employment security law; relating to benefits and contributions; amending K.S.A. 1983 Supp. 44-703, 44-704 and 44-710a and repealing the existing sections.

HB 2630, by Legislative Budget Committee, re Proposal No. 35: An act relating to alcoholic liquors; concerning the levying of taxes upon the manufacturing, using, selling, storing or purchasing such liquors; providing for the disposition of revenues derived therefrom; amending K.S.A. 1983 Supp. 41-501 and repealing the existing section.

HB 2631, by Legislative Educational Planning Committee, re Proposal No. 36: An act providing for the establishment of an area vocational-technical school to be designated as Johnson county area vocational-technical school; amending K.S.A. 72-4412 and repealing the existing section.

HB 2632, by Legislative Educational Planning Committee, re Proposal No. 36: An act concerning vocational education; imposing restrictions on the establishment of area vocational schools; amending K.S.A. 72-4412 and 72-4416, and repealing the existing sections.

HB 2633, by Special Committee on Ways and Means, re Proposal No. 45: An act concerning the special education for exceptional children act; relating to annual surveys by the department of education and certain reimbursements to school districts; amending K.S.A. 72-971 and 72-978 and repealing the existing sections.

HB 2634, by Special Committee on Ways and Means, re Proposal No. 48: An act concerning attorneys admitted to the practice of law in Kansas; imposing an indigents' defense services fee; providing for waiver thereof in certain cases; administration and disposition of revenues.

HB 2635, by Special Committee on Ways and Means, re Proposal No. 50: An act concerning firemen's relief; providing for workers' compensation coverage; imposing a tax on certain insurance premiums and directing the disposition thereof; prescribing certain duties for the committee on surety bonds and insurance and the commissioner of insurance; creating the state firemen's relief fund; amending K.S.A. 40-1701 to 40-1707, inclusive, and 44-505d and K.S.A. 1983 Supp. 44-532 and repealing the existing sections.

HB 2636, by Special Committee on Conflict of Interest and Ethics, re Proposal No. 54: An act concerning conflicts of interests; prohibiting certain solicitations and providing penalties for violations.

HB 2637, by Special Committee on Conflict of Interest and Ethics, re Proposal No. 54: An act concerning conflicts of interests; relating to certain contracts between the state and current or former legislators or their spouses; amending K.S.A. 1983 Supp. 46-233 and repealing the existing section.

HB 2638, by Special Committee on Conflict of Interest and Ethics, re Proposal No. 54: An act prohibiting certain acts with respect to certain state officers and employees, candidates for state office and related persons; providing penalties for violations; amending K.S.A. 46-215, 46-221 and 46-236 and K.S.A. 1983 Supp. 46-237 and 46-276 and repealing the existing sections.

HB 2639, by Special Committee on Commercial and Financial Institutions, re Proposal No. 6: An act relating to interest rates; concerning the uniform consumer credit code; amending K.S.A. 16a-1-303, 16a-2-502, 16a-2-504, 16a-2-505 and 16a-2-506 and K.S.A. 1983

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- Supp. 16-207, 16a-2-201, 16a-2-202, 16a-2-401 and 16a-2-510 and repealing the existing sections; also repealing K.S.A. 16a-2-401a.
- HB 2640**, by Special Committee on Corrections, re Proposals No. 12 and 13: An act concerning the department of corrections; relating to compensation for persons sentenced to the custody of the secretary of corrections; amending K.S.A. 1983 Supp. 75-5211 and repealing the existing section.
- HB 2641**, by Special Committee on Energy and Natural Resources, re Proposal No. 20: An act relating to natural gas; concerning the use of natural gas for agricultural irrigation purposes; conferring certain powers and duties on the state corporation commission.
- HB 2642**, by Special Committee on Energy and Natural Resources, re Proposal No. 24: An act concerning the fish and game commission; relating to the acquisition of certain land.
- HB 2643**, by Representative Foster: An act providing for the placement of a statue of Ceres atop the state capitol.
- HB 2644**, by Representatives Patterson, Acheson, Apt, Aylward, Barr, Buehler, Campbell, Chronister, Cloud, Erne, Farrar, Friedeman, Guldner, Harper, King, Laird, Meacham, Moomaw, B. Ott, Sallee and Walker: An act relating to property taxation; concerning the preparation of personal property valuation guides; amending K.S.A. 75-5105a and repealing the existing section.
- HB 2645**, by Representative R. Frey: An act concerning vehicles; inspection of certain vehicles; amending K.S.A. 8-1752 and 8-1753 and repealing the existing sections.
- HB 2646**, by Representative Walker: An act concerning motor vehicles; license plates and identification cards for handicapped persons; parking; amending K.S.A. 8-132a and repealing the existing section.
- HB 2647**, by Representative Sughrue: An act relating to certain public educational entities; applying the statutory procedure for nonrenewal of contracts of advisory and supervisory employees thereof to community colleges; amending K.S.A. 1983 Supp. 72-5451 and 72-5455, and repealing the existing sections.
- HB 2648**, by Representatives Littlejohn and Wagon (by request of the Health Planning Review Commission): An act concerning certificates of need for health facilities; amending K.S.A. 1983 Supp. 65-4822 and repealing the existing section.
- HB 2649**, by Representatives Littlejohn and Wagon (by request of the Health Planning Review Commission): An act concerning the Kansas health planning and development act; relating to the expiration of such act; amending K.S.A. 1983 Supp. 65-4734 and repealing the existing section.
- HB 2650**, by Representative Littlejohn: An act concerning the uniform consumer credit code; excluding services provided by nonprofit or municipally owned hospitals; amending K.S.A. 16a-1-202 and K.S.A. 1983 Supp. 16a-1-301 and repealing the existing sections.
- HB 2651**, by Representative Niles: An act relating to cereal malt beverages; concerning the age for consumption and other acts relating thereto; amending K.S.A. 21-3610a, 41-2615 and 41-2708 and K.S.A. 1983 Supp. 8-260, 8-1327, 41-2704 and 41-2721 and repealing the existing sections.
- HB 2652**, by Representatives Hayden, Hoagland, Foster and Chronister: An act relating to economic development; providing for the establishment by the department of economic development of incubator facilities to provide building space and support services for small business concerns.
- HB 2653**, by Representatives Hayden, Hoagland, Foster and Chronister: An act relating to rules and regulations of state agencies; concerning rules and regulations affecting small businesses; amending K.S.A. 1983 Supp. 77-416, 77-420 and 77-421 and repealing the existing sections.
- HB 2654**, by Representatives Hayden, Hoagland, Foster and Chronister: An act requiring state agencies to file, in the office of the secretary of state, copies of forms and documents required for establishing or operating business, commercial and industrial enterprises; and providing for the filing and disposition of such forms and documents.
- HB 2655**, by Representatives Hayden, Hoagland, Foster and Chronister: An act concerning assessment of costs in certain cases involving the state; relating to reporting and payment.
- HB 2656**, by Representatives Hayden, Hoagland, Foster and Chronister: An act concerning certain worthless checks; relating to recovery of penalties therefor under the small claims procedure act; amending K.S.A. 61-2703, 61-2704 and 61-2713 and repealing the existing sections.
- HB 2657**, by Representative Heinemann: An act concerning certain financial institutions; relating to accounts payable upon death of the owner; amending K.S.A. 9-1215, 9-1216, 17-2264 and 17-5829 and K.S.A. 1983 Supp. 17-2263 and 17-5828 and repealing the existing sections.
- HB 2658**, by Representative Roper: An act concerning nuclear power plants; relating to the disposal of nuclear waste; prescribing certain powers and duties to the state corporation commission.
- HB 2659**, by Representative Roper: An act concerning public utilities; relating to electric generation facilities; relating to the powers of the state corporation commission; amending K.S.A. 66-123 and 66-1,169a and repealing the existing sections.
- HB 2660**, by Representatives V. Miller and Laird: An act concerning cereal malt beverages; limiting sales and dispensing thereof and providing penalties for violations; amending K.S.A. 41-2708 and repealing the existing section.
- HB 2661**, by Representatives V. Miller and Laird: An act imposing liability for certain damages on persons selling or furnishing alcoholic beverages to a minor.
- HB 2662**, by Representatives V. Miller, Hensley and Laird: An act defining and classifying the crime of aggravated vehicular homicide.
- HB 2663**, by Representative Aylward: An act concerning vehicles; defining all-terrain vehicles; agricultural use exemption from registration; amending K.S.A. 8-126 and 8-128 and repealing the existing sections.
- HB 2664**, by Legislative Post Audit Committee: An act concerning legislative post audit; amending K.S.A. 46-1102, 46-1104, 46-1106, 46-1115, 46-1116, 46-1120, 46-1121, 46-1122, 46-1123, 46-1125, 46-1126 and 46-1127 and K.S.A. 1983 Supp. 46-1101 and repealing the existing sections; and also repealing K.S.A. 46-1124.
- HB 2665**, by Legislative Post Audit Committee: An act relating to state occupational regulatory agencies; authorizing the recovery of costs of hearings conducted by such agencies; amending K.S.A. 1-313, 47-831, 58-2806, 65-1507, 65-1821, 74-5820, 74-7027 and 74-7508 and repealing the existing sections.
- HB 2666**, by Legislative Post Audit Committee: An act concerning legislative post audit; relating to access to books, records and other materials and documents of persons audited; amending K.S.A. 46-1106 and 46-1114 and K.S.A. 1983 Supp. 79-3234 and repealing the existing sections.
- HB 2667**, by Representative Rezac: An act relating to school districts; concerning the use of school buses owned or leased thereby; amending K.S.A. 1983 Supp. 72-8302 and repealing the existing section.
- HB 2668**, by Committee on Federal and State Affairs: An act concerning public records; reviving and amending K.S.A. 1982 Supp. 75-104 and repealing the existing section; also repealing K.S.A. 45-202, 45-203 and 45-204, K.S.A. 1982 Supp. 45-201, K.S.A. 1982 Supp. 75-104 as amended by section 10 of chapter 171 of the laws of 1983, and K.S.A. 1983 Supp. 21-3913, 44-550a, 45-205, 45-206, 45-207, 45-208, 45-209, 45-210, 45-211, 45-212, 45-213, 45-214, 66-1220 and 74-7405.
- HB 2669**, by Representative Walker: An act concerning the Kansas public employees retirement system; relating to beneficiaries; authorizing designation of licensed not-for-profit adult care homes; amending K.S.A. 1983 Supp. 74-4902 and repealing the existing section.
- HB 2670**, by Representative Fox (by request): An act establishing the Kansas commission on applied remote sensing.
- HB 2671**, by Representative V. Miller: An act concerning the crime of contributing to a child's misconduct or deprivation; amending K.S.A. 1983 Supp. 21-3612 and repealing the existing section.
- HB 2672**, by Representative V. Miller: An act abolishing the capitol area plaza authority; transferring the powers and duties thereof to the secretary of administration; providing for the disposition of the records, property and unexpended balances of appropriations of the authority; amending K.S.A. 75-2239, 75-2240a, 75-2241a, 75-2242 and 75-3620 and repealing the existing sections; also repealing K.S.A. 75-2237, 75-2237a, 75-2237b and 75-2238a.
- HB 2673**, by Representative Fox (by request): An act concerning the Kansas applied remote sensing program; relating to a surface water inventory; appropriating funding therefor.
- SCR 1639**, by Senator Allen: A concurrent resolution encouraging and urging the celebration of Kansas Day in all schools in the state.
- SCR 1640**, by Special Committee on Corrections, re Proposals No. 12 and 13: A concurrent resolution requesting the Secretary of Corrections to annually prepare and submit a report containing certain information about furloughs granted to inmates of the state correctional institutions by submitting a written report to county and district attorneys and members of the Legislature.
- SCR 1641**, by Special Committee on Education, re Proposal No. 18: A concurrent resolution encouraging and urging the State Board of Education and the State Board of Regents to engage in a cooperative effort to insure that Kansas schools have effective instructional leadership.
- SCR 1642**, by Special Committee on Energy and Natural Resources, re Proposal No. 20: A concurrent resolution memorializing the President of the United States and the United States Congress to decontrol natural gas prices.
- SCR 1643**, by Special Committee on Energy and Natural Resources, re Proposal No. 20: A concurrent resolution directing the state corporation commission to encourage infield drilling in Kansas natural gas fields.
- SCR 1644**, by Special Committee on Energy and Natural Resources, re Proposal No. 24: A concurrent resolution memorializing the President of the United States and the United States Congress to amend the procedures by which the United States Army Corps of Engineers licenses land to the Kansas fish and game commission.
- SCR 1645**, by Special Committee on Special Care Services, re Proposal No. 38: A concurrent resolution encouraging the development of plans for increasing the availability of community services for certain mentally retarded and other developmentally disabled persons.
- HR 5051**, by Representative Barkis: A concurrent resolution encouraging and urging the celebration of Kansas Day in all schools in the state.
- HR 5052**, by Special Committee on Corrections, re Proposals No. 12 and 13: A concurrent resolution relating to institutions and facilities for the state correctional system; requesting a study by the Secretary of Corrections on the current missions and operations of state correctional institutions and facilities to develop recommendations to improve and make more efficient the utilization and operation of such institutions and facilities and a study by the Secretary of Corrections and the Secretary of Social and Rehabilitation Services on the mission and utilization of Norton State Hospital to examine possible conversion of such facility into an institution meeting needs within the correctional system.
- HR 5053**, by Special Committee on Corrections, re Proposals No. 12 and 13: A concurrent resolution declaring that the practice of co-corrections within the state correctional system, the housing and confining of male and female inmates in the same facility within the system, is not in the best interests of the state or the system and requesting the Secretary of Corrections to discontinue the practice of co-corrections.
- HR 5054**, by Representative Hoagland: A concurrent resolution relating to a committee to inform the governor that the two houses of the Legislature are duly organized and ready to receive communications.
- HR 5055**, by Representative Hoagland: A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the governor.
- HR 5056**, by Representative Polson: A concurrent resolution congratulating and commending the Frankfort High School boys football team and its coach, Larry Schroeder, on winning the 1983 Class 1A State Football Championship in Kansas.
- SR 1849**, by Senators Doyen, Steineger and Talkington: A resolution relating to the organization of the Senate.
- HR 6090**, by Representative Laird: A resolution requesting the President and Congress to take the appropriate action to stop supplying any kind of funding, aid or trade to the Soviet Union and to all other Communist nations.
- HR 6091**, by Representative Hoagland: A resolution relating to the organization of the House of Representatives.
- HR 6092**, by Representative Hoagland: A resolution relating to the assignment of seats in the House of Representatives for the 1984 regular session.
- HR 6093**, by Representative Hayden: A resolution relating to the organization of the House of Representatives.

State of Kansas

BOARD OF EDUCATION**NOTICE OF PUBLIC HEARING**

TO ALL TEACHERS, ADMINISTRATORS, BOARDS OF EDUCATION, TRUSTEES AND CONTROL, TEACHER TRAINING INSTITUTIONS, SCHOOL AND COMMUNITY COLLEGE DISTRICTS, AND ALL OTHER PERSONS WHOM IT MAY CONCERN:

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the first floor conference room of the Kansas State Board of Education, Kansas State Education Building, 120 East Tenth Street, Topeka, Kansas 66612 on the 14th day of February, 1984, beginning at 1:30 p.m. of said day to consider in substance the proposed changes in the Kansas Migrant Education State Plan for Fiscal Year 1985 which is to become effective July 1, 1984, upon adoption by the state board and approval of the Governor.

The revised Kansas Migrant Education State Plan relates generally to the following: The Kansas Migrant Education State Plan is a document covering fiscal year 1985 and has been designed as a state-operated program under Chapter 1 of the *Education Consolidation and Improvement Act of 1981* (P.L. 97-35). It provides for special educational services for migratory children of migratory agricultural workers or migratory fishers, and includes: (1) statewide needs assessment and a comprehensive evaluation of the migrant education program in Kansas, (2) statewide identification and recruitment, (3) parental involvement, (4) staff development, (5) technical assistance to local projects, (6) interagency cooperation, (7) interstate coordination, and (8) dissemination of information.

Programs are currently formulated to serve 4,000 children of migratory families at the following locations in Kansas: Arkansas City, Bonner Springs, Dodge City, Emporia, Garden City, Goodland, Greensburg, Holcomb, Kansas City, Plains, Leoti, Liberal (2), Moscow, Piper (2), Pratt, Sublette, Salina (2), Tribune, Turner and Wichita.

The amount of funds the state is to receive for such programs is based on the prorated portion of time the children reside in Kansas in relation to the calendar year. During F.Y. 1984, Kansas' entitlement was \$1,210,729. However, the F.Y. 1985 entitlement will not be known until July 1, 1984, and will be published as soon as it is released.

Copies of this public hearing notice (along with the state board's public hearing procedures) are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. They are also being mailed to the clerks of local school boards for the attention of school board members. Copies of said plan may be obtained by contacting the secretary of the state board of education, Kansas State Education Building, 120 E. 10th Street, Topeka, Kansas 66612, prior to February 1, 1984.

On the date of said hearing all interested persons

shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said plan. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the state board of education, at least five (5) days before the hearing, their reaction in favor of or in opposition to said plan, and any other matters, suggestions, or proposals that relate thereto. They may do this by letter form, regular audio cassette tape accompanied by a signed transcript of the tape, or by one-half inch (1/2") VHS video cassette tape. The letter form reactions will be read into the record and considered by the state board of education. The video cassette tape or audio cassette tape shall not exceed three minutes in length and shall also be considered by the state board of education. Persons using tapes shall first identify themselves in the tapes. Said hearing shall be conducted in compliance with the public hearing procedures of the state board of education.

KANSAS STATE BOARD OF EDUCATION

Certified by:

Dr. Harold L. Blackburn
Kansas Commissioner of Education

By: Dr. Gordon Schultz
Chairman

Doc. No. 001807

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, "Rules of Practice and Procedure Before the Commission."

**Applications set for February 23, 1984—
TOPEKA, KANSAS**

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

John Kline, dba) Docket No. 30,050 M
J. K. Trucking Co.)
1101 W. Hwy)
Jetmore, KS 67854) Route No. 2608

Applicant's Attorney: Tom Rost, 827 SW Topeka
Blvd., Topeka, KS 66612

(continued)

Livestock,

Between points and places within Wallace, Logan, Ellis, Russell, Greeley, Wichita, Barton, Hamilton, Kearney, Pawnee, Stanton, Grant, Haskell, Gray, Ford, Edwards, Stafford, Morton, Stevens, Seward, Meade, Clark, Kiowa, Comanche, Barber and Pratt Counties, KS on the one hand, & points & places in KS on the other.

Farm machinery, processed feeds,

Between points & places within Wallace, Logan, Gove, Ellis, Russell, Greeley, Wichita, Rush, Barton, Hamilton, Kearney, Pawnee, Stanton, Grant, Haskell, Gray, Ford, Edwards, Stafford, Morton, Stevens, Seward, Meade, Clark, Kiowa, Comanche, Barber & Pratt Counties, KS on the one hand, & points & places in the state of KS on the other, when moving in truck load lots of not less than 5,000 pounds.

Unprocessed feed, hay and grain,

Between points & places within Wallace, Logan, Gove, Ellis, Russell, Greeley, Wichita, Rush, Barton, Hamilton, Kearney, Pawnee, Stanton, Grant, Haskell, Gray, Ford, Edwards, Stafford, Morton, Stevens, Seward, Meade, Clark, Kiowa, Comanche, Barber & Pratt Counties, KS on the one hand, & points & places in the state of KS on the other.

Application for Certificate of Convenience and Necessity:

Randy Serrien) Docket No. 140,198 M
R.R. 1)
Barnard, KS 67418)
Applicant's Attorney: None

Grain,

Between all points & places in the following KS counties: Saline, Ottawa & Lincoln.

Application for Extension of Certificate of Convenience and Necessity:

Emil E. Champ) Docket No. 25,246 M
Rt. 3, Box 103)
Junction City, KS 66441) Route No. 1793

Applicant's Attorney: Bob Storey, Shadow Wood Office Park, 5863 S.W. 29th St., Topeka, KS 66614

Livestock, processed and unprocessed feed, feed ingredients, seed, grain, and hay,

Between all points & places in the state of KS.

Application for Certificate of Convenience and Necessity:

Truck One, Inc.) Docket No. 140,199 M
P.O. Box 2358)
Mid-Ohio Industrial Park)
Heath, OH 43055)

Applicant's Attorney: Alex Lewandowski, Suite 600 Midland Bldg., 1221 Baltimore Ave., Kansas City, MO 64105

General commodities (except Classes A and B explosives, household goods and commodities in bulk),

Between all points & places in Wyandotte, Johnson & Leavenworth Counties, KS.

Also, between all points & places in Wyandotte, Johnson & Leavenworth Counties, KS, on the one hand, & all points & places in KS, on the other hand.

Application for removal of restrictions and radial references; elimination of duplicate authority; consolidation of two existing authorities into one authority; extension of authority to include transportation of bulk commodities (liquid and dry) between all points and places in Kansas.

Feed Transports, Inc.) Docket No. 24,894 M
Box 818) Route No. 1733
Amarillo, TX 69105) Docket No. 86,989 M
) Route No. 8187

Applicant's Attorney: Robert E. Tilton, 1324 Topeka Blvd., Topeka, KS 66612

Route 1733
Docket 24,894 M

Mill feeds and salt,

Between Hutchinson, Kansas City, KS, & Wichita, KS, & Syracuse, KS, & points & places within a 75-mile radius.

Unprocessed farm products, hay and grain,

Between any farm or rural location within a 75-mile radius of Syracuse, KS, & any point or place within a 100-mile radius of Syracuse, on the other.

Hay and grain,

Between all points within a 75-mile radius of Syracuse, KS, & terminals, mills, elevators, feed & seed stores in the state of KS.

Building materials,

Between Syracuse, KS, & all farms & rural locations within a 75-mile radius thereof, & Wichita, Hutchinson & Kansas City, KS.

New machinery, set up,

Between Hutchinson, Wichita, & Dodge City, KS & any farm or rural location in a 75-mile radius of Syracuse, KS.

Used machinery-combines,

Between any point in a 75-mile radius of Syracuse, KS, & any point in KS, located on or west of Hwy 281 when moving from farm to farm, farm to town, or town to farm.

Used farm machinery, set up,

Between all points in a 75-mile radius of Syracuse, KS, & points in the state of KS.

Broom corn,

Between all points in a 75-mile radius of Syracuse, KS, & Wichita, Hutchinson, Kansas City, KS.

(continued)

Emigrant farm movables,

Between points in a 75-mile radius of Syracuse, KS, when moving from farm to farm, farm to town, or town to farm.

Seeds,

Between points & places within a 75-mile radius of Syracuse.

Also,

Between points & places within a 74-mile radius of Syracuse, KS, & points & places in KS.

Liquid fertilizer solutions,

From the storage facilities of Chevron Chemical Company at or near Friend, KS, to all points & places in KS.

Also,

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

Meat, meat products, meat by-products, articles distributed by meat packing houses, and salt,

Between the facilities of Iowa Beef Packing Co., Inc., at or near Holcomb, KS, on the one hand, & all points & places in the state of KS, on the other hand.

RESTRICTED, to provide no transportation of liquid feeds or liquid feed ingredients, to or from Wichita, Liberal, or Leoti, KS.

Animal and poultry feeds and feed ingredients and sanitation and health products used in raising animals and poultry, in straight and mixed loads,

To, from & between Wichita, Liberal & Leoti, KS, on the one hand, & points & places in the state of KS, on the other.

Route 8187
Docket 86,989 M

Processed and unprocessed feed, beet pulp, seed grain, and hay,

Between all points & places within a 60-mile radius of Elkhart, KS.

Also,

Between all points & places within a 60-mile radius of Elkhart, KS, on the one hand, & all points & places in the state of KS, on the other.

RESTRICTED, HOWEVER, to provide no service to or from Wichita, KS.

Fertilizer,

To, from & between all points & places in the state of KS, provided that no shipment of dry or liquid fertilizer will be originated or terminated east of Hwy 75, including Topeka, KS, except that anhydrous ammonia may be terminated at points & places east of Hwy 75, and

FURTHER RESTRICTED, to provide no service on traffic originating in Finney County, KS, at the facilities of Farmland Industries, Inc. located at or near Dodge City or Wright, KS, the Mapco Pipeline Terminals located at or near Conway, KS, & Clay Center, KS, the facilities of W.R. Race at or near Wichita, KS, the facilities of Chevron Chemicals at or near Friend, KS, El Dorado, KS and/or Whitewater, KS.

Following consolidation of Route 8187 into Route 1733, and removal of restrictions and radial references, and extension to include BULK COMMODITIES, the authority will read as follows:

Feed and feed ingredients; farm products; seeds; animal and poultry sanitation and health products; salt; grain; building materials; machinery; liquid fertilizer solution;

Between all points & places in Wallace, Logan, Greeley, Wichita, Scott, Lane, Hamilton, Kearney, Finney, Morton, Gray, Haskell, Grant, Stanton, Seward, Stevens, Reno, Sedgwick, Johnson, Wyandotte, & Ford Counties, on the one hand, & between all points & places in the state of KS, on the other hand.

Meat and meat by-products, materials and supplies used in the meat packing houses;

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

Fertilizer,

Between all points & places in the state of KS.

Bulk Commodities (liquid and dry),

Between all points & places in the state of KS.

RENOTICED Application for Extension of Certificate of Convenience and Necessity:

M. B. Schlegel) Docket No. 24,652 M
R. R. 2)
Onaga, KS 66521) Route No. 1707

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka Ave., Topeka, KS 66603-3294

Dry fertilizer, bulk and bag, and liquid fertilizer,
Between all points & places in KS on the one hand;
Also,

Between all points & places in KS on the one hand, & all points & places in Nemaha, Pottawatomie, Marshall, Geary, Riley, Wabaunsee, Jackson & Brown Counties, KS, on the other hand.

Grain,

Between all points & places in Pottawatomie, Marshall, Nemaha, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand;

Also,

Between all points & places in Pottawatomie, Marshall, Nemaha, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand, & all points & places in KS, on the other hand.

Salt,

Between all points & places in Reno, Rice & Ellsworth Counties, KS, on the one hand;

Also,

Between all points & places in Reno, Rice & Ellsworth Counties, KS, on the one hand, & all points in Pottawatomie, Jackson, Marshall, Nemaha & Riley Counties, KS, on the other hand.

(continued)

Applications set for February 28, 1984—
TOPEKA, KANSAS

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

Wynne Transport Service,) Docket No. 85,067 M
Inc.)
2222 N. 11th)
Omaha, NE 66810) Route No. 8019

Applicant's Attorney: None

Petroleum and petroleum products,

Between points & places within the counties of
Butler, Phillips & Sedgwick.
also,

Between points & places in the counties of Butler,
Phillips & Sedgwick, on the one hand, & all points &
places in KS, on the other.

Application for Intrastate Contract Carrier Permit:

Petroleum Terminals, Inc.) Docket No. 140,035 M
12840 Polfer Rd.)
Kansas City, KS 66109)

Applicant's Attorney: Robert Alderson, 1610 S.W. To-
peka Ave., Topeka, KS 66612

Gasoline and diesel fuel,

From points & places in Wyandotte, Johnson &
Shawnee Counties in KS.

To points & places in the KS counties on & east of
US Hwy No. 75 & on & north of US Hwy No. 160.
Points & places in Leavenworth County in KS.

Under contract with Suter & Chaffin Oil, Inc., of
Kansas City, KS.

Gasoline and diesel fuel,

From points & places in Wyandotte & Johnson
Counties in KS.

To points & places in Leavenworth County in KS.
Under contract with Claude Collins Oil Co., Inc., of
Leavenworth, KS.

*Application for Certificate of Convenience
and Necessity:*

Anchor Trucking Service,) Docket No. 140,196 M
Inc.)
P. O. Box 2304)
Kansas City, KS 66110)

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

*Heavy equipment and materials; and
electrical equipment,*

Between points & places in Johnson, Wyandotte,
Leavenworth, Shawnee & Morris Counties, on the one
hand, & points & places in KS, on the other hand.

*Application for Certificate of Convenience
and Necessity:*

Raymond & Gary Calhoon,) Docket No. 140,197 M
dba)
Calhoon Trucking)
Glade, KS 67639)

Applicant's Attorney: None

Grain, hay, and alfalfa pellets,

Between all points & places in Phillips County, KS.
also,

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

*Application for Certificate of Convenience
and Necessity:*

Wakeeney Truck Line, Inc.) Docket No. 140,200 M
324 N. 4th)
Wakeeney, KS 67672)

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

*Livestock, grain, feed and feed ingredients,
dry fertilizer,*

Between points in Trego, Ness, Rush, Ellis, Rooks,
Graham, Wallace, Wichita, Scott, Finney, Sheridan,
Gove, Lane, Logan, Thomas & Barton Counties, KS;
also,

Between said counties, on the one hand, and, on the
other, points in KS.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 001805

State of Kansas

STATE FIRE MARSHAL

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board
December 21, 1983. Will expire May 1, 1984.)

**Article 19.—CERTIFICATION OF
ARSON INVESTIGATORS**

22-19-1. Applicability. The state fire marshal,
deputies of the state fire marshal, and full-time fire
prevention personnel who are assigned investigative
duties and who are members of a paid fire department
in the state of Kansas may apply for certification by the
state fire marshal as an arson investigator, if the appli-
cant meets the requirements contained in K.A.R. 22-
19-1 *et seq.*, and if the employing local fire chief
recommends the applicant for certification. No appli-
cation will be accepted from an employee of a local
fire department if that department currently employs

(continued)

the maximum number of certified arson investigators specified below:

Population of city or fire district protected by the department.	Maximum number of certified arson investigators employed by the department.
Less than 49,999	2
50,000-74,999	3
75,000-99,999	4
100,000-124,999	5
125,000-174,999	6
175,000-224,999	7
more than 225,000	8

(Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective, T-84-43, Dec. 21, 1983.)

22-19-2. Requirements. (a) *Form.* Each applicant seeking certification as an arson investigator shall make application on forms provided by the state fire marshal.

(b) *Arson Investigation.* Each applicant shall submit proof of satisfactory completion of at least 50 hours in fire/arson investigation training or education in a course or courses of study which include a testing process and which are approved by the state fire marshal. The required 50 hours shall include the number of hours specified for each of the following subject matter areas:

SUBJECT	HOURS
(1) Fire behavior	2
(2) Building construction and fire investigation	2
(3) Determining point of origin	2
(4) Accidental fire causes	6
(5) Incendiary fires and fire causes	2
(6) Basics of insurance and the fire investigator	1
(7) Motivation of the firesetter	4
(8) Photography	1
(9) Sketching the scene	1
(10) Fire scene investigation	4
(11) Non-residential rural fires	1
(12) Wildland fires	1
(13) Vehicle fires	2
(14) Fatal fires	2
(15) Explosives and explosions	4
(16) Incendiary devices	2
(17) On-scene activities	1
(18) On-scene application-burning of structures	4
(19) On-scene application-scene investigation	4
(20) Critique of scene activities and team reports	4

(c) *Law enforcement training.* Each applicant shall submit proof of satisfactory completion of at least 77 hours of law enforcement training or education in a course or courses of study which include a testing process and which are approved by the state fire marshal. The required 77 hours of training shall include the number of hours specified for each of the following subject matter areas:

SUBJECT	HOURS
(1) <i>Law.</i>	
(A) U. S. constitution and bill of rights	1
(B) Kansas criminal justice system	1
(C) Testifying in court	3
(D) Kansas criminal code and procedure	4
(E) Laws of arrest, search, and seizure	8
(F) Kansas juvenile code and procedures	2
(G) Law of evidence	2
(H) Civil and criminal liabilities of law enforcement officers and civil rights laws	3
(2) <i>Police patrol procedures.</i>	

(A) Mechanics of arrest	3
(B) Criminal justice information systems	1
(C) Building searches	1
(3) <i>Police investigation procedures.</i>	
(A) Collecting, recording, and protecting physical evidence	6
(B) Laboratory services and polygraphy	2
(C) Techniques of interviews, admissions and statements	4
(D) Developing informants	1
(4) <i>Human relations.</i>	
(A) Communication processes	6
(B) Sensitivity training	1
(C) Police professionalism	3
(D) Community-public relations	3
(5) <i>Demonstrable proficiency areas.</i>	
(A) Report writing	6
(B) Practical problems in criminal investigation	4
(C) Moot court	4
(D) Self-defense	8

(d) *Firearms Training.* Each applicant shall submit proof of satisfactory completion of the firearm training course or courses prescribed for law enforcement officers under K.S.A. 74-5604, and amendments thereto.

(e) *Substitute Training Programs.* Any applicant may satisfy the law enforcement and firearms training requirements of subsections (c) and (d) by successful completion of the course of study at the law enforcement training center administered by the University of Kansas division of continuing education or by successful completion of the course of study at a training school of a state or local law enforcement agency, if the training school has been certified under K.S.A. 74-5604 by the dean of continuing education at the University of Kansas.

(f) *Investigative Experience.* Each applicant shall submit proof that the applicant has been employed for at least two years as a fire prevention employee, a law enforcement officer, or a private investigator who is licensed pursuant to K.S.A. 1982 Supp. 75-7b01 *et seq.* That employment shall have included duties in the area of fire/arson investigation.

(g) *Expiration.* Each certificate issued pursuant to these regulations shall expire two years after the date of issuance. (Authorized by and implementing K.S.A. 1982 Supp. 31-157; effective T-84-43, Dec. 21, 1983.)

22-19-3. Renewal of Certification. (a) *Form.* Any person issued a certificate pursuant to these regulations may apply for renewal of certification on forms supplied by the state fire marshal.

(b) *Continuing Education.* Each applicant for renewal of a certificate issued pursuant to these regulations shall submit proof of satisfactory completion of at least 30 hours of continuing education in the fields of arson investigation or law enforcement. The continuing education hours shall have been earned in a course of study which includes a testing process and which is approved by the state fire marshal. The 30 hours of continuing education shall have been earned after the date the previous certificate was issued. (Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective T-84-43, Dec. 21, 1983.)

22-19-4. Denial, refusal, suspension, or revocation. Any certificate that has been duly issued by the office of the state fire marshal or any application for a certificate may be denied, suspended, or revoked, or renewal refused, if the office of the state fire marshal

(continued)

finds from available evidence that the holder of the certificate has violated any provisions of the Kansas fire prevention code or the regulations of the state fire marshal, or if the holder of the certificate is convicted of a felony in the state of Kansas. Any person aggrieved by an order of the office of the state fire marshal may seek an appeal and hearing under the provisions of K.S.A. 31-140, 31-141, and 31-142 by filing a notice of appeal in the office of the state fire marshal within 10 days from the date of service of this order. (Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective T-84-43, Dec. 21, 1983.)

EDWARD C. REDMON
State Fire Marshal

Doc. No. 001796

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1983 Supp. 77-415 *et seq.* *These regulations are scheduled to become effective May 1, 1984, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1.* Any such legislative action will be reported in the *Kansas Register*. The May 3, 1984 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

**ANIMAL HEALTH DEPARTMENT
ADMINISTRATIVE REGULATIONS**

Article 2.—BOVINE BRUCELLOSIS

9-2-1. Official vaccinate. (a) Official calfhooD vaccinate means any heifer calf which has been officially vaccinated for brucellosis with an approved vaccine and which is permanently identified. Official calfhooD vaccinates shall receive either the standard dose or the reduced dose vaccination as follows:

(1) Standard dose vaccinate. Female cattle of a dairy breed receiving the standard dose shall be vaccinated by a veterinary services representative, state representative, or an accredited veterinarian with an approved *Brucella abortus* Strain 19 vaccine containing a minimum of 25 billion live cells per five ml. dose, in accordance with the vaccine labeling, while from two through six months (60 to 179 days) of age.

Female cattle of a beef breed or female bison receiving the standard dose shall be vaccinated by a veterinary services representative, state representative, or an accredited veterinarian with an approved *Brucella abortus* Strain 19 vaccine containing a minimum of 25 billion live cells per five ml. dose, in accordance with the vaccine labeling, while from two through 10 months (60 to 299 days) of age.

(2) Reduced dose vaccinate. Female cattle of any breed or female bison receiving the reduced dose shall be vaccinated by a veterinary services repre-

sentative, state representative, or an accredited veterinarian with an approved *Brucella abortus* Strain 19 vaccine containing from three to 10 billion live cells per two ml. dose, in accordance with the vaccine labeling, while from four through 10 months (120 to 299 days) of age.

(b) The veterinarian shall send to the livestock commissioner, within 10 days after date of vaccination, four copies of an official record of calfhooD vaccination, giving identification tag number, KV tattoo, age, breed, date of vaccination, and name and serial number of vaccine used. After being approved by the livestock commissioner, one copy of the official record shall be sent to the owner and one copy shall be sent to the veterinarian. (Authorized by and implementing K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended Jan. 1, 1974; amended, May 1, 1980; amended T-84-23, Aug. 30, 1983; amended May 1, 1984.)

9-2-2. Identification of calfhooD vaccinates. (a) Any official calfhooD vaccinate shall be identified by one of the following methods:

(1) With an official Kansas CV tag or D.H.I.A. tag in the right ear;

(2) With an individual tattoo; or

(3) With a registered brand.

(b) In addition, any official calfhooD vaccinate shall be tattooed in the left ear with the official KV tattoo. The tattoo shall include, from left to right:

(1) The digital numbers 1, 2, 3 or 4, designating the quarter in which the calf was vaccinated;

(2) The KV symbol; and

(3) The last digit of the calendar year in which the calf was vaccinated. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; amended T-84-23, Aug. 30, 1983; amended May 1, 1984.)

9-2-3 and 9-2-4. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-5. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; implementing K.S.A. 47-658a and 47-658b; effective Jan. 1, 1966; amended May 1, 1982; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-7 and 9-2-8. (Authorized by K.S.A. 47-608, 47-622, 47-624 and 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-9. (Authorized by K.S.A. 47-608, 47-622, 47-624 and 47-657; effective Jan. 1, 1966; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-10. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-11 to 9-2-13. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

(continued)

9-2-14 and 9-2-15. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-16. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-17. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-18 and 9-2-19. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-20 and 9-2-21. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-23 to 9-2-26. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-28 to 9-2-30. (Authorized by K.S.A. 47-608, 47-622, 47-624, 47-657; effective Jan. 1, 1966; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-31. (Authorized by K.S.A. 47-608, 47-610, 47-622, 47-624, 47-657; effective E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; revoked, T-84-23, Aug. 30, 1983; revoked May 1, 1984.)

9-2-33. Change of ownership requirements for intrastate movement. "Test eligible cattle," as defined in the uniform methods and rules, that are offered for sale or sold shall be tested for brucellosis on the date of sale. The seller shall be responsible for brucellosis testing. (Authorized by and implementing K.S.A. 47-608, 47-610, 47-657; effective T-84-23, Aug. 30, 1983; effective May 1, 1984.)

Article 14.—LIVESTOCK DEALERS REGISTRATION

9-14-1. Definitions. The following definitions shall apply in the interpretation, administration and enforcement of Article 14:

(a) "Commissioner" means the livestock commissioner of the state of Kansas.

(b) "Livestock" means cattle, swine, horses, sheep, goats, and poultry.

(c) "Livestock dealer" means any person engaged in the business of buying or selling livestock in commerce, either on that person's own account or as the employee or agent of the seller or purchaser, or any person engaged in the business of buying or selling livestock in commerce on a commission basis. It shall not include any person who buys or sells livestock as part of that person's own breeding, feeding, or dairy operation, nor any person who receives livestock exclusively for immediate slaughter.

(d) "Person" means any individual, partnership, corporation, company, firm, or association. "Person" does not include any public livestock market operator licensed under K.S.A. 47-1001, *et seq.*, or any feed lot operator licensed under K.S.A. 47-1501, *et seq.* (Authorized by and implementing K.S.A. 47-607d, 47-610; effective T-84-23, Aug. 30, 1983; effective May 1, 1984.)

9-14-2. Registration; application; fee. Any person operating as a livestock dealer in Kansas shall register with the Kansas animal health department. Registration shall be made on an application form approved by the commissioner. An annual fee of \$40.00 shall accompany the application. If the registration is denied or withdrawn, the fee shall not be refundable. All registrations expire on June 30 following the date of issuance.

The commissioner shall remit all moneys received under this regulation to the state treasurer at least monthly. Upon receipt, the state treasurer shall deposit the entire amount in the state treasury and shall credit it to the livestock dealers' registration fee fund. All expenditures from that fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner or by a person designated by the commissioner. (Authorized by and implementing K.S.A. 47-607d, 47-610; effective T-84-23, Aug. 30, 1983; effective May 1, 1984.)

9-14-3. Recordkeeping; violations. Each livestock dealer shall keep records and accounts of all livestock purchased for resale that are sufficient to enable the commissioner to trace individual animals back to the herd of origin, to the point of destination or both. These records and accounts shall be kept for a minimum of two years after livestock were purchased for resale. The commissioner or the commissioner's employees or agents shall have the authority to examine the records and accounts during normal working hours. After notice and hearing, the commissioner may deny any application for registration or suspend or revoke any registration in force, if formal findings are made that the person has failed repeatedly to maintain records and accounts that are sufficient to allow the commissioner to trace animals back to the herd of origin, to the point of destination or both. (Authorized by and implementing K.S.A. 47-607d, 47-610; effective T-84-23, Aug. 30, 1983; effective May 1, 1984.)

GERALD D. GURSS, DVM
Livestock Commissioner

Doc. No. 001722

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

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**PARK AND RESOURCES AUTHORITY
ADMINISTRATIVE REGULATIONS****Article 2.—MOTOR VEHICLE
PERMITS****33-2-4. Schedule of motor vehicle permit fees.**

One-day Temporary Motor Vehicle Permit (valid only in the park where purchased; expires at 10 a.m. on day following purchase)	\$ 2.00
Annual Motor Vehicle Permit (for calendar year) . . .	\$15.00
Additional Motor Vehicle Permit (with Annual Motor Vehicle Permit; for each additional vehicle of same owner; for calendar year)	\$ 3.00
Duplicate Permit (to replace lost, stolen, or damaged Annual Motor Vehicle Permit)	\$ 1.00

This regulation shall take effect on January 1, 1984. (Authorized by and implementing K.S.A. 1982 Supp. 74-4509b, effective T-83-39, Nov. 23, 1982; effective May 1, 1983; amended May 1, 1984.)

Article 4.—STATE PARK SYSTEM

33-4-5. Tuttle Creek state park. These rules shall apply to Tuttle Creek state park:

(a) The taking of fish from the river pond area shall be restricted to fishing from the bank or from legal boats only. Wading from the shoreline or the setting of trotlines shall not be permitted. The taking of fish shall otherwise be in accordance with rules and regulations of the state fish and game commission.

(b) Only vessels propelled by hand or feet, sailboats, and boats equipped with battery powered electric trolling motors shall be permitted in the river pond area unless otherwise specifically approved in writing by the park authority for special events which are determined by the park authority to be of major public interest. All boating shall be in accordance with rules and regulations of the state fish and game commission. (Authorized by and implementing K.S.A. 1983 Supp. 74-4510; effective Jan. 1, 1972; amended May 1, 1980; amended May 1, 1984.)

LYNN BURRIS, JR.
Director

Doc. No. 001724

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

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**BOARD OF AGRICULTURE
ADMINISTRATIVE REGULATIONS****Article 3.—COMMERCIAL FEED STUFFS
DEFINITIONS FOR COMMERCIAL
FEEDING STUFFS**

4-3-47. Adoption by reference. The definitions of feed ingredients and feed terms adopted by the "Association of American Feed Control Officials," as published on pages 91 through 171 of the "Official Publication of Association of American Feed Control Officials Incorporated" on January 1, 1983, are adopted by reference and shall apply to commercial feeding stuffs in this state. Copies of these definitions and terms may be obtained from the control division of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 2-1013; implementing K.S.A. 2-1002; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984.)

4-3-48. Official and tentative definitions. Despite the designation of various definitions of feed ingredients as "official" or "tentative," in the "Official Publication of Association of American Feed Control Officials Incorporated" as published on January 1, 1983, the provisions of this publication adopted by K.A.R. 4-3-47 shall become effective upon the adoption of this regulation. (Authorized by K.S.A. 2-1013; implementing K.S.A. 2-1002; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984.)

**Article 4.—COMMERCIAL
FERTILIZERS**

4-4-2. Inspection fee. The inspection fee for commercial fertilizers shall be \$.30 per ton of 2,000 pounds. This regulation shall apply to fertilizer sold on and after July 1, 1984. (Authorized by and implementing K.S.A. 2-1205; effective, T-83-35, Nov. 10, 1982; effective May 1, 1983; amended May 1, 1984.)

**Article 7.—MILK AND DAIRY
PRODUCTS****F. FROZEN DAIRY DESSERTS**

4-7-500 to 4-7-506. (Authorized by K.S.A. 1965 Supp. 65-720a, 75-1401; effective Jan. 1, 1966; revoked May 1, 1984.)

(continued)

4-7-507. Special dietary frozen desserts. (a) The term "special dietary frozen desserts" means frozen dairy desserts for special dietary purposes that are made in semblance of ice cream or ice milk and that contain sweetening ingredients other than nutritive carbohydrate sweeteners.

(b) Special dietary frozen desserts shall be labeled to meet the requirements of the Kansas food, drug and cosmetic act. (Authorized by K.S.A. 65-720a, 75-1401; implementing K.S.A. 65-720a; effective Jan. 1, 1966; amended May 1, 1984.)

4-7-508. (Authorized by K.S.A. 1965 Supp. 65-720a, 75-1401; effective Jan. 1, 1966; revoked May 1, 1984.)

4-7-510. Adoption by reference. Except for 21 C.F.R. 135.160, pertaining to water ices, part 135 of Title 21 of the Code of Federal Regulations, revised as of April 1, 1983, entitled "frozen desserts," is hereby adopted by reference. Copies of the regulations, or pertinent portions of the regulations, may be obtained from the office of the dairy commissioner, state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 75-1401 and K.S.A. 65-720a; implementing K.S.A. 65-720a; effective May 1, 1984.)

Article 8.—NOXIOUS WEEDS

4-8-14. Definitions. (a) "2,4-D" shall mean (2,4-dichlorophenoxy) acetic acid.

(b) "Fenac" shall mean (2,3,6-trichlorophenyl) acetic acid.

(c) "Picloram" shall mean 4-amino-3,5,6-trichloropicolinic acid.

(d) "Dicamba" shall mean 3,6-dichloro-*o*-anisic acid.

(e) "Glyphosate" shall mean *N*-(phosphonomethyl) glycine.

(f) "Fosamine" shall mean ethyl hydrogen (amino-carbonyl) phosphonate.

(g) "Prometon" shall mean 2,4-bis(isopropylamino)-6-methoxy-*s*-triazine.

(h) "Bromacil" shall mean 5-bromo-3*sec*-butyl-6-methyluracil.

(i) "MSMA" shall mean monosodium methanearsonate.

(j) "Amitrole" shall mean 3-amino-*s*-triazole.

(k) "Infested area" shall mean all land actually infested with noxious weeds and all land within one rod of any visible growth of noxious weeds on the visible boundary of the infestation.

(l) "LV" shall mean low volatile.

(m) "Oust" shall mean methyl 2[[[4,6-dimethyl-2-pyrimidinyl)amino]-carbonyl]amino]sulfonyl]benzoate. (Authorized by K.S.A. 2-1315; implementing K.S.A. 2-1315; effective May 1, 1982; amended May 1, 1984.)

4-8-17. Johnsongrass. (a) *Approved chemicals.* The chemicals approved for use on johnsongrass shall be prometon, bromacil, MSMA, glyphosate, a mixture of borate and sodium chlorate and oust.

(b) *Use of prometon.* Prometon shall not be applied to cropland. Prometon shall be applied to plants as

soon as they emerge in the spring to a height of 24 to 36 inches at a rate not less than 40 nor more than 60 pounds active ingredient per acre.

(c) *Use of bromacil.* Bromacil shall not be applied to cropland. Bromacil shall be applied just before or during active growth, at a rate not less than 12 nor more than 24 pounds active ingredient per acre.

(d) *Use of MSMA.* MSMA shall not be applied to cropland. MSMA shall be applied when the plants are in the boot stage at a rate not less than three (3) nor more than five (5) pounds active ingredient per acre.

(e) *Use of glyphosate.* Glyphosate shall be applied when the plants are actively growing at 18 inches average height to early heading stage of growth at a rate of 1.5 pounds acid equivalent per acre.

(f) *Use of borate and sodium chlorate mixture.* Borate and sodium chlorate mixture shall not be applied to cropland. Borate and sodium chlorate mixture shall be applied during the growing season at a rate not less than eight nor more than 10 pounds per square rod. Borate and sodium chlorate mixture shall contain 23.3% B₂O₃ and 30% sodium chlorate.

(g) *Use of oust.* Oust shall not be applied to cropland. Oust shall be applied as a preemergence or a postemergence treatment at a rate of not less than 2¼ ounces nor more than six ounces active ingredient per acre. As a preemergence treatment, oust shall be applied to the soil after dormancy in the fall and up until plants emerge in the spring. As a postemergence treatment, oust shall be applied to actively growing plants up to early heading stage. (Authorized by K.S.A. 2-1315; implementing K.S.A. 2-1315; effective May 1, 1982; amended May 1, 1984.)

HARLAND E. PRIDDLE
Secretary

Doc. No. 001727

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

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BOARD OF AGRICULTURE— DIVISION OF WATER RESOURCES ADMINISTRATIVE REGULATIONS

Article 40.—DESIGN OF EARTH DAMS

5-40-10. Adoption by reference. All of "engineering guide-2" (eg-2), relating to administrative re-

(continued)

quirements and criteria for the design of earth dams, as adopted November 1, 1983 by the Kansas state board of agriculture, division of water resources, is hereby adopted by reference and shall apply to dams constructed or modified in this state. (Authorized by K.S.A. 1982 Supp. 82a-303a; implementing K.S.A. 1982 Supp. 82a-302; effective May 1, 1984.)

Article 50.—WATER TRANSFERS

5-50-1. Definitions. As used in these rules and regulations, unless the context clearly requires otherwise: (a) Application means the document, made on the prescribed form furnished by the division, to request a permit to transfer water which is filed in the office of the chief engineer as provided in chapter 341, 1983 session laws of Kansas.

(b) Approval of application means issuance of a permit to transfer water from the point of diversion to a location outside a ten-mile radius from the point of diversion. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp. 82a-1506; effective May 1, 1984.)

5-50-2. Requirements for application. Each application shall show: (a) The name and mailing address of the applicant;

(b) the quantity of water to be transferred and the maximum diversion rate;

(c) the point or points of diversion;

(d) the location of proposed usage;

(e) the proposed type of use of the water;

(f) any alternate source or sources of supply available to the applicant and to any other present or future users of the water proposed to be transferred;

(g) the proposed plan of design, construction and operation of any works or facilities used in conjunction with carrying the water from the point of diversion. The proposed plan of design shall be in sufficient detail to enable all parties to understand the impacts of the proposed water transfer;

(h) the estimated date for completion of the facilities and initial operation thereof;

(i) the benefits to the state if the transfer is approved;

(j) the benefits to the state if the transfer is not approved;

(k) any current beneficial use of the water that is proposed to be transferred, including minimum desirable streamflow requirements;

(l) any reasonably foreseeable future beneficial use of the water and the economic, environmental, public health and welfare and other impacts of approving or denying the transfer of water;

(m) conservation practice implementation plans, in a form prescribed by the chief engineer, for the use of water currently available to and being used by the applicant and for the use of water proposed to be transferred; and

(n) any additional factors which may be required by the chief engineer. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp., 82a-1503; effective May 1, 1984.)

5-50-3. Hearing. Hearings on pending requests for a transfer of water shall be held before the panel. The panel shall have the power and authority to: (a) Administer oaths and affirmations;

(b) examine witnesses;

(c) regulate the course of the hearing;

(d) hear oral arguments;

(e) take testimony;

(f) rule upon offers of proof and accept evidence;

(g) dispose of procedural requests or similar matters; and

(h) take any other actions reasonably necessary to conduct the hearing. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp. 82a-1503; effective May 1, 1984.)

5-50-4. Emergency use. When a temporary transfer of water has been approved, the chief engineer may: (a) Require the applicant to compile and submit records, as necessary, regarding the daily rate and quantity of water transferred and any other information that may appear pertinent to the continued need for emergency transfer; and

(b) require the person requesting the transfer to consider alternate sources of water so the continued transfer will not be necessary. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp. 82a-1502; effective May 1, 1984.)

5-50-5. Extension of emergency transfer. If the emergency causing the necessity for the transfer of water continues beyond one year, the person requesting the transfer may file another application for transfer for emergency use. This application shall restate the need and the reasons why the need for transfer of water still exists and cannot be supplied by an alternate source. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp. 82a-1502; effective May 1, 1984.)

5-50-6. Authority of the chief engineer. The chief engineer may: (a) Set the time, date and location for hearings regarding request for transfer of water;

(b) call meetings of the panel when necessary and set the time, date and location for any meeting of the panel;

(c) review all emergency transfers of water to determine whether the applicant complied with the terms, conditions and limitations of the emergency approval. (Authorized by K.S.A. 1983 Supp. 82a-1506; implementing K.S.A. 1983 Supp. 82a-1503; effective May 1, 1984.)

GUY E. GIBSON

Director

Division of Water Resources

Doc. No. 001728

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS**

NOTICE

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**BOARD OF PHARMACY
ADMINISTRATIVE REGULATIONS**

Article 7.—MISCELLANEOUS PROVISIONS

68-7-18. Health departments and private not-for-profit family planning clinics. The distribution and control of prescription medications provided by health departments and private not-for-profit family planning clinics authorized under K.S.A. 65-1648(d)(1) shall conform to the following requirements: (a) A list of approved prescription-only medications that may be stored and distributed by health departments and not-for-profit family planning clinics shall be published and maintained by the board. The board shall be responsible for the dissemination of the list of approved prescription-only medications to health departments and private not-for-profit family planning clinics. As new drugs are developed that may be useful in the treatments provided by health department facilities and family planning clinics, the board may add new prescription-only medications to the approved list and notice of the new prescription-only medications added to the list shall be distributed to each health department facility and family planning clinic.

(b) The pharmacist-in-charge of the distribution and control of prescription-only medications within health department facilities and family planning clinics shall be responsible for:

(1) Developing programs for and supervising all personnel in the distribution and control of prescription medication;

(2) developing a policy and procedure manual governing the storage, control and distribution of prescription medication within the facility;

(3) developing procedures for the control and distribution of prescription medication within health department facilities and family planning clinics when a pharmacist is not on the premises;

(4) maintaining documentation of at least quarterly checks of prescription medication records, prescription medication storage conditions, and prescription medication stored in all locations within the facility;

(5) establishing a prescription medication recall procedure that can be effectively implemented; and

(6) developing written procedures for maintaining

records of distribution and prepackaging of drugs. Prepackaged medications shall include the name of the drug, the strength, quantity, lot number and expiration date, if applicable.

(c) The procedures developed by the pharmacist-in-charge for the control and distribution of prescription medication within health department facilities and family planning clinics shall be consistent with the following requirements:

(1) A supply of prescription-only medications shall be supplied to a patient by a designated registered nurse or nurses pursuant to a physician's order when a pharmacist is not on the premises. The supply shall conform with the following labeling requirements:

(A) Name, address and telephone number of the health department or family planning clinic from which the drug is supplied;

(B) patient's name;

(C) adequate directions for use;

(D) practitioner's name;

(E) date and identifying number;

(F) name, quantity and strength of medication; and

(G) auxiliary labels, if needed.

(2) The designated registered nurse or nurses may enter the pharmacy area and remove properly labeled pharmacy stock containers, commercially labeled packages, or properly labeled prepackaged prescription medication for distribution pursuant to a prescription order.

(3) Adequate records of the distribution of prescription medication by the designated registered nurse or nurses shall be maintained and shall include the original physician's order or a copy of the original.

(A) If the physician's order was given orally or by telephone, the designated registered nurse or nurses shall reduce that order to writing. The written copy of the order shall be signed by the designated registered nurse and the practitioner and maintained in a permanent patient file.

(B) The records shall further include the following: name of patient, date, drug, strength, quantity distributed, directions for use, practitioner's name and DEA number, if appropriate.

(d) The appointment of any pharmacist as pharmacist in charge of a health department or family planning clinic shall be subject to the provisions of K.A.R. 68-7-13. (Authorized by and implementing K.S.A. 65-1648; effective T-84-3, Feb. 10, 1983; effective May 1, 1984.)

JOSEPH G. SHALINSKY
Executive Director

Doc. No. 001794

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS****NOTICE**

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**FISH AND GAME COMMISSION
ADMINISTRATIVE REGULATIONS****Article 1.—GAME BIRDS**

23-1-10. Turkey, season restrictions. (a) Carcass tag: Each turkey hunter shall have a carcass tag in the hunter's possession when hunting turkey. The carcass tag shall be dated and signed when attached to the carcass by the permittee.

(b) Informational cards: All successful hunters shall report the results of their hunt within 48 hours after the kill is made; unsuccessful hunters shall report within 48 hours after the close of the season.

(c) Turkeys shall be shot only while on the ground or in flight.

(d) Legal hunting equipment:

(1) Archery equipment for archery and firearm seasons shall be long bows or compound bows of at least 45 pounds pull up to or at full draw. All arrows shall be equipped with broadhead points.

(2) Firearm equipment for the taking of turkey during firearm seasons shall be shotguns and muzzle-loading shotguns. Shotguns shall be 20 gauge or larger using shot only.

(e) Archery turkey hunters shall not have any type of firearm on their person while hunting turkey.

(f) No permit, once issued, shall be transferable nor shall a refund be granted. A refund may be given if the permittee dies prior to the opening date of the season.

(g) The commission shall reserve the right to reject a permit application or revoke a permit at any time if there is false representation or misrepresentation in completing or obtaining the application or permit.

(h) Any person who did not receive a spring turkey hunting permit in the prior year shall be considered first in the drawing for a current year's permit unless the management unit or permit category for which applied is undersubscribed or the management unit for which applied has unlimited permits available.

(i) Any person submitting more than one turkey permit application for any one season shall be ineligible to receive any turkey hunting permit for that season. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-178; effective, T-81-32, Oct. 8, 1980; effective May 1, 1981; amended May 1, 1984.)

Article 3.—FISH

23-3-18. Restrictions on possession and transportation. It shall be unlawful to possess or transport fish, amphibians, reptiles and shellfish for sale, exchange or other commercial purposes except when:

(a) Fish, amphibians, reptiles and shellfish are obtained through contract or permit from the fish and game commission; or

(b) fish, amphibians, reptiles and shellfish are obtained legally from sources outside the state; or

(c) fish are obtained from private waters described in K.S.A. 32-171. (Authorized by and implementing K.S.A. 32-185, K.S.A. 32-503; effective May 1, 1984.)

Article 6.—FURBEARERS

23-6-6. Furbearers; season restrictions. (a) Definitions.

(1) "Running" means the pursuing or chasing of furbearers with hounds but not taking or killing the furbearers.

(2) "Dryland set" means any trapping device which is placed or set on land or that is not in contact with water.

(3) "Water set" means any trapping device which has the gripping portion placed or set in, and which remains in contact with, flowing or impounded water.

(b) Any body gripping trap (conibear type) with a jawsread of eight inches or greater shall be used only in a water set.

(c) Setting, operating, or using any slide-locking wire or cable trap (snare type devices) shall be prohibited in dryland sets located within 50 feet of the outside edge of the traveled portion of a public road. No such set shall in any event be closer than five feet from a fence bordering a traveled public road. Possession of the fur, pelt, skin or carcass of any fur-bearing animal removed from these devices within these locations shall be prohibited.

(d) The provisions of subsection (c) shall not apply to landowners or tenants of the land immediately adjacent to the right-of-way, or to the landowner's or tenant's immediate family or agent.

(e) Possession of fur-bearing animals.

(1) Skinned carcasses or raw furs, pelts or skins of furbearers may be possessed no more than 30 days following the closing of the season in which that species of furbearer may legally be taken or one day prior to the beginning of the running season in which that species of furbearer may legally be run, whichever time period is less. However, legally acquired skinned carcasses or raw furs, pelts or skins may be possessed beyond the specified period by making a written request to the director of the fish and game commission specifying the number of each species of fur-bearing animal possessed and the owner's name, address and furharvester license number.

(2) Live furbearers legally taken during the trapping or hunting season may be possessed only through the last day of the season in which taken.

(3) Unskinned carcasses of furbearers may be possessed no more than 48 hours following the closing of

(continued)

the season in which that species of furbearer may legally be taken.

(f) No bobcat pelt taken in Kansas shall be sold to any resident or nonresident fur dealer, or shipped from the state for the purpose of selling, unless an export tag provided by the fish and game commission has been affixed to the pelt. To obtain a bobcat pelt export tag, the individual shall present the pelt and carcass to a state game protector, or other commission personnel at any district, regional or headquarters office of the fish and game commission. An export tag shall be affixed to the bobcat pelt when the carcass is surrendered to designated commission personnel. No pelts shall be tagged by commission personnel unless both the pelt and carcass are presented. No export tags shall be provided directly to fur dealers for such tagging purposes.

(g) No individual shall have in possession any firearm or other weapon while pursuing or chasing furbearers with hounds during the running season. (Authorized by K.S.A. 1982 Supp. 32-158, 32-164, 32-215; implementing K.S.A. 32-158; effective May 1, 1981; amended May 1, 1984.)

23-6-8. Furharvester—authorization for unlicensed observer. An unlicensed, non-participating observer may accompany a licensed furharvester who is engaging in an activity requiring a furharvester license only when the number of unlicensed individuals accompanying that licensed furharvester does not exceed two. A non-participating observer is defined as an individual who, while accompanying a licensed furharvester, does not engage in or attempt to engage in:

(a) carrying or using any device, implement or weapon which is used in an activity requiring a furharvester license; or

(b) controlling or training any dog which is or can be used for an activity requiring a furharvester license. (Authorized by and implementing K.S.A. 1983 Supp. 32-104; effective May 1, 1984.)

Article 7.—FUR DEALERS

23-7-1. (Authorized by K.S.A. 32-163, 32-164; effective Jan. 1, 1966; amended May 1, 1978; revoked May 1, 1984.)

23-7-2. (Authorized by K.S.A. 32-163, K.S.A. 1965 Supp. 32-164; effective Jan. 1, 1966; revoked May 1, 1984.)

23-7-3. (Authorized by K.S.A. 32-163, 32-164; effective Jan. 1, 1966; amended Jan. 1, 1968; amended May 1, 1978; amended May 1, 1979; revoked May 1, 1984.)

23-7-4. (Authorized by K.S.A. 32-163, K.S.A. 1967 Supp. 32-164; effective Jan. 1, 1966; amended Jan. 1, 1968; revoked May 1, 1984.)

23-7-7. Fur dealers; license; application; authority; possession of furs; records; revocation. (a) License. Any person may buy, purchase, or trade in furs, pelts, skins or carcasses of fur-bearing animals by purchasing a fur dealer's license.

(b) Application. A fur dealer's license may be obtained from the fish and game commission office at Pratt, after making application. The application shall include the business location and an inventory of furs, pelts, skins and carcasses of fur-bearing animals on hand at time of application and shall be submitted on forms provided by the commission. The prescribed fee shall be remitted with the application.

(c) Authority. Licensed fur dealers shall only deal with properly licensed persons and at a licensed fur dealer location.

(d) Possession of furs. Licensed fur dealers may possess legally acquired furs, pelts, skins, or carcasses of fur-bearing animals up to 30 days after the expiration date of their license.

(e) Records. Fur dealers shall supply information required in fur dealer record books provided by the fish and game commission. Entries shall be made in the appropriate record book at the time of each transaction. Each fur dealer's record book and the furs, pelts, skins and carcasses in possession shall be subject to inspection upon demand by any state game protector. Fur dealers shall annually forward their record books to the fish and game commission office at Pratt on or before July first. The following information for each transaction shall be included in fur dealer record books:

(1) The furharvester transaction record book shall include:

(A) the date of each transaction;

(B) the name, address and license number of the person selling furs, pelts, skins or carcasses to fur dealer;

(C) the name of the state where harvested; and

(D) the number of each species of furs, pelts, skins or carcasses acquired.

(2) The fur dealer transaction record book shall include:

(A) the date of each transaction;

(B) the name, address and fur dealer license number of the fur dealer that furs, pelts, skins or carcasses are acquired from or sold to; and

(C) the number and species of furs, pelts, skins or carcasses acquired or sold.

(f) Revocations. The director of the fish and game commission may refuse to issue or may revoke a fur dealer's license when, in the director's judgment, the dealer has failed to supply the required information, has violated terms of the license, or has operated in a manner detrimental to the management of the furbearer resource. (Authorized by K.S.A. 32-164; implementing K.S.A. 32-163; effective May 1, 1984.)

BILL HANZLICK
Director

Doc. No. 001723

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1983 Supp. 77-415 *et seq.* *These regulations are scheduled to become effective May 1, 1984, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1.* Any such legislative action will be reported in the *Kansas Register*. The May 3, 1984 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

GRAIN INSPECTION DEPARTMENT ADMINISTRATIVE REGULATIONS

Article 1.—WAREHOUSING

25-1-27. During the course of a normal examination, every public warehouseman shall make available to a Kansas state grain inspection department examiner a verified composite statement, or copies of the original statements, of depositors of open storage or grain bank grain. The statement or statements shall include:

- (a) the type of grain deposited;
- (b) the total number of bushels or pounds stored;
- (c) the year storage of grain began; and
- (d) the present storage rate.

(Authorized by K.S.A. 34-2,100; implementing K.S.A. 34-251, K.S.A. 1983 Supp. 34-2,109, 34-2,110; effective May 1, 1984.)

Article 4.—FEES AND CHARGES

25-4-1. Fees. Effective May 1, 1984, the following fees shall be charged for the services rendered by this department under the U. S. grain standards act (as amended):

Inspections	
Hopper car—in or out, direct transfer	\$11.00
Hopper car—reinspection	11.00
Extra sample secured at time of original, at request of applicant	3.50
New sample secured after time of original, at request of applicant	5.00
Boxcar—in or out, direct transfer	7.00
Boxcar—reinspection	7.00
Extra sample secured at time of original, at request of applicant	2.00
New sample secured after time of original, at request of applicant	3.00
All reinspections conducted on the basis of official file sample	4.00
Inspection of sample obtained by mechanical spout sampler at country points (Outside the switching limits where the department has an official inspection station)—white certificate	6.00/ plus sampling fee and mileage paid to sampler attendant)
Warehouse sample lot inspection—yellow certificate	6.00

Approving and check testing sampling equipment at country points and training and supervising elevator personnel—flat fee	40.00
Plus: Hourly rate	11.00
Mileage—per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;	
Report grade by telephone	Call collect
Review visits:	
Hourly rate	11.00
Mileage—per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;	
Check testing sampling equipment at terminal points:	
Hourly rate	11.00
Minimum charge	11.00
Truck inspection—in or out	5.50
Truck—reinspection	5.50
Extra truck sample, at request of applicant	2.00
Bin inspection	5.00
Barges, in or out, per 1,000 bushels or fraction	2.50
Barge reinspection, per 1,000 bushels or fraction	2.50
Submitted sample inspection	4.00
Protein analysis, per sample, or reinspection conducted on the basis of official file sample	2.75
Factor analysis only, moisture	1.25
Each approved statement requested by applicant, in addition to grade requirements	2.25
Duplicate certificates	1.00
Charge for services performed by state grain personnel upon request by the grain industry—overtime (over eight hours per day) including Saturdays, Sundays, and holidays, per hour	11.00
Charge per hour for sampler, by special arrangement, per man	11.00

Stowage Examinations
When Requested by Applicant

Hopper cars and boxcars	2.25
Barges	5.50

Effective May 1, 1984, the following fees shall be charged for the services rendered by this department not under the U. S. grain standards act (as amended):

Edible Bean Inspection Service

Edible bean inspection (official warehouse lot), per certificate	15.00
Edible bean inspection (official car sample), per certificate	15.00
Edible bean inspection (official truck sample), per certificate	10.00
Edible bean inspection (submitted sample), per certificate	7.00
Edible bean inspection sampling fee, check weighing, or checkloading, per hour	11.00
DHV count	3.00
Hopper car or boxcar—in, out, or direct transfers	6.00
Barges, in or out, per 1,000 bushels or fraction	2.25
Truck or wagonload (in only)—each	6.00
House transfers per 1,000 bushels or fraction	1.50
Weigh-up, annual, per 1,000 bushels or fraction	1.00
In weighing, sacked cars, per manhour	11.00
Out weighing, sacked cars, with count, per manhour	11.00
Out weighing, sacked cars, with count and weight each sack, per manhour	11.00
Hopper scale, first test, per elevator	100.00
Hopper scale, each additional test, per elevator	75.00
Hopper scale per F.G.I.S. test	100.00/ plus hourly charge on site
Hopper scale at points where certified weights are not issued	100.00/ plus mileage and subsistence
Mileage charge for special trips by the hopper testing scale truck, per mile driven	45
Labor of scale inspector for repair work outside regular inspecting or adjusting of scale, per hour	11.00
Charge per hour for weigher, by special arrangement, per man	11.00

(continued)

Warehouse examiners for special or requested examination of warehouse, each examiner, per hour 15.00/
 plus subsistence expense
 Mileage-per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto;
 Charge for amending warehouse license 50.00

(Authorized by K.S.A. 1982 Supp. 34-103a, 34-228, as amended by L. 1983, ch. 137, § 1, K.S.A. 34-2,100; implementing K.S.A. 1982 Supp. 34-103a, 34-228, as amended by L. 1983, ch. 137, § 1, K.S.A. 34-251, K.S.A. 1982 Supp. 34-2,108; effective Jan. 1, 1966; amended Jan. 1, 1967; amended, E-68-7, Feb. 20, 1968; amended Jan. 1, 1969; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended, E-71-26, June 18, 1971; amended Jan. 1, 1972; amended, E-72-8, Feb. 26, 1972; amended Jan. 1, 1973; amended, E-74-27, June 26, 1974; amended, E-74-51, Sept. 30, 1974; amended May 1, 1975; amended, E-78-10, March 24, 1977; modified, L. 1978, ch. 448, May 1, 1978; modified, L. 1980, ch. 345, May 1, 1980; amended May 1, 1981; amended May 1, 1982; amended, T-83-20, July 21, 1982; amended May 1, 1983; amended May 1, 1984.)

MARVIN R. WEBB
 Director

Doc. No. 001721

State of Kansas

PERMANENT ADMINISTRATIVE REGULATIONS

NOTICE

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1983 Supp. 77-415 *et seq.* *These regulations are scheduled to become effective May 1, 1984, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1.* Any such legislative action will be reported in the *Kansas Register*. The May 3, 1984 issue of the *Register* will contain a complete index to regulations effective May 1, and any legislative actions on them.

FIRE MARSHAL ADMINISTRATIVE REGULATIONS

Article 8.—LIQUEFIED PETROLEUM GASES

22-8-1. Liquefied petroleum gases. National fire protection association pamphlet no. 58, chapters 1 through 7, including appendices a, b, c, d, e, f, g, and h, 1983 edition, is hereby adopted by reference. The state fire marshal may modify the requirements of pamphlet no. 58 for a specific facility or completely exempt the facility from the requirements of pamphlet no. 58 or allow extensions of time for corrections, if, upon investigation, the fire marshal finds that the facility would not present an immediate life safety hazard. (Authorized by and implementing K.S.A. 31-133; effective May 1, 1979; amended, E-82-28, Dec.

22, 1981; amended May 1, 1982; amended May 1, 1984.)

22-8-2. Identification. All bulk storage containers shall be lettered with "Flammable LP gas" in letters not less than six inches in height. "No smoking" signs shall be posted near the container area. In addition, all liquid petroleum bulk plants shall have a sign stating the owner's name, address, and phone number. This sign shall be durable and legible at all times. (Authorized by and implementing K.S.A. 1983 Supp. 31-133; effective May 1, 1979; amended May 1, 1984.)

Article 11.—ADULT CARE HOMES, HOSPITALS, RESIDENTIAL CARE FACILITIES AND MATERNITY CENTERS

22-11-8. Life safety code adopted; one-and two-bed adult care homes, one- and two-bed adult family homes, and three- and four-bed boarding care adult care homes. (a) National fire protection association, life safety code, pamphlet no. 101, 1981 edition, chapter 20, pertaining to lodging and rooming houses, is hereby adopted by reference. The provisions of chapter 20 shall apply to one- and two-bed adult care homes, one- and two-bed adult family homes, and three- and four-bed boarding care adult care homes.

(b) A life safety code inspection of a home shall be performed by the state fire marshal or an authorized representative under K.S.A. 31-137 upon request from the Kansas department of health and environment.

(c) Mobile, non-ambulatory residents shall only be housed on the ground level of a home, provided handicap accommodations for exiting are present. Ambulatory residents may be housed on any level of a home. Non-ambulatory persons shall not be allowed as residents. As used in this paragraph "mobile, non-ambulatory" means unable to walk without assistance but able to move from place to place with the use of a device such as a walker, crutches, wheel chair or wheeled platform. "Ambulatory" means able to walk without assistance. "Non-ambulatory" means unable to walk with or without assistance of a device or another person.

(d) The following fundamental fire and life safety requirements shall be imposed in all one- and two-bed adult care homes, one- and two-bed adult family homes, and three- and four-bed boarding care adult care homes, in addition to chapter 20 of the life safety code:

- (1) Emergency lighting shall be provided to insure illumination for evacuation in case of a power failure.
- (2) Fire alarms, smoke detectors and fire extinguishers shall be maintained in an operable condition at all times.
- (3) Fire drills shall be conducted as frequently as is necessary, and at least as often as once every three months, to insure orderly egress in case of an emergency.
- (4) All exits, and routes to all exits, shall be clearly marked so that all residents will readily know the direction of egress from any point within the building.
- (5) All exits shall be arranged and maintained to

(continued)

provide free, unobstructed egress. No locks or fastening devices shall be installed to prevent free escape from inside of the building.

(6) All buildings shall be constructed, arranged, equipped, maintained and operated as to avoid undue danger to the lives and safety of its residents from fire, smoke, fumes and panic during emergency situations. (Authorized by and implementing K.S.A. 31-133 and 31-147; effective May 1, 1983, amended May 1, 1984.)

Article 19.—CERTIFICATION OF ARSON INVESTIGATORS

22-19-1. Applicability. The state fire marshal, deputies of the state fire marshal, and full-time fire prevention personnel who are assigned investigative duties and who are members of a paid fire department in the state of Kansas may apply for certification by the state fire marshal as an arson investigator, if the applicant meets the requirements contained in K.A.R. 22-19-1 et seq., and if the employing local fire chief recommends the applicant for certification. No application will be accepted from an employee of a local fire department if that department currently employs the maximum number of certified arson investigators specified below:

Table with 2 columns: Population of city or fire district protected by the department, Maximum number of certified arson investigators employed by the department. Rows range from 'Less than 49,999' to 'more than 225,000'.

(Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective, T-84-43, Dec. 21, 1983; effective May 1, 1984.)

22-19-2. Requirements. (a) Form. Each applicant seeking certification as an arson investigator shall make application on forms provided by the state fire marshal.

(b) Arson Investigation. Each applicant shall submit proof of satisfactory completion of at least 50 hours in fire/arson investigation training or education in a course or courses of study which include a testing process and which are approved by the state fire marshal. The required 50 hours shall include the number of hours specified for each of the following subject matter areas:

Table with 2 columns: SUBJECT, HOURS. Lists 14 subjects related to fire investigation, such as 'Fire behavior', 'Building construction and fire investigation', etc.

Table with 2 columns: (15) Explosives and explosions, (16) Incendiary devices, (17) On-scene activities, (18) On-scene application-burning of structures, (19) On-scene application-scene investigation, (20) Critique of scene activities and team reports.

(c) Law enforcement training. Each applicant shall submit proof of satisfactory completion of at least 77 hours of law enforcement training or education in a course or courses of study which include a testing process and which are approved by the state fire marshal. The required 77 hours of training shall include the number of hours specified for each of the following subject matter areas:

Table with 2 columns: SUBJECT, HOURS. Lists 20 subjects under categories (1) Law, (2) Police patrol procedures, (3) Police investigation procedures, (4) Human relations, (5) Demonstrable proficiency areas.

(d) Firearms Training. Each applicant shall submit proof of satisfactory completion of the firearm training course or courses prescribed for law enforcement officers under K.S.A. 74-5604, and amendments thereto.

(e) Substitute Training Programs. Any applicant may satisfy the law enforcement and firearms training requirements of subsections (c) and (d) by successful completion of the course of study at the law enforcement training center administered by the University of Kansas division of continuing education or by successful completion of the course of study at a training school of a state or local law enforcement agency, if the training school has been certified under K.S.A. 74-5604 by the dean of continuing education at the University of Kansas.

(f) Investigative Experience. Each applicant shall submit proof that the applicant has been employed for at least two years as a fire prevention employee, a law enforcement officer, or a private investigator who is licensed pursuant to K.S.A. 1982 Supp. 75-7b01 et seq. That employment shall have included duties in the area of fire/arson investigation.

(continued)

(g) *Expiration.* Each certificate issued pursuant to these regulations shall expire two years after the date of issuance. (Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective T-84-43, Dec. 21, 1983; effective May 1, 1984.)

22-19-3. Renewal of Certification. (a) *Form.* Any person issued a certificate pursuant to these regulations may apply for renewal of certification on forms supplied by the state fire marshal.

(b) *Continuing Education.* Each applicant for renewal of a certificate issued pursuant to these regulations shall submit proof of satisfactory completion of at least 30 hours of continuing education in the fields of arson investigation or law enforcement. The continuing education hours shall have been earned in a course of study which includes a testing process and which is approved by the state fire marshal. The 30 hours of continuing education shall have been earned after the date the previous certificate was issued. (Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective T-84-43, Dec. 21, 1983; effective May 1, 1984.)

22-19-4. Denial, refusal, suspension, or revocation. Any certificate that has been duly issued by the office of the state fire marshal or any application for a certificate may be denied, suspended, or revoked, or renewal refused, if the office of the state fire marshal finds from available evidence that the holder of the certificate has violated any provisions of the Kansas fire prevention code or the regulations of the state fire marshal, or if the holder of the certificate is convicted of a felony in the state of Kansas. Any person aggrieved by an order of the office of the state fire marshal may seek an appeal and hearing under the provisions of K.S.A. 31-140, 31-141, and 31-142 by filing a notice of appeal in the office of the state fire marshal within 10 days from the date of service of this order. (Authorized by and implementing K.S.A. 1983 Supp. 31-157; effective T-84-43, Dec. 21, 1983; effective May 1, 1984.)

EDWARD C. REDMON
State Fire Marshal

Doc. No. 001795

KANSAS FACTS

THE LEGISLATIVE BRANCH

The State Senate and the House of Representatives make up the *Legislative Branch*. There are 40 Senators and 125 Representatives, all elected by the voters of Kansas. Each Senator represents approximately 58,982 people and each House member represents about 18,874 Kansans. Senators serve four-year terms and representatives serve for two years. The Legislature, which meets annually has the responsibility to create, amend or repeal state laws, appropriate money to be spent by state government, revoke or amend rules and regulations of state agencies and departments and approve or disapprove proposed amendments to the state and federal constitution.

A "Legislative Improvement Award" was presented to the Kansas Legislature in 1976. The award was given by Legis 50/The Center for Legislative Improvement " . . . to recognize the progress made in strengthening the legislative institution in order to provide better representation for the people of the state of Kansas."

Since the late 1960's, the Legislature has made great progress towards becoming a truly efficient and effective lawmaking body.

One major reform enacted in recent years is the lengthening and expanding of legislative sessions to allow more time and flexibility. Sessions are now limited to 90 days in even-numbered years and are unlimited in odd-numbered years, although generally they are held to 90 days.

Organizational meetings are now held every other year, following election of new legislators, before the session begins. Legislative officers are chosen at that time, and the meetings give freshman lawmakers a chance to get oriented.

Pre-filing of legislative bills between sessions, carry-over of bills from one session to the next in non-election years, and committee meetings between sessions are reforms which have helped to increase flexibility and provide better workload distribution.

Restructuring and improvement of support services have been vital elements in the legislative revamping. All legislators now have offices in the Capitol available throughout the year, and clerical services are provided during sessions. The legislative leaders have full-time administrative and clerical staffs. The Revisor of Statutes' Office, the Division of Legislative Administrative Services and other support offices have been strengthened.

Increased pay for legislators has made service in the lawmaking body more attractive to and possible for qualified citizens.

Strong ethics legislation has been adopted to regulate legislative lobbying by special interest groups.

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