

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 4, No. 43

October 24, 1985

Pages 1341-1364

IN THIS ISSUE . . .

	Page
Kansas Water Office	
Notice of Meetings	1342
Notice of Hearings on the 1986 State Water Plan	1342
Kansas Task Force on Permanency Planning	
Notice of Meeting	1343
Kansas Bureau of Investigation	
Notice of Hearing on Proposed Administrative Regulations	1343
Division of Services for the Blind Advisory Committee	
Notice of Meeting	1343
Department of Revenue	
Request for Bids for an Oil and Gas Lease	1343
State Employees Health Care Commission	
Notice of Meeting	1344
Kansas Public Disclosure Commission	
Notice of Hearing on Proposed Administrative Regulations	1344
Department of Administration	
Grant Applications in Review	1344
Notice to Bidders for State Purchases	1345
Attorney General	
Opinions No. 85-136 through 85-141	1346
State Board of Education	
Notice of Hearing	1347
Notice of Hearing on Proposed Administrative Regulations	1348
Notice of Bond Redemption	
City of Manhattan	1348
Notice of Bond Sale	
City of Arkansas City	1349
Emergency Medical Services Council	
Notice of Hearing on Proposed Administrative Regulations	1350
Legislative Interim Committee Schedule	1351
Department of Transportation	
Notice to Contractors	1352
State Board of Regents	
Notices of Intent to Issue Revenue Bonds	1352, 1353
Temporary Administrative Regulations	
State Board of Agriculture	1353
Kansas Real Estate Commission	1354
Social and Rehabilitation Services	1358
Northwest Kansas Groundwater Management District No. 4	
Notice of Meeting	1360
Executive Appointments	1360
Kansas Facts	
Kansas Women	1361

State of Kansas

KANSAS WATER OFFICE**NOTICE OF MEETINGS**

The Kansas Water Office will conduct three public meetings to obtain the public's comments on recommended minimum desirable streamflows for several Kansas watercourses. Following is the schedule of public meetings:

- | | |
|------------------|--|
| October 29, 1985 | Saline River, Smoky Hill River
Location: Salina, City-County Building
Time: 1 p.m. |
| October 29, 1985 | Medicine Lodge River, Chikaskia River
Location: Medicine Lodge,
Community Building
Time: 7 p.m. |
| October 30, 1985 | Big Blue River, Little Blue River, Republican River, Mill Creek, Delaware River
Location: Manhattan,
KSU Student Union
Time: 7 p.m. |

For additional information contact Joseph F. Harkins, Director, Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612, (913) 296-3185.

JOSEPH F. HARKINS
Director
Kansas Water Office

Doc. No. 003635

State of Kansas

KANSAS WATER OFFICE**NOTICE OF HEARINGS
ON THE 1986 STATE WATER PLAN**

The Kansas Water Office will conduct two public hearings to obtain the public's views on the working draft of the 1986 State Water Plan. The hearings are scheduled as follows:

- November 7, 1 p.m., Hays, at the Fort Hays Experiment Station Auditorium.
November 8, 1 p.m., Topeka, in the State Capitol, Room 313-South.

A copy of the working draft of the 1986 State Water Plan will be available for inspection prior to the hearings at the county extension office and conservation district office located in each county. Copies of the draft may be obtained from the Kansas Water Office.

For additional information contact Joseph F. Harkins, Director, Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612, (913) 296-3185.

JOSEPH F. HARKINS
Director
Kansas Water Office

Doc. No. 003634

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$47.50. Single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, KS. ISSN No. 0744-2254.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

© Secretary of State of the State of Kansas 1985. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas
SOCIAL AND REHABILITATION SERVICES
KANSAS TASK FORCE ON
PERMANENCY PLANNING

NOTICE OF MEETING

The Kansas Task Force on Permanency Planning will meet at 10 a.m. Friday, November 1, in Hearing Room Two, Judicial Center, 301 W. 10th, Topeka.

ROBERT C. BARNUM
 Chairman, Kansas Task Force on
 Permanency Planning

Doc. No. 003623

State of Kansas
KANSAS BUREAU OF INVESTIGATION

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

The Kansas Bureau of Investigation will conduct a public hearing at 3 p.m. Tuesday, November 12, at the Kansas Bureau of Investigation, 1620 Tyler, Topeka, to receive written or oral testimony concerning the proposed adoption of new regulations number 10-20-1 through 10-20-4. These regulations are intended to be adopted on a temporary and permanent basis.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Director of the Kansas Bureau of Investigation as the basis for making changes to these proposed regulations.

Copies of the proposed regulations and the fiscal impact statement may be obtained by writing to the Kansas Bureau of Investigation, 1620 Tyler, Topeka 66612.

Summaries of the new proposed regulations and amendments follow:

K.A.R. 10-20-1 through K.A.R. 10-20-4 relate to the collection and reporting of missing and unidentified deceased persons information to the central repository and set forth definitions, forms of reporting, procedures for reporting, and dissemination for the missing and unidentified deceased persons system. Adoption of these sections is necessary to implement the provisions of K.S.A. 75-712b.

THOMAS E. KELLY
 Director
 Kansas Bureau of Investigation

Doc. No. 003620

State of Kansas
SOCIAL AND REHABILITATION SERVICES
DIVISION OF SERVICES FOR THE BLIND
ADVISORY COMMITTEE

NOTICE OF MEETING

The Division of Services for the Blind Advisory Committee will meet at 1 p.m. Tuesday, November 5, in the Rehabilitation Center for the Blind Conference Room, 2516 W. 6th, Topeka.

RICHARD A. SCHUTZ
 Director, Division of
 Services for the Blind

Doc. No. 003622

State of Kansas
DEPARTMENT OF REVENUE
REQUEST FOR BIDS FOR AN
OIL AND GAS LEASE

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the state of Kansas, described as follows:

That portion of the Arkansas River as it meanders through Sections 2, 3 & 4, Twp 22 S., Range 8 W., Rice County, Kansas; containing 175.46 acres, more or less.

The bidding shall be considered upon the amount of bonus annual rental and the amount of royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, Third Floor, State Office Building, Sand and Oil Lease Section, Topeka 66612.

Lease shall be made on form 88—(Producers) Kansas, Oklahoma, Colorado, 1956 Rev. W. for a term of five years. The successful bidder pays publication costs.

Bids shall be opened at the office of the Director of Taxation at 2 p.m., December 2, 1985.

The Director reserves the right to reject any and all bids and to readvertise.

CAROL B. BONEBRAKE
 Director of Taxation
 Department of Revenue

Doc. No. 003633

State of Kansas

**DEPARTMENT OF ADMINISTRATION
STATE EMPLOYEES
HEALTH CARE COMMISSION**

NOTICE OF MEETING

The Kansas State Employees Health Care Commission will conduct its regular monthly meeting at 1:30 p.m. Monday, November 4, in Room 521-S, State Capitol, Topeka.

MARVIN A. HARDER
Secretary of Administration

Doc. No. 003631

State of Kansas

**KANSAS PUBLIC
DISCLOSURE COMMISSION**

**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10:30 a.m. Wednesday, November 13, in the Kansas Public Disclosure Commission's conference room, Room 504, 109 W. 9th, Topeka, to consider the adoption of proposed permanent rules and regulations of the Kansas Public Disclosure Commission.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Kansas Public Disclosure Commission, Room 504, 109 W. 9th, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views in regard to the adoption of the proposed regulations.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Kansas Public Disclosure Commission as the basis for making changes to these proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing to the address above.

The following is a brief summary of the Commission's proposals concerning the amendments of current regulations:

K.A.R. 19-21-3 and 19-29-2 are sections of Article 21 and Article 29 respectively of the Kansas Administrative Regulations relating to campaign finance. Revision of these sections is being made to delete statutory language, to clarify existing language, and to comply with 1984 legislative changes.

CAROL E. WILLIAMS
Administrative Assistant

Doc. No. 003636

State of Kansas

**DEPARTMENT OF ADMINISTRATION
GRANT APPLICATIONS IN REVIEW**

Below are applications which have been submitted to the Kansas Review Process. For those requiring review, comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Intergovernmental Liaison, State Office Building, 122A-South, Topeka 66612, (913) 296-3919. Comment period is approximately 30 days.

KS851014-001-20106RA—Earle Niermeier, Chairman, Atwood-Rawlins County Airport, City Hall, Atwood 67730, (913) 626-3851, applied for \$1,462,400 from the U.S. Department of Transportation for an Atwood-Rawlins County airport improvement program.

KS851015-001-10418RO—Application to the U.S. Farmers' Home Administration for \$590,000 (\$403,000 local match) for water treatment plant improvements. Contact Richard U. Nienstedt, City Manager, 115 S. Walnut, Box 512, Stockton 67669, (913) 425-6703.

KS851015-002-13600KS—Application for \$140,000 to the U.S. Department of Health and Human Services to provide bilingual/multicultural training to 14 Head Start exemplary grantees participating in the new ACYF Bilingual/Multicultural Resource System. Contact Leveo Sanchez or Peter Davis, Development Associates, Inc., 693 Sutter St., 3rd Floor, San Francisco, CA 94102-1077, (703) 979-0100.

Announcements

The U.S. Department of Housing and Urban Development has announced rule changes allowing nonprofit organizations to use Section 202 loans to buy existing housing that needs little or no rehabilitation to create group homes for the nonelderly handicapped. Contact Robert Wilden at (202) 426-8730 or see the September 25, 1985 Federal Register.

The National Institute of Justice is soliciting grant proposals for applied research grants involving alternative police responses to spouse assault. See page 41035 of the Federal Register, October 8, 1985. Deadline: March 4, 1986. Contact NCJRS, P.O. Box 6000, Rockville, MD 20850, Attn: Program Solicitations.

The Minority Business Development (MBD) Agency is seeking applicants to run a MBD Center in the Kansas City area. Individuals, nonprofit, for profit, local and state governments, and educational institutions may apply. Application deadline is November 8, 1985. Contact David Vega, U.S. Department of Commerce, Chicago Regional Office, MBDA, 55 E. Monroe St., Suite 1440, Chicago, IL 60603, (312) 353-0182.

MARVIN A. HARDER
Secretary of Administration

Doc. No. 003629

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, until 2 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, NOVEMBER 4, 1985

#63597

Kansas State University, Manhattan—
INSTALLATION OF CONCENTRATION LIMIT
KITS ON ABSORPTION UNITS

#63598

Attorney General, Topeka—PRINTER—IBM 5362
COMPATIBLE

#63638

Kansas State Industrial Reformatory,
Hutchinson—PLUMBING MATERIALS

#63653

Fort Hays State University, Hays—PRINTING AND
BINDING OF "STUDENT VIEWBOOK"

TUESDAY, NOVEMBER 5, 1985

#A-5139 and A-5143

Department of Social and Rehabilitation Services,
Topeka—PROVIDE HEATING AIR DISTRIBUTION
AND EXHAUST SYSTEM, production and warehouse
areas, 425 MacVicar Ave.

#A-5142

Department of Social and Rehabilitation Services,
Topeka—PROVIDE ADDITIONAL LIGHTING,
EXIT SIGNS AND FIRE ALARMS, storage area and
Rehabilitation Center, 425 MacVicar, Ave.

#26811

University of Kansas, Lawrence—DECEMBER
(1985) MEAT PRODUCTS

#63615

University of Kansas Medical Center, Kansas
City—DINING SUPPLIES

#63617

Kansas State University, Manhattan—OFFICE
FURNITURE

#63620

University of Kansas Medical Center, Kansas
City—RESPIRATORY INDUCTIVE
PLETHYSMOGRAPH

#63621

University of Kansas Medical Center, Kansas
City—PULSE OXIMETER

#63623

Department of Transportation, Topeka—PLATE
MATERIAL

#63637

Kansas State Industrial Reformatory,
Hutchinson—WINDOWS

WEDNESDAY, NOVEMBER 6, 1985

#A-5229

Wichita State University, Wichita—CONSTRUCT
NEW PARKING LOT AND SIDEWALKS, Recital
Hall, Duerksen Fine Arts Center

#A-5290

Parsons State Hospital and Training Center,
Parsons—REPLACE AIR CONDITIONING
EQUIPMENT, Willow Cottage

#26807

Department of Social and Rehabilitation Services,
Topeka—LEASE OF VOICE PAGERS

#26812

University of Kansas Medical Center, Kansas
City—DECEMBER (1985) MEAT PRODUCTS

#26818 (Reissue)

Department of Social and Rehabilitation Services,
Topeka—MICROFICHE, LASOR PRINTING AND
MAILING SERVICES

#63624

University of Kansas, Lawrence and Norton State
Hospital, Norton—RADIAL SAWS AND DRILL
PRESS

#63625

Department of Transportation, Hutchinson—
LUBRICATING OIL

#63626

Department of Administration, Buildings and
Grounds Services, Topeka—CASH REGISTERS

#63627

Kansas Highway Patrol, Topeka—VEHICLES

#63628

Department of Transportation, Hutchinson—
CONCRETE SAW BLADES

#63635

Department of Revenue, Topeka—CONTINUOUS
FORMS—INC/ia—11 and INC/ia—41

#63636

Kansas State Industrial Reformatory,
Hutchinson—GRATING

THURSDAY, NOVEMBER 7, 1985

#A-5007

Osawatomie State Hospital, Osawatomie—BIDDLE
BUILDING ADDITION FOR ANCILLARY
MEDICAL SERVICES

#26806

Department of Human Resources, Topeka—
TELEPHONE SERVICE AND MAINTENANCE
CONTRACT

#63265-A

Kansas State University, Manhattan—NURSERY
CONTAINERS

#63643

University of Kansas, Lawrence—ACID-BASE
MONITOR

#63649

Wichita State University, Wichita—CONCERT
HARP

#63650

Department of Revenue, Topeka and University of
Kansas Medical Center, Kansas City—ENVELOPES

#63651

University of Kansas Medical Center, Kansas
City—PHYSIOLOGIC RECORDING SYSTEM
(POLYGRAPH) FOR CLINICAL SLEEP STUDIES

#63654

University of Kansas Medical Center, Kansas
City—VANS, Wichita and Kansas City

FRIDAY, NOVEMBER 8, 1985

#26816

Department of Revenue, Topeka—UNIFORM
COMPONENTS

(continued)

#63658

Adjutant General's Department, Topeka—TWO-WAY
RADIO EQUIPMENT

#63662

University of Kansas, Lawrence—
WORKSTATION—NBI COMPATIBLE

#63663

State Grain Inspection Department,
Topeka—GRAIN INSPECTION APPARATUS, various
locations

#63664

Department of Transportation, Topeka—ANTENNAS
AND COAXIAL CABLE, various locations

#63665

Pittsburg State University, Pittsburg—
COMMUNICATIONS SUBSYSTEM—PRIME
COMPATIBLE

#63666

Department of Human Resources,
Topeka—MICROCOMPUTER

TUESDAY, NOVEMBER 12, 1985

#63655

Department of Revenue, Topeka—VERTICAL
AERIAL PHOTOGRAPHY SERVICES

WEDNESDAY, NOVEMBER 13, 1985

#26813

State Park and Resources Authority, Topeka—RIP
RAP, Pomona State Park, Osage County

#26814

State Park and Resources Authority, Topeka—RIP
RAP, Tuttle Creek, Riley County

#26815

Kansas State University, Manhattan—FLAT
CONCRETE WORK (ALL SIDEWALKS, MINIMUM
THREE CUBIC YARD PER JOB)

#63657

Department of Transportation, Topeka—
MINICOMPUTER SYSTEM

THURSDAY, NOVEMBER 14, 1985

#A-5179

Department of Corrections, Topeka—PROVIDE "B"
CELLHOUSE LOCKING SYSTEM, Kansas State
Penitentiary, Lansing

WEDNESDAY, NOVEMBER 27, 1985

#26802

Kansas Insurance Department, Topeka—MONEY
AND SECURITIES BROAD FORM—BANK EXCESS
BURGLARY AND ROBBERY INSURANCE

#26803

State Treasurer's Office, Topeka—MONEY AND
SECURITIES BROAD FORM—BANK EXCESS
BURGLARY AND ROBBERY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 003632

State of Kansas

ATTORNEY GENERAL

Opinion No. 85-136

**Waters and Watercourses—Water Districts—Rural
Water Districts—Definitions; Participating
Member. Frederick J. Works, Counsel for the City of
Elsmore, Iola, October 9, 1985.**

A person is eligible to serve on the board of directors of a rural water district if he or she is a "participating member" in the district, with this term including persons who own land within the district and who have subscribed to one or more benefit units. While a person purchasing land on contract holds an equitable interest in that land, he or she does not have fee simple title. Due to the nature of the right involved (*i.e.* the right to vote), and the silence of the statutes as to whether this right may be shared, the right to vote in district matters should be exercised by the holder of fee simple title. Cited herein: K.S.A. 60-1102; 82a-612; 82a-614; 82a-618; 82a-622; 82a-626; 82a-1021; L. 1978, ch. 230. JSS

Opinion No. 85-137

**Notaries Public and Commissioners—Notaries Public—Seal. Jack H. Brier, Secretary of State, Topeka,
October 9, 1985.**

K.S.A. 53-105 prescribes the requirements of a notary seal in this state. Decisions of the Kansas Supreme Court indicate that the fact that a notary seal does not comply strictly with the statute will not necessarily invalidate the document to which the seal is affixed. Accordingly, the omission of the required words "state of Kansas" in a notary seal would not be construed to vitiate the effect of the document to which the seal is affixed. Cited herein: K.S.A. 53-105; 53-106; 53-118. MFC

Opinion No. 85-138

Infants—Kansas Code for Care of Children—Investigation of Child Abuse Reports.

**State Institutions and Agencies; Historical Property—Social and Rehabilitative Institutions—Larned State Hospital. T. R. Cross, Pawnee County Attorney,
Larned, October 9, 1985.**

Larned State Hospital employees, who are indirectly appointed by and are under the control of the Secretary of Social and Rehabilitation Services, are considered to be employees of the Department of Social and Rehabilitation Services. Such employees are therefore subject to the provisions of K.S.A. 1984 Supp. 38-1523(c), which requires that suspected child abuse or neglect by persons employed by the Department of Social and Rehabilitation Services be investigated by the appropriate law enforcement agency rather than the department. Cited herein: K.S.A. 1984 Supp. 38-1523; K.S.A. 75-7308b; 76-12a01; 76-12a02; 76-12a05. JLM

Opinion No. 85-139

Intoxicating Liquors and Beverages—General Provisions—Kansas Liquor Control Act; Definitions. John A. Lamb, Director of the Alcoholic Beverage Control Division of the Kansas Department of Revenue, Topeka, October 9, 1985.

Pursuant to K.S.A. 1984 Supp. 41-102(b), as amended by L. 1985, ch. 168, § 1, "alcoholic liquor" is defined to mean any beverage which contains alcohol, spirits, wine or beer, with the only exception being cereal malt beverages containing less than 3.2 percent alcohol by weight. As a result, a beverage which contains a measurable amount of alcohol and which is not a cereal malt beverage is considered to be an alcoholic liquor, regardless of whether the alcohol content is above or below 3.2 percent by weight. Such beverages may be sold only in licensed retail liquor stores, and may be made subject to administrative rules and regulations which require the presence of a label or sticker which clearly identifies the beverage as alcoholic liquor under Kansas law. Cited herein: K.S.A. 1984 Supp. 41-102, as amended by L. 1985, ch. 168; K.S.A. 41-308; 41-714; 41-805; 41-2701, as amended by L. 1985, ch. 171; K.A.R. 1984 Supp. 14-6-3; 14-6-5. JSS

Opinion No. 85-140

State Departments; Public Officers, Employees—Tort Claims Act—Defense of Governmental Entity or Employee; Requests to Provide Defense. W. R. Brenner, Mayor, City of Larned, Larned, October 15, 1985.

Under the provisions of K.S.A. 75-6116 (as amended by L. 1985, ch. 293, ¶ 1), the obligation of a city to pay attorneys fees incurred by a city officer in defending a civil rights action is subject to the conditions and limitations prescribed by K.S.A. 75-6108. Those conditions include the filing of a written request (within 15 days after service of process upon the employee) that the city provide for the defense of the employee (K.S.A. 75-6108(d) and (e)). Where no such request is filed, a city is not liable for attorneys fees incurred by the employee; however, the city governing body may, in its discretion, pay attorneys fees notwithstanding the failure to file a written request. Cited herein: K.S.A. 75-6102, 75-6108; 75-6116; L. 1985, ch. 293, § 1. TRH

Opinion No. 85-141

State Departments; Public Officers, Employees—Public Officers and Employees—Prohibition on Certain Contracts. Louis James, Larned City Attorney, Larned, October 15, 1985.

K.S.A. 75-4304(a) prohibits public officers (which includes city council members) from making or participating in the making of contracts in which they have a substantial interest, but would not preclude a council member from voting on a motion concerning the payment of attorneys fees incurred by the council member in a civil action. However, under common law conflict of interest principles recognized in this state, a city council member is disqualified from mak-

ing or voting on such a motion. Cited herein: K.S.A. 75-4301; 75-4304. TRH

ROBERT T. STEPHAN
Attorney General

Doc. No. 003624

State of Kansas**BOARD OF EDUCATION****NOTICE OF HEARING**

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, November 12, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider the recommendations of the Commissioner's Task Force on Teacher Incentive Structures.

The recommendations of the Task Force concern a proposed teacher incentive structure policy and model which were developed to assist the State Board of Education to fulfill the duties requested of it by 1985 Senate Concurrent Resolution No. 1619.

A copy of the recommendations is being mailed to chief school administrators in the state and may be reviewed in their offices by interested persons. Also, a copy of the recommendations may be obtained by contacting the secretary of the State Board of Education, Kansas State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, on the recommendations. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the State Board of Education, at least five days before the hearing, their views regarding the recommendations. This may be done by letter, regular audio cassette tape, or one-half inch VHS video cassette tape. Audio or video cassette tapes shall not exceed three minutes in length and shall be accompanied by a signed transcript. Persons using tapes shall first identify themselves in the tapes and state whether they represent only themselves or whether they represent a group. All comments received will be considered by the Board. The hearing shall be conducted in compliance with the public hearing procedures of the Board.

KANSAS STATE BOARD OF EDUCATION

By: Robert J. Clemons
Chairman

Certified by:
Dr. Harold L. Blackburn
Kansas Commissioner of Education

Doc. No. 003616

State of Kansas

BOARD OF EDUCATION

**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, November 12, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider proposed new Kansas Administrative Regulations (K.A.R.) numbered 91-12-71 and 91-12-72, which the Board proposes to adopt as temporary and permanent.

The following is a summary of the substance of each proposed regulation:

K.A.R. 91-12-71 is a proposed new regulation which prescribes the qualifications and powers of education advocates.

K.A.R. 91-12-72 is a proposed new regulation which prescribes the procedure to be followed in appointing education advocates.

A copy of each proposed regulation is being mailed to chief school administrators and special education directors in the state and may be reviewed in their offices by interested persons. Also, a copy of each of the proposed regulations and its fiscal impact statement may be obtained by contacting the secretary of the State Board of Education, Kansas State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, in regard to the proposed regulations. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the State Board of Education, at least five days before the hearing, their views regarding the proposed regulations. This may be done by letter, regular audio cassette tape, or one-half inch VHS video cassette tape. Audio or video cassette tapes shall not exceed three minutes in length and shall be accompanied by a signed transcript. Persons using tapes shall first identify themselves in the tapes and state whether they represent only themselves or whether they represent a group. All comments received will be considered by the Board. The hearing shall be conducted in compliance with the public hearing procedures of the Board.

KANSAS STATE BOARD OF EDUCATION

By: Robert J. Clemons

Chairman

Certified by:

Dr. Harold L. Blackburn

Kansas Commissioner of Education

Doc. No. 003617

(Published in the KANSAS REGISTER, October 24, 1985.)

**NOTICE OF CALL FOR REDEMPTION
TO THE HOLDERS OF
CITY OF MANHATTAN, KANSAS
COMMERCIAL REHABILITATION LOAN
PROGRAM REVENUE BONDS
(LOANS TO LENDERS)
SERIES D, 1982
DATED JUNE 1, 1982**

Notice is hereby given that pursuant to the provisions of Section 8(B) of Ordinance No. 3960 of the city of Manhattan, Kansas, the above mentioned bonds numbered as follows:

10	25	41	58	73
12	27	42	59	74
13	28	44	60	75
14	29	45	61	76
15	30	46	62	77
16	32	48	63	78
17	33	49	64	
18	34	50	65	
19	35	51	68	
20	36	52	69	
21	37	53	70	
23	38	55	71	
24	40	57	72	

maturing in the years 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993 and 1994, have been called for redemption and payment on December 1, 1985 at the offices of the Southwest National Bank of Wichita, Kansas, Trust Department, P.O. Box 1401, Wichita, KS 67201.

On such redemption date these shall become due and payable on each of the above mentioned bonds, the redemption price thereof equal to 102 percent of the principal amount of each bond together with the interest accrued to the redemption date (upon presentation and surrender of each such bond and all appertenant coupons). Interest shall cease to accrue on the bonds from and after December 1, 1985 and the interest coupons maturing after December 1, 1985 shall be void.

**THE SOUTHWEST NATIONAL BANK
OF WICHITA, KANSAS
AS TRUSTEE FOR THE
CITY OF MANHATTAN, KANSAS
By E. GORDON JOHNSON
Senior Vice President and Trust Officer**

Doc. No. 003619

(Published in the KANSAS REGISTER, October 24, 1985.)

**NOTICE OF BOND SALE
\$750,000
GENERAL OBLIGATION BONDS
OF THE
CITY OF ARKANSAS CITY, KANSAS**

The city of Arkansas City, Kansas, will receive sealed bids at the office of the City Clerk, City Hall, 1st and Central, Arkansas City, Kansas, until 8 a.m., C.D.T., Tuesday, November 5, 1985, for \$750,000 par value general obligation bonds of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series A, 1985 Bonds will be dated as of November 1, 1985, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1986, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar), to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

The bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$ 10,000	December 1, 1986
10,000	December 1, 1987
30,000	December 1, 1988
30,000	December 1, 1989
30,000	December 1, 1990
50,000	December 1, 1991
147,000	December 1, 1992
147,000	December 1, 1993
147,000	December 1, 1994
147,000	December 1, 1995

Redemption

Bonds maturing December 1, 1992, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the city on and after December 1, 1991, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at a redemption price of 100 percent (expressed as a percentage of the par value of the principal amount thereof) plus accrued interest to the redemption date.

Notice of any call for redemption will be mailed to the registered owners of such bonds to be redeemed at

the address shown on the registration books maintained by the bond registrar not less than 30 days prior to the date fixed for such redemption and payment. Interest on the bonds so called for redemption and payment will cease to accrue after the redemption date, provided notice has been given and funds are then available to pay the full redemption price thereof.

Interest Rate

Proposals will be received on the bonds bearing such rate as may be specified by the bidder. The same rate shall apply to all bonds of the same issue. Such interest rate specified shall be in an even multiple of one-eighth or one-twentieth of 1 percent. No interest rate shall exceed the lesser of 8.5 percent or the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the Credit Markets in New York, New York on the Monday next preceding the day on which the bonds are sold (November 4, 1985), plus 2 percent, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at City Hall, 1st and Central, Arkansas City, KS 67005, Attention: Rod Franz, City Clerk, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to Treasurer, City of Arkansas City, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bids

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice, and the bonds will be sold to the best bidder. The city reserves the right to reject any and all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Gaar & Bell, Bond Counsel, of Wichita,

(continued)

Kansas. The number, denomination of bonds, and names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than November 15, 1985. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before December 2, 1985, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

Bids shall be conditioned upon the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the city. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

Purpose of Issue

The bonds are being issued for the purpose of paying a portion of the costs of making various improvements to the Arkansas City Memorial Hospital, a public building, under the authority of K.S.A. 12-1736 *et seq.*

CUSIP Identification Numbers

CUSIP identification numbers will be printed on said bonds. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the city.

Assessed Valuation

Assessed valuation figures for the city of Arkansas City, Kansas, for the year 1984, are as follows:

Equalized assessed valuation of taxable tangible property	\$23,344,554
Tangible valuation of motor vehicles	\$ 6,009,804
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$29,354,358

Bonded Indebtedness

The total bonded indebtedness of the city of Arkansas City, Kansas, at the date hereof, including this \$750,000 proposed issue of bonds, is \$4,983,859.04.

Official Statement

Additional copies of this notice of bond sale, copies of the city's official statement relating to the bonds, or further information may be received from the office of the City Clerk, City Hall, 1st and Central, Arkansas City, KS 67005.

Dated October, 2, 1985.

CITY OF ARKANSAS CITY, KANSAS
By ROD FRANZ, City Clerk

Doc. No. 003618

State of Kansas

EMERGENCY MEDICAL SERVICES COUNCIL

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 1 p.m. Friday, November 8, in the Centennial Room of Pozez Education Center, Stormont-Vail Hospital, 1500 W. 10th, Topeka, to consider the adoption of proposed permanent rules and regulations of the Emergency Medical Services Council.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Chairman of the Emergency Medical Services Council, 111 W. 6th, Topeka 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Emergency Medical Services Council as the basis for making changes to the proposed regulations.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing the Bureau of Emergency Medical Services, 111 W. 6th, Topeka 66603.

The following is a brief summary of the proposed regulations:

K.A.R. 109-1-1 is amended to define aeromedical physician.

K.A.R. 109-4-1 provides for two classes of air ambulance service.

K.A.R. 109-4-2 provides for two classes of air ambulance aircraft.

K.A.R. 109-4-3 gives standards for these aircraft and required equipment.

DAVID NACHTIGAL
Chairman, Emergency Medical Services Council

Doc. No. 003630

State of Kansas

LEGISLATURE

INTERIM AGENDA

Notice is hereby given to interested parties that the following committee meetings have been scheduled during the period of October 28 through November 8, 1985.

Date	Room	Time	Committee	Agenda
Oct. 28	519-S	10:00 a.m.	Special Committee on Agriculture and Livestock	Proposal No. 2—Grain Dealer Licensure and Regulation.
Oct. 29	519-S	9:00 a.m.		
Oct. 30	527-S	1:30 p.m.	Legislative Budget Committee	30th: Conferees reporting on actual or proposed salary increases of employees in the public and private sectors. 31st: Proposal No. 42—State General Fund.
Oct. 31	527-S	9:00 a.m.		
Oct. 31	519-S	10:00 a.m.	Special Committee on Judiciary	Proposal No. 61—Child Support Enforcement. Final discussion and action.
Nov. 1	519-S	9:00 a.m.		
Nov. 1	526-S	10:00 a.m.	Special Committee on Transportation	Proposal No. 53—Regulation of Excavation and Underground Explosives; Proposal No. 52—Motor Carrier Weight Limitations; and Proposal No. 62—Handicapped Parking.
Nov. 1	527-S	8:30 a.m.	Legislative Coordinating Council	Legislative matters.
Nov. 1	531-N	10:00 a.m.	Special Commission on a Public Agenda for Kansas	Subcommittee on Education, and Mental and Physical Well-being.
Nov. 4	526-S	10:00 a.m.	Special Committee on Communications, Computers and Technology	4th: Committee discussion on Proposal No. 16, Proposal No. 17, and Proposal No. 18. 5th: Presentation by Dr. Phil Bradford, KDED, on high technology and committee discussion on Proposal No. 19
Nov. 5	526-S	9:00 a.m.		
Nov. 4	531-N	9:00 a.m.	Special Committee on Financial Institutions and Insurance	Hearings on Proposal No. 15—Bonding of State Employees.
Nov. 5	531-N	9:00 a.m.		
Nov. 4	519-S	10:00 a.m.	Special Committee on Federal and State Affairs	Consideration of final reports.
Nov. 5	519-S	9:00 a.m.		
Nov. 4	123-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
Nov. 5	123-S	9:00 a.m.		
Nov. 7	514-S	10:00 a.m.	Special Committee on Medical Malpractice	Committee discussion and decisions.
Nov. 8	514-S	9:00 a.m.		

WILLIAM R. BACHMAN
 Director of Legislative
 Administrative Services

Doc. No. 003621

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, until 10 a.m., November 21, 1985, and then publicly opened:

DISTRICT ONE—Northeast

Jefferson—44 C-1736-01—County road, 1.4 miles south and 2.4 miles east of Perry, east, 0.2 mile, bridge replacement. (Federal Funds)

Johnson—435-46 K-0456-08—I-435, ramps east-south and west-north and the third level bridges, 1.6 miles, grading, surfacing and bridge. (Federal Funds)

Johnson—46 U-0571-01—75th Street, Nieman Road to Switzer Road in Shawnee, 0.4 mile, grading and surfacing. (Federal Funds)

Johnson—46 U-0925-01—71st Street at Brush Creek in Prairie Village, bridge replacement. (Federal Funds)

Shawnee—89 U-0923-01—Branner Street at the Atchison, Topeka and Santa Fe Railroad Viaduct in Topeka, 0.5 mile, bridge replacement. (Federal Funds)

Wyandotte—105 U-0849-01—55th Street at the Brenner Creek Tributary in Kansas City, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT TWO—Northcentral

Dickinson—70-21 K-2588-03—I-70, 0.9 mile west of K-15 east to 2.3 miles east of K-43, 9.0 miles, fencing. (Federal Funds) Bids for fencing on this project will be received only from certified and properly prequalified Disadvantaged Business Enterprises.

DISTRICT FOUR—Southeast

Cherokee—11 C-1307-01—County road, 1.0 mile south of US-66 in Riverton, south, 1.0 mile, grading, surfacing and bridge. (Federal Fund)

Coffey—16 C-1898-01—County road, 4.7 miles south and 2.6 miles east of Waverly, east, 0.1 mile, bridge replacement. (Federal Funds)

Wilson—103 C-1840-01—County road, 1.2 miles south and 1.0 mile east of Neodesha, east, 0.2 mile, bridge replacement. (Federal Funds)

Woodson—104 C-1826-01—County road, 4.0 miles north and 3.6 miles east of Yates Center, east, 0.4 mile, bridge replacement. (Federal Funds)

Woodson—104 C-1827-01—County road, 4.0 miles north and 4.1 miles east of Yates Center, east, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT FIVE—Southcentral

Sedgwick—87 U-0915-01—Maize Road at Cowskin Creek Tributary in Wichita, 0.1 mile, bridge replacement. (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 projects 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 of Transportation

Doc. No. 003626

State of Kansas

BOARD OF REGENTS

NOTICE OF INTENT
TO ISSUE REVENUE BONDS

The Board of Regents of the State of Kansas, on October 18, 1985, duly adopted a Resolution declaring it advisable and authorizing the issuance of refunding revenue bonds of the Board of Regents of the State of Kansas, in an amount not to exceed \$2.1 million, for the purpose of refunding the outstanding Board of Regents University of Kansas Medical Center, Kansas City, Kansas, Parking Facility Revenue Bonds, dated July 1, 1978, for the benefit of the University of Kansas School of Medicine.

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

Dated October 18, 1985.

BOARD OF REGENTS OF
THE STATE OF KANSAS
By Lawrence M. Jones
Chairman
Attest: Stanley J. Koplik
Executive Officer

Doc. No. 003627

State of Kansas

BOARD OF REGENTS

NOTICE OF INTENT
TO ISSUE REVENUE BONDS

The Board of Regents of the State of Kansas, on October 18, 1985, duly adopted a Resolution declaring it advisable and authorizing the issuance of refunding revenue bonds of the Board of Regents of the State of Kansas, in an amount not to exceed \$16 million, for the purpose of refunding the outstanding Board of Regents University of Kansas Medical Center Hospital Revenue Bonds, dated September 1, 1976, for the benefit of the University of Kansas School of Medicine.

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

Dated October 18, 1985.

BOARD OF REGENTS OF
THE STATE OF KANSAS

By Lawrence M. Jones
Chairman

Attest: Stanley J. Koplik
Executive Officer

Doc. No. 003628

State of Kansas

BOARD OF AGRICULTURE

TEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective August 19, 1985. Expire May 1, 1986.)

Article 13.—PESTICIDES

4-13-30. Dealer recordkeeping requirements. (a) Each pesticide dealer shall maintain records regarding sales of pesticides. These records shall be made available to any official or employee of the Kansas state board of agriculture for purposes of inspection and copying. Each record shall be kept for a minimum of two years after the date of the sale.

(b) The records regarding those pesticides which

are classified as restricted use pesticides shall contain the following information:

(1) the name and address of the residence or principle place of business of each person to whom the restricted use pesticide has been sold;

(2) the certification number of the applicator's certificate;

(3) the name of the state issuing the certificate;

(4) the expiration date of the certificate;

(5) if the applicator is a certified commercial applicator of pesticides, the categories in which the applicator is certified;

(6) the product name, its EPA registration number and the state special local need registration number, if any;

(7) the quantity of the pesticide sold; and

(8) the date of the transaction.

(c) The records regarding general use pesticides which are sold by the pesticide dealer for other than household use shall contain:

(1) the product name; and

(2) the quantity of each pesticide sold.

(d) For the purpose of this regulation, general use pesticides sold for household use shall include only those general use pesticides which are labeled for use only inside the house or residence.

(e) Each pesticide dealer shall submit an annual report on a form supplied by the secretary, for each pesticide sold. The report shall include:

(1) the name of the pesticide;

(2) the quantity sold. (Authorized by K.S.A. 2-2467a; implementing L. 1985, Ch. 12, section 2, effective, T-86-27, Aug. 19, 1985.)

4-13-31. Certificates of registration. Each pesticide dealer shall display that dealer's current certificate of registration in a prominent location which can be seen by the general public. (Authorized by K.S.A. 2-2467a; implementing L. 1985, Ch. 12, section 2, effective, T-86-27, Aug. 19, 1985.)

4-13-32. Report of address change by pesticide dealers. Each pesticide dealer shall notify the secretary of any change in its business address or business name by the tenth day of the month following the month in which the change occurred. The notice shall be written or submitted on a form provided by the secretary. (Authorized by K.S.A. 2-2467a; implementing L. 1985, Ch. 12, section 2; effective, T-86-27, Aug. 19, 1985.)

Article 18.—LIVESTOCK REMEDIES

4-18-3. Records and reports. (a) Each person using a chemigation process shall keep records regarding each application of any chemical other than water. The records shall contain the following information:

(1) the type of chemical used;

(2) the amount of active ingredient used;

(3) the date of use;

(4) the legal description of the location of the water supply or the point of diversion of the water supply; and

(continued)

(5) the EPA registration number for each pesticide applied.

Records required under this section shall be retained by the holder of the chemigation user permit for a period of not less than two years from the date of sale.

(b) Each application for renewal of a chemigation user permit shall be accompanied by a report on a form supplied by the secretary. The report shall include:

- (1) the name and address of the permit holder;
- (2) the name and total quantity of each chemical applied during the chemigation process during the preceding year; and
- (3) the total number of acres treated by means of chemigation.

(c) Each chemigation permit holder shall report immediately to the secretary all spills, accidents, system malfunctions, or other situations involving actual or potential contamination of either ground water or surface water. (Authorized by L. 1985, Ch. 5, section 9; implementing L. 1985, Ch. 5, section 3; effective, T-86-27, Aug. 19, 1985.)

4-18-4. Permits. (a) No person having a chemigation user permit shall supervise more than 10 operating chemigation units at one time.

(b) Each person possessing a chemigation user permit shall be responsible for insuring that those persons who work under his or her direct supervision and who handle pesticides:

- (1) are knowledgeable in the use of that pesticide;
- (2) follow all directions on the pesticide's label; and
- (3) use all safety precautions pertaining to that pesticide. (Authorized by L. 1985, Ch. 5, section 9; implementing L. 1985, Ch. 5, section 6; effective, T-86-27, Aug. 19, 1985.)

4-18-5. Antipollution devices. Each functional antipollution device shall be constructed and installed in accordance with K.A.R. 5-3-5c. (Authorized by L. 1985, Ch. 5, section 9; implementing L. 1985, Ch. 5, section 5; effective, T-86-27, Aug. 19, 1985.)

4-18-6. Injection equipment. The injection equipment used shall be constructed and maintained in a manner which insures accurate application of pesticides within label recommendations and accurate application of fertilizers within the planned application rate. Injection equipment shall be calibrated before each chemigation application. (Authorized by L. 1985, Ch. 5, section 9; implementing L. 1985, Ch. 5, section 5; effective, T-86-27, Aug. 19, 1985.)

HARLAND E. PRIDDLE
Secretary of Agriculture

Doc. No. 003586

State of Kansas

REAL ESTATE COMMISSION

TEMPORARY ADMINISTRATIVE REGULATIONS

(Effective September 24, 1985. Expire May 1, 1986.)

Article 1.—EXAMINATION AND REGISTRATION

86-1-10. Approval of courses of instruction; procedure. (a) Definition of school. As used in this regulation, "school" means an institution, school, association or agency which is qualified under subsection (h) of K.S.A. 58-3046a and amendments thereto to offer courses of education.

(b) Request for course approval; notification of approval or disapproval; changes; correspondence courses. To request commission approval of a course of education required by K.S.A. 58-3046a and amendments thereto, each school shall:

(1) Appoint a coordinator to supervise the course; and

(2) submit all information required by the commission for course and instructor approval at least 45 days prior to the first scheduled class session. The information shall include the following:

(A) A completed application for course registration form which has been obtained from the commission;

(B) an application for real estate instructor, completed in accordance with subsection (c) of this regulation;

(C) the procedure for keeping of attendance records; proposed dates and times of the course offering; total amount of attendance fee; total number of class sessions; time spent per session; total hours in the course; and

(D) a course syllabus, including a detailed course outline and course objectives.

Within 15 working days of receipt of request for approval, the commission shall notify the school, in writing, of its decision to approve or disapprove the course. Each notice of approval of a course shall stipulate the number of hours of credit to be given for attending the course. If the commission requires additional time to reach a decision, the commission shall notify the school, in writing, that the course is under review. The notice shall state the date by which the commission expects to complete its review.

Each school shall notify the commission, in writing, at least 15 days prior to a significant change in a course approved by the commission. Such changes include changes in coordinator, instructor, name or location of school, dates and times the course is offered, and fees charged to students.

Nothing in this regulation shall preclude the commission from approving substitution of an instructor to teach an approved course, provided the instructor meets the qualifications in subsection (c) of this regulation.

Each school offering a correspondence course shall, to the extent applicable, meet all other standards prescribed by the commission and shall require that at

least 50 per cent of the passing grade of its corresponding students be based on scores obtained by proctored examinations.

(c) Request for instructor approval; notification of approval or disapproval. Each individual desiring to teach a course approved by the commission shall submit an application for instructor approval obtained from the commission. The application shall contain a resume, outlining the applicant's specialized preparation, training and experience which qualifies the applicant to instruct the course. Each instructor shall be required to show evidence both of knowledge of the curriculum and ability to effectively instruct.

(1) Knowledge of the subject matter shall be shown by meeting at least one of the following requirements:

(A) Holding a college degree in real estate or a college degree in law, business or another academic area directly related to the course which the applicant intends to instruct;

(B) having at least three years of experience in the professional area of real estate directly related to the course which the applicant intends to instruct; or

(C) passing an instructor's examination approved by the commission.

(2) Ability to effectively instruct shall be shown by meeting at least one of the following requirements:

(A) Completion, within the preceding two years of a commission-approved course of study for instructors designed to develop ability to communicate;

(B) holding a current teaching certificate issued by a state department of education or an equivalent agency in another jurisdiction;

(C) holding a four-year college or university degree in the field of education; or

(D) having successfully demonstrated the ability to teach in schools, seminars or in an equivalent setting.

Within 15 working days of receipt of an application for instructor approval, the commission shall notify the school coordinator, in writing, of its decision to approve or disapprove the instructor. If the commission requires additional time to reach a decision, the commission shall notify the school coordinator, in writing, that the application is under review. The notice shall state the date by which the commission expects to complete its review.

(d) Registration of approved courses; application for renewal. The commission shall register approved courses. Registration of a course shall expire at the end of the calendar year. The commission shall notify each school by November 1 that an application for renewal of courses and instructors is due and send the necessary forms to the school.

(e) Responsibilities of coordinator. The coordinator appointed by each school shall be responsible for regular and consistent evaluation of courses and instructors. When a school uses an instructor to teach an approved course for the first time, the coordinator shall ask each student in the course to complete an instructor evaluation form. Both student and coordinator evaluations shall be submitted to the commission.

Subsequent evaluations of instructors may be completed at the discretion of the coordinator and may be

used to measure any changes in the quality of the instructor.

The coordinator shall supply additional student and coordinator evaluations of specific instructors upon request of the commission.

(f) Issuance of certificates; maintenance of records. Each school shall issue a certificate of completion to each student who successfully completes a course approved by the commission and shall give or mail the certificate to the student. Each school shall use certificate forms approved by the commission.

A certificate shall not be issued to any student who was absent more than 10 per cent of the classroom hours scheduled for any course required under subsection (a), (b), (d)(1) or (d)(2) of K.S.A. 58-3046a and amendments thereto.

A certificate shall not be issued to any student who was absent during any portion of the classroom hours scheduled for any course required under subsection (c) and (d)(3) of K.S.A. 58-3046a and amendments thereto.

(g) Each school shall maintain, at their business address, records of students successfully completing a course approved by the commission for a minimum of three years. Attendance records shall be kept current and available for inspection by commission representatives upon request.

(h) Advertising. Schools shall not advertise a course as meeting the educational requirements of the Kansas real estate brokers' and salespersons' license act prior to placing verification of commission approval on file at the school. Schools shall not advertise that an instructor will teach a course approved by the commission prior to placing verification of approval of the instructor for the course on file at the school. Schools, or agents of schools, shall not guarantee that successful completion of a course will result in the student's passing of a real estate licensing examination.

(Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a, as amended by 1985 SB-107; effective, T-83-32, Oct. 25, 1982; effective May 1, 1983; amended May 1, 1984; amended, T-86-31, Sept. 24, 1985.)

86-1-11. Minimum curricula and standards for course. (a) The commission shall register each course approved under subsection (a) of K.S.A. 58-3046a and amendments thereto under the title "Principles of Real Estate." The commission shall provide a course syllabus which shall be used by each school offering the course.

(b) The commission shall register each course approved under subsection (b) of K.S.A. 58-3046a and amendments thereto under the title "Broker Pre-License Course." The commission shall provide a course syllabus which shall be used by each school offering the course.

(c) Additional instruction required by subsection (c) of K.S.A. 58-3046a and amendments thereto shall be courses approved by the commission and may include instruction in real estate finance, real estate law, real estate appraisal, real estate investment, and real estate

(continued)

management. Courses dealing with other subject matters may be approved by the commission. Total instruction time of approved courses shall be not less than two hours.

(d) Instruction required by subsection (d) of K.S.A. 58-3046a and amendments thereto shall include 24 hours of instruction designated by the commission as required hours and 26 elective hours selected by the licensee from courses approved by the commission under subsection (c) of this regulation. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a, as amended by 1985 SB-107; effective, T-86-31, Sept. 24, 1985.)

86-1-12. Monitoring courses; withdrawal of approval. (a) Approved courses and instructors may be monitored by the commission through classroom visitations, with or without prior notice, and by survey of course participants.

(b) Commission evaluation of an instructor shall address whether or not the approved course syllabus is adequately covered. If the commission determines that the instructor's presentations do not reflect current real estate knowledge or allow the student to meet objectives of the course, the evaluation report shall specify these deficiencies. The evaluation may include a rating of the instructor's knowledge of the subject matter and ability to effectively instruct.

(c) A written report shall be furnished to the school coordinator regarding any unsatisfactory evaluation of an instructor. If an instructor receives a second unsatisfactory evaluation, the instructor's approval to teach the course may be withdrawn. Written notification of this action shall be given to the school coordinator and the instructor. The notification shall outline the reasons for withdrawal of approval. If the school coordinator and instructor show satisfactory evidence that deficiencies have been corrected, the commission may reinstate approval of the instructor to teach the course.

(d) When approval of an instructor is withdrawn, the school may assign another approved instructor to teach the course. If another instructor is not designated to teach the course, approval of the course shall be withdrawn for any subsequent offerings of the course by the school.

(1) The commission may also withdraw course approval for falsification of attendance records, failure to maintain reasonable standards, or failure to comply with any provision of this regulation, K.A.R. 86-1-10, or K.S.A. 58-3046a and amendments thereto.

(2) Withdrawal of course approval during class sessions then in process shall not affect credit given to students who are attending the course. The commission may reinstate approval of a course upon satisfactory evidence that deficiencies have been corrected. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a, as amended by 1985 SB-107; effective, T-86-31, Sept. 24, 1985.)

86-1-13. Submission of evidence of course attendance. Each applicant and licensee shall submit to the commission a certificate of completion for each course for which credit is requested to meet any requirement

of K.S.A. 58-3046a and amendments thereto. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a, as amended by 1985 SB-107; effective, T-86-31, Sept. 24, 1985.)

86-1-14. Approval of courses offered by institutions in another state. Courses offered by an institution in another state may be approved for credit toward any requirement of K.S.A. 58-3046a and amendments thereto if the institution qualifies under subsection (h) thereof. Any school in another state which offers courses that are approved by the real estate commission of the state in which the school is located may be approved as a "similar institution" under subsection (h)(6) thereof. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a, as amended by 1985 SB-107; effective, T-86-31, Sept. 24, 1985.)

Article 2.—AUTHORITY OF COMMISSION; PROCEDURE

86-2-4. Conference adjudicative hearing procedure. (a) Each conference adjudicative hearing shall be conducted in accordance with the provisions of sections 34 to 35, inclusive, of the Kansas administrative procedure act, L. 1984, ch. 313.

(b) A conference adjudicative hearing may be used for the following types of action:

(1) Revocation, suspension or restriction of a license or censure of a licensee if the licensee has been convicted of a felony or has entered a plea of guilty to a felony charge;

(2) revocation, suspension or restriction of a license or censure of a licensee if the licensee has been finally adjudicated and found to be guilty of refusing to show, sell or lease any real estate to a qualified purchaser or lessee because of such purchaser's or lessee's race, color, religion, national origin, sex or ethnic group;

(3) suspension of a license for the period of disability if a licensee has been declared incompetent by a court of competent jurisdiction;

(4) revocation, suspension or restriction of a license or censure of a licensee when the license has been obtained by false or fraudulent representation;

(5) revocation, suspension or restriction of a license or censure of a licensee for violation of the Kansas real estate brokers' and salespersons' license act or of the rules and regulations promulgated thereunder when no material issue of fact is involved; or

(6) revocation, suspension or restriction of a license or censure of a licensee for violation of the Kansas real estate brokers' and salespersons' license act or of the rules and regulations promulgated thereunder when there is a disputed issue of material fact related to the matter and the parties agree to a conference adjudicative hearing. (Authorized by K.S.A. 74-4202(b); implementing L. 1984, Ch. 313, Sec. 13; effective, T-86-31, Sept. 24, 1985.)

86-2-5. Summary adjudicative proceedings. (a) Each summary adjudicative proceeding shall conform to the provisions of sections 37 to 41, inclusive, of the Kansas administrative procedure act, L. 1984, ch. 313.

(b) A summary adjudicative proceeding may be used when an application for a license or renewal of a license has been filed with the proper form and fee and the commission refuses to issue or renew the license for one of the following reasons:

(1) The applicant failed to meet the education requirements of K.S.A. 58-3046a and amendments thereto;

(2) the applicant failed to submit the application within the time period prescribed by subsection (d) of K.S.A. 58-3039 and amendments thereto or subsection (b) of K.S.A. 58-3045 and amendments thereto;

(3) the applicant failed to meet the experience requirement for a broker's license as provided by subsection (c) of K.S.A. 58-3039 and amendments thereto;

(4) the applicant made a false statement of material fact on the application;

(5) the applicant failed to provide proof that the applicant's reputation is one of honesty, trustworthiness, integrity and competence to transact the business of broker or salesperson in a manner that safeguards the public interest; or

(6) matters considered by the commission as provided by K.S.A. 58-3043 and amendments thereto.

(c) A summary adjudicative proceeding may be used to suspend or revoke a license when the fee for issuance, renewal or reinstatement of the license was paid by an insufficient fund check. (Authorized by K.S.A. 74-4202(b); implementing L. 1984, Ch. 313, Sec. 13; effective, T-86-31, Sept. 24, 1985.)

86-2-6. Emergency adjudicative proceedings. The commission may utilize emergency adjudicative proceedings when necessary as provided in section 36 of the Kansas administrative procedure act. Such proceedings shall conform to the provisions of L. 1984, Ch. 313, Sec. 36. (Authorized by K.S.A. 74-4202(b); implementing L. 1984, Ch. 313, Sec. 36; effective, T-86-31, Sept. 24, 1985.)

86-2-7. Informal disposition of complaint by agreement. (a) When the commission has information indicating that a person may be engaging in a practice that involves a violation of the Kansas real estate brokers' and salespersons' license act or rules and regulations adopted thereunder, the commission and the affected person may agree to dispose of such matter on an informal, nonadjudicatory basis if the commission deems the public interest will be fully safeguarded thereby.

(b) In determining whether the public interest will be fully safeguarded through such informal administrative action, the commission shall consider:

(1) The nature and gravity of the alleged violation;

(2) the prior record and good faith of the person involved; and

(3) other factors, including, when appropriate, adequate assurance of voluntary compliance.

(c) Each agreement executed pursuant to this regulation shall provide for full restitution to any injured party and shall contain, in addition to an appropriate order, an admission of proposed findings of fact and conclusions of law submitted by the commission and a waiver of further procedural steps and of all rights to

seek judicial review or otherwise to challenge or contest the validity of the order. Such other terms as the commission finds necessary to protect the public interest shall also be included in such agreement.

(d) A violation of any agreement entered into pursuant to this regulation shall be deemed a violation of the Kansas real estate brokers' and salespersons' license act. (Authorized by K.S.A. 74-4202(b); implementing L. 1984, ch. 313, Sec. 5; effective, T-86-31, Sept. 24, 1985.)

Article 3.—PERSONS HOLDING LICENSES; DUTIES

86-3-20. Reinstatement of deactivated license. (a) Any license which has been deactivated for a continuous period of more than two years and not more than five years, and which has not been suspended or revoked, shall be reinstated if the applicant:

(1) Complies with the requirements of K.S.A. 58-3046a and amendments thereto for the immediately preceding license period;

(2) submits evidence, satisfactory to the commission, of attendance at courses of instruction approved by the commission that total six additional hours of instruction for each full year that the license has been on deactivated status;

(3) pays the fee for reinstatement prescribed in K.S.A. 58-3063 and amendments thereto; and

(4) files an application for reinstatement obtained from the commission.

(b) Any license which has been deactivated for a continuous period of more than five years shall be reinstated only if the applicant complies with the requirements of subsection (a) of this regulation and, in addition, meets the examination requirement for an original applicant.

(c) Accumulated hours of instruction which were reported to the commission prior to January 1, 1983, as provided by subsection (e) of K.S.A. 58-3046a and amendments thereto, shall not be used to meet the requirements of subsection (a)(2) of this regulation. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3049, as amended by 1985 SB-107; effective, T-86-31, Sept. 24, 1985.)

E. W. YOCKERS

Director

Kansas Real Estate Commission

Doc. No. 003601

State of Kansas

SOCIAL AND REHABILITATION SERVICES**TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Expire May 1, 1986.)

Article 22.—LICENSING OF PSYCHIATRIC HOSPITALS AND COMMUNITY MENTAL HEALTH CENTERS; FUNDING OF COMMUNITY MENTAL HEALTH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED AND FACILITIES FOR HANDICAPPED PERSONS

30-22-10. Application for state financing. Community mental health centers and community facilities for the mentally retarded may apply for state financing under K.S.A. 65-4401 through 65-4408 by submitting an annual budget request to the secretary of social and rehabilitation services. (a) Budget requests shall be submitted to the secretary by July 1 of each year unless a delay is granted in writing.

(b) Budgets shall be submitted on forms and according to instructions prescribed by the secretary.

(c) Budget instructions shall be available by May 1 unless prevented by unavoidable circumstances.

(d) "Income for capital expenditures subtracted from total income to compute income eligible for state financing" means income used for:

(1) Fixed equipment or structures when the income used is in excess of \$5,000.00; or

(2) movable equipment when the income used is in excess of \$15,000.00.

If the value of donated equipment or structures exceeds the criteria in paragraphs (1) and (2) the value of the donated equipment or structure shall be considered to be income for capital expenditures. Income for capital expenditures which is excludable because of source shall be excluded under source of income and not as capital expenditures.

(e) Governmental third party payments shall be subtracted from total income prior to computing income eligible for state financing.

(f) The amount of salary paid to professional personnel listed below which is above the top step for the comparable state salary as determined by the secretary, plus monetary employee benefits, shall be subtracted before computing income eligible for state financing.

(1) Each social service worker whose primary duties consist of direct client services;

(2) each social service worker who is an administrative department head;

(3) each psychologist whose primary duties consist of direct client service;

(4) each psychologist who is an administrative department head;

(5) each psychologist whose primary duties consist of research or training;

(6) each registered nurse whose primary duties consist of direct client service;

(7) each registered nurse who is an administrative section head;

(8) each registered nurse who is an administrative department head;

(9) each physician whose primary duties consist of direct client service;

(10) each physician who is a department head;

(11) each psychiatrist whose primary duties consist of direct client service;

(12) each psychiatrist who is a department or section administrator;

(13) each assistant facility administrator who is not a physician;

(14) each assistant facility administrator who is a physician;

(15) each facility administrator who is not a physician; and

(16) each facility administrator who is a physician.

(g) When an existing program is adequately serving a geographic area, or a major portion of it, a duplicate program shall not be requested in the budget of another center. Reasonable efforts shall be made to make the existing service available to all citizens in the area, if necessary, through contractual agreement with the provider of the existing service.

(h) As soon as state appropriation bills are signed into law, the secretary shall determine the amount available for each center that has submitted a budget. This shall be based on the audited eligible income reported for the second preceding fiscal year ending December 31, or on the estimated eligible income in the budget application submitted by centers which had submitted a budget for the first time during the preceding budget cycle. The audits used for this purpose shall be those conducted by auditors of the department of social and rehabilitation services. The amounts so determined shall be paid to the centers in four payments on July 1, October 1, January 1 and April 1.

(i) Each center shall submit a quarterly report within 30 working days after the end of each calendar quarter. The report shall be on forms and in such detail as prescribed by the secretary and shall show income, deletions from income to determine eligible income, and expenditures.

(j) Each center shall file a copy of its annual audit report that has been certified by an independent auditor.

(k) The secretary shall verify the amount of income, eligible income and disbursements reported on the quarterly reports during the fiscal year (January 1 through December 31) with audits conducted by auditors of the department of social and rehabilitation services. Verification audits shall be conducted annually and shall be completed not later than the August 31 following the preceding fiscal year ending December 31 or as soon thereafter as is reasonable.

(l) The actual eligible income reported on quarterly reports and audit reports, as verified by social and rehabilitation services auditors, shall become the basis for reallocating the payments described in paragraph (h). Underpayments or overpayments shall be adjusted as follows:

(1) Underpayments, overpayments or payments exceeding the maximum allowed by statute because of

payments made on January 1 or April 1, or resulting from audit reports or corrections to prior quarterly reports, shall be subtracted from or added to the payment made on October 1.

(2) Underpayments, overpayments or payments exceeding the maximum allowed by statute occurring because of payments made on July 1 or October 1, or resulting from audit reports or corrections to prior quarterly reports, shall be subtracted from the payment made on April 1 or paid to the centers by March 1.

(m) The secretary may withdraw funds from any program which is not being substantially administered according to the annual budget.

(n) The secretary may withhold payments from a center or facility for one or more of the following reasons:

- (1) Failure to submit required reports;
- (2) unreasonable delay in the submission of required reports; or
- (3) other good cause. (Authorized by K.S.A. 65-4406(c); implementing K.S.A. 65-4404(b); effective May 1, 1975; amended May 1, 1979; amended May 1, 1981; amended May 1, 1983; amended, T-86-26, Aug. 19, 1985.)

Article 44.—SUPPORT ENFORCEMENT

30-44-1. (Authorized by K.S.A. 1983 Supp. 39-756; effective May 1, 1985; revoked, T-86-26, Aug. 19, 1985.)

Article 45.—YOUTH SERVICES

30-45-1. Adoption—genetic and medical history of parents. (a) Each person, other than a stepparent, filing a petition to adopt a minor shall file with the petition the following information regarding the genetic and medical history of the child's biological parents on forms prescribed by the secretary:

- (1) A physical description;
- (2) dental history;
- (3) sensory disorders;
- (4) psychological/emotional disorders;
- (5) mental retardation/learning disabilities;
- (6) metabolic/endocrine disorders;
- (7) allergies;
- (8) contagious/infectious diseases;
- (9) digestive disorders;
- (10) respiratory disorders;
- (11) cardiovascular disease;
- (12) hematopoietic disease;
- (13) kidney disease;
- (14) neuromuscular disease;
- (15) substance abuse; or
- (16) cancer.

(b) The date of birth and sex of any of the child's siblings shall be provided, if known.

(c) Additional information as to the age and cause of death of the parents, grandparents, siblings, aunts and uncles of the adoptee shall be furnished, if available. (Authorized by and implementing L. 1985, ch. 195, sec. 2; effective, T-86-30, Sept. 24, 1985.)

30-45-2. Adoption—medical history of child. The medical history of the child filed with the adoption petition shall include the following information on forms prescribed by the secretary: (a) Facts about the child's birth, including but not limited to:

- (1) The date, time, place of the birth and the name of the attending physician;
 - (2) whether the child was full-term or premature;
 - (3) the child's weight and length at birth;
 - (4) type of delivery; and
 - (5) whether there were any complications during pregnancy or at birth;
- (b) a history of immunizations and tests;
- (c) a history of any childhood diseases;
- (d) a history of any significant illnesses or hospitalizations since birth;
- (e) a history of any chronic health problems, diseases or disabilities affecting the child; and
- (f) a record of the child's developmental milestones. (Authorized by and implementing L. 1985, ch. 195, sec. 2; effective, T-86-30, Sept. 24, 1985.)

30-45-3. Adoption—social history. The following information shall be filed with the petition as the social history of the biological parents on forms prescribed by the secretary: (a) Each parent's employment history;

- (b) each parent's religious background;
- (c) each parent's educational background;
- (d) each parent's ethnic background;
- (e) a description of each parent's personality; and
- (f) a history of each parent's significant life events. (Authorized by and implementing L. 1985, ch. 195, sec. 2; effective, T-86-30, Sept. 24, 1985.)

30-45-4. Adoption—procedures for updating histories. (a) If genetic or medical information becomes known to the biological parent or parents subsequent to the adoption, such information shall be forwarded to the department of social and rehabilitation services, youth services, 2700 West 6th, Smith-Wilson building, Topeka, Kansas, 66606, to be permanently filed with the child's case record.

(b) The party filing the adoption petition shall provide written notification to the biological parent or parents of their responsibility to notify social and rehabilitation services of any new genetic or medical information which might affect the child.

(c) The party filing the adoption petition shall advise the adoptive family in writing that genetic and medical information is permanently filed with social and rehabilitation services, youth services, 2700 West 6th, Smith-Wilson building, Topeka, Kansas, 66606. (Authorized by and implementing L. 1985, ch. 195, sec. 2; effective, T-86-30, Sept. 24, 1985.)

ROBERT C. HARDER
Secretary of Social
and Rehabilitation Services

Doc. No. 003625

State of Kansas

**NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 4****NOTICE OF MEETING**

The November board meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for 10 a.m. Friday, November 1, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 003637

State of Kansas

SECRETARY OF STATE**EXECUTIVE APPOINTMENTS**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed October 1 through October 18, 1985:

**Arkansas River Compact Administration,
Kansas/Colorado**

Carl Bentrup, Box 203, Deerfield 67838. Effective October 15, 1985. Expires June 7, 1989. Reappointment.

Ronald Olomon, Box 673, Garden City 67846. Effective October 15, 1985. Expires June 7, 1989. Reappointment.

David L. Pope, Chief Engineer-Director, Division of Water Resources, State Board of Agriculture, 109 S.W. 9th, Topeka 66612. Effective October 15, 1985. Expires June 7, 1989. Reappointment.

Commission for the 125th, Kansas

Education Committee

(Effective October 18, 1985. Serve at the pleasure of the Governor.)

Tom Averill, 720 Green, Topeka 66616.

Betty Braddock, Box 1275, Dodge City 67801.

Doris Channell, 8121 Waverly, Kansas City 66109.

Karen Cole, 2506 Nevada, Hutchinson 67502.

Gene DeGruson, 601 Grandview Heights Terrace, Pittsburg 66762.

Don Ellerman, 307 Centennial, Coffeyville 67337.

Dottie McCrossen, c/o Ottawa High School, 11th and Ash, Ottawa 66067.

Sister Janet McGilley, St. Mary's College, Leavenworth 66048.

Jonathan O. Powell, 334 N. Rutan, Wichita 67208.

Mike Printz, 4325 S.W. 6th, Topeka 66606.

Bunny Reinhardt, 1829 S.W. Gage, Topeka 66604.

Evelyn Schwartz, c/o Department of Education, University of Kansas, Lawrence 66045.

Dr. Charles Thompson, 640 N. Emporia, Wichita 67214.

Ruth Van Arsdale, 1421 Lakin, Great Bend 67530.

Raymond Wilson, c/o Department of History, Fort Hays State University, Hays 67601.

Community Colleges, Advisory Council of

Brent Bengtson, 9101 Hayes Drive, Overland Park 66212. Effective October 15, 1985. Expires May 30, 1989. Reappointment.

Rev. Raymond J. Davern, 615 N. 7th, Kansas City 66101. Effective October 15, 1985. Expires May 30, 1989. Reappointment.

Julia Ann Gorman, Box 237, Mound City 66056. Effective October 15, 1985. Expires May 30, 1989. Reappointment.

Dr. James P. Ihrig, 532 Peck, Concordia 66901. Effective October 15, 1985. Expires May 30, 1989. Succeeds M. Leon Foster.

Alfred F. Steimel, Box 126, Wright 67882. Effective October 15, 1985. Expires May 30, 1989. Succeeds Robert Buerkle.

Dr. Donald W. Wilson, 515 E. Ford, Pittsburg 66762. Effective October 15, 1985. Expires May 30, 1989. Reappointment.

Education, State Board of

Sheila Frahm, Route 3, Box 836, Colby 67701. Effective October 1, 1985. Expires January 12, 1987. Succeeds Ann Keener, resigned.

**Juvenile Offender Programs,
Advisory Commission on**

Terry L. Campbell, 1207 N. 8th, Lansing 66043. Effective October 15, 1985. Expires June 30, 1987. Succeeds Stanley Rowe.

Chris Rieger, 2924 S.W. 36th, Topeka 66614. Effective October 15, 1985. Expires June 30, 1987. Succeeds Patricia Ireland.

Liquor Law Review Commission, Kansas

(Established by Executive Order No. 85-83.

Members serve at the pleasure of the Governor.)

Wayne C. Bennett, 2857 Jewell, Topeka 66611.

Dean R. Campbell, 1707 Thomas Circle, Manhattan 66502.

Sam Cohen, 530 Danbury Lane, Topeka 66606.

Paul F. DeBauge, 1127 Rural, Emporia 66801.

Jeffrey O. Ellis, 8217 Cherokee Circle, Leawood 66206.

Rep. Diane A. Gjerstad, 4560 S. Hydraulic, Lot 126, Wichita 67216.

Richard A. Maner, 3521 S.E. Powell, Topeka 66605.

Rep. Robert H. Miller, Route 1, Wellington 67152.

Sen. Bill Morris, 9822 Hardtner, Wichita 67212.

Sen. Nancy E. Parrish, 3632 S.E. Tomahawk Drive, Topeka 66605.

Leslie Rudd, 16206 E. Central, Wichita 67230.

Judge Herb Rohleder, Chairman, P.O. Box 1968, Great Bend 67530.

Richard D. Trites, 6502 Goodman, Merriam 66202.

**Mexican American Affairs,
Advisory Committee on**

Charlene Albert, 214 W. B, Hutchinson 67501. Effective October 15, 1985. Expires June 30, 1988. Succeeds Joyce V. Romero.

Antonio Augusto, 4312 S.W. 30th, Topeka 66614. Effective October 15, 1985. Expires June 30, 1988. Reappointment.

Anna R. Gallardo, 1605 Conkling, Garden City 67846. Effective October 15, 1985. Expires June 30, 1986. Succeeds Gilberto Rangel Chabarría, resigned.

James P. Garcia, 2364 Marigold, Wichita 67204. Effective October 15, 1985. Expires June 30, 1988. Reappointment.

Mortuary Arts, State Board of

Philip W. Felton, 2100 Jefferson, Great Bend 67530. Effective October 15, 1985. Expires July 31, 1988. Succeeds Frances Thull.

Craig A. Stancliffe, 745 Arkansas, Lawrence 66044. Effective October 15, 1985. Expires July 31, 1988. Reappointment.

Gerald L. Webb, 500 W. Myrtle, Independence 67301. Effective October 15, 1985. Expires July 31, 1988. Succeeds Roy Derfelt.

Nursing, State Board of

Jo Ann Peavler, 3228 E. 6th, Topeka 66607. Effective October 15, 1985. Expires June 30, 1989. Reappointment.

Rita M. Rinkenbaugh, 1301 W. 5th, Coffeyville 67337. Effective October 15, 1985. Expires June 30, 1989. Reappointment.

**Physical Therapy, State Examining
Committee for**

Jack M. Lucas, 210 Willow Road, Goodland 67735. Effective October 15, 1985. Expires June 30, 1987. Succeeds D. Kathleen Lewis, resigned.

Ken Welk, 6221 E. 44th, Wichita 67210. Effective October 15, 1985. Expires June 30, 1989. Reappointment.

Cowley County Sheriff

Robert G. Odell, Route 1, Sharon Acres, Winfield 67156. Effective October 1, 1985. Expires when a successor is elected and qualifies according to law. Succeeds Fred Satterthwaite, resigned.

Riley County Attorney

William E. Kennedy III, Route 4, Box 71, Manhattan 66502. Effective October 15, 1985. Expires when a successor is elected and qualifies according to law. Succeeds Colt Knutson, resigned.

JACK H. BRIER
Secretary of State

KANSAS WOMEN

From pioneer days to the present, Kansas women have been at the vanguard of history. They have compiled an impressive list of "firsts"—from the nation's first woman mayor to the first woman treasurer of the United States. Their ranks range from the heroic aviatrix Amelia Earhart to the brazen, bar buster Carry Nation.

Earhart, who was born at Atchison July 24, 1897, was the first woman granted a pilot's license by the National Aeronautics Association. She was also the first woman, and only the second person, to fly solo across the Atlantic Ocean. She disappeared somewhere between New Guinea and Howland Island during her 1937 attempt to fly around the world.

Around the turn of the century, Carry Nation became nationally known as a symbol of the temperance movement. She is best known for destroying illegal saloons with her hatchets.

Other Kansas women who have made their mark include:

- Lucy Hobbs Taylor overcame "bitter opposition and foolish objections" and the constant admonition that her place was "in the home" to become the first fully trained woman dentist in the world. She practiced dentistry in Lawrence from 1867 to 1907.

- Lutie Lytle, Topeka, was the first black woman to be admitted to the practice of law in the United States (1897).

- Jesse McCormack, Moran, was the first woman in the United States to pass the examination for bank cashier, December 21, 1912.

- On April 4, 1918, Nellie Cline, Larned, became the first woman lawyer to appear before the U.S. Supreme Court.

- In 1920, novelist Margaret Hill McCarter became the first woman to address a Republican National Convention. McCarter published her first novel, "The Prince of the Prairie," in 1910. She was a prolific writer, producing more than 15 other novels, several volumes of short stories and miscellaneous writings.

- A Topeka banker and businesswoman, Georgia Neese Clark Gray, was the first woman appointed as Treasurer of the United States. She served in that position from 1949 to 1953.

- Kathryn O'Loughlin was the first woman elected to represent Kansas as a member of the U.S. Congress. A Democrat, she served from 1932 to 1934.

- In 1978, Kansas elected its first woman U.S. Senator—Nancy Landon Kassebaum. She is the fourth woman in history to be elected to a full term in the Senate in her own right. Other women have served in the Senate, but all were originally appointed to fill unexpired terms. Kassebaum is the daughter of former Kansas Governor and 1936 presidential nominee Alf Landon.

- Supreme Court Justice Kay McFarland is the first woman to serve on the state's high court. McFarland was appointed to the Kansas Supreme Court in September, 1977, by Governor Robert Bennett. In 1973, McFarland became the first woman ever elected district judge.

- Mary Beck Briscoe is the first woman to serve on the Kansas Court of Appeals. Briscoe, a native of Council Grove, served as an Assistant U.S. Attorney for the Department of Justice until her appointment to the bench by Governor John Carlin in March, 1984.

- Two Kansas women have been named Miss America. Deborah Bryant of Overland Park was selected in 1966, and Debra Barnes, Moran, was crowned Miss America in 1968.

- Actress Vera Miles spent her childhood in Wichita. Another Wichita native, Carla Burns, was a 1983 nominee for a Tony Award for Best Featured Actress for the role of Queenie in the Broadway musical, "Show Boat." Dee Wallace, who played the part of Elliot's mother in the movie "E.T.," is from Kansas City. Cindy Sikes, a Wichita native and a former Miss Kansas, has launched a successful acting career. She was a regular on the television series "St. Elsewhere."

- Topekan Marilyn Schreffler has one of the more successful and unusual entertainment careers. As a "voice-over" actress, she is heard, but not seen, in many commercials and cartoons. Perhaps her most famous role is the voice of Olive Oyl in the "Popeye" cartoons. Schreffler graduated from Topeka West High School and Washburn University. She appeared in many Topeka Civic Theater productions and was later a member of Second City, a Chicago improvisational comedy group.

- Lynette Woodward, who attended Wichita North High School and the University of Kansas, was a starter on the U.S. women's basketball team, which won a gold medal at the 1984 Olympics in Los Angeles.

- The provocative drawings of Elizabeth "Grandma" Layton have earned her national recognition. Layton draws pictures of herself, reflecting the joys and pains of being a woman, and of growing older in a society that seems to value being male and young. Art critics have compared Layton's works to van Gogh.

Politically, Kansas has always been a leader in the field of women's rights. The state's first constitution, adopted in 1861, gave women the right to acquire and possess property and to retain equal custody of their children. Such concepts were virtually unheard of in other parts of the country and Kansas quickly gained a reputation as a progressive state. That same year, the Kansas Legislature became the second in the country to allow women to vote in school elections. When this right was challenged as unconstitutional, the Kansas Supreme Court concluded in an 1875 opinion that "women are members of society, members of the great body politic, citizens, as much as men, with the same natural rights, united with men in the same common destiny, and are capable of receiving and exercising whatever political rights may be conferred upon them."

In 1867, Kansas became the first state in the nation to consider full suffrage for women as the legislature placed a constitutional amendment before the voters. Numerous suffrage advocates, including Susan B. Anthony and Elizabeth Cady Stanton, traveled to Kansas to speak for the cause. From overseas, John Stuart Mill, the British philosopher, praised the state for its

consideration of the amendment. Mill termed the legislature's views "enlightened." George Francis Train, who had come from Florida to campaign for women's suffrage, wrote a poem to honor the occasion:

*Kansas will win the world's
applause
As the sole champion of the
woman's cause
So light the bonfires, have the
flags unfurled
To the banner state of all the
world.*

The movement failed that year, but the national attention it received gave a much-needed boost to the cause of suffrage around the country.

Women were granted further privileges in 1887 when the legislature allowed them to vote and run for office in all city and school elections. On April 4, 1887, less than two months after the law was passed, the people of Argonia elected Susanna Madora Salter the nation's first woman mayor. By the turn of the century, 15 women had won mayoral elections in the state. Minnie Morgan was elected mayor of Cottonwood Falls in 1889, along with an all-woman city council.

Full suffrage for women was finally granted in 1912. A constitutional amendment was passed by wide margins in both houses of the legislature, and approved by voters November 5, 1912. Although it had been 45 years since the issue was first considered here, Kansas remained in the forefront of social change—becoming only the eighth state to grant full suffrage to women, and doing so eight years before the adoption of the 19th Amendment to the U.S. Constitution.

On January 22, 1919, the Kansas Legislature passed a resolution urging Congress to adopt the 19th Amendment. Congress presented the amendment to the states June 4, 1919, and Kansas ratified it 13 days later.

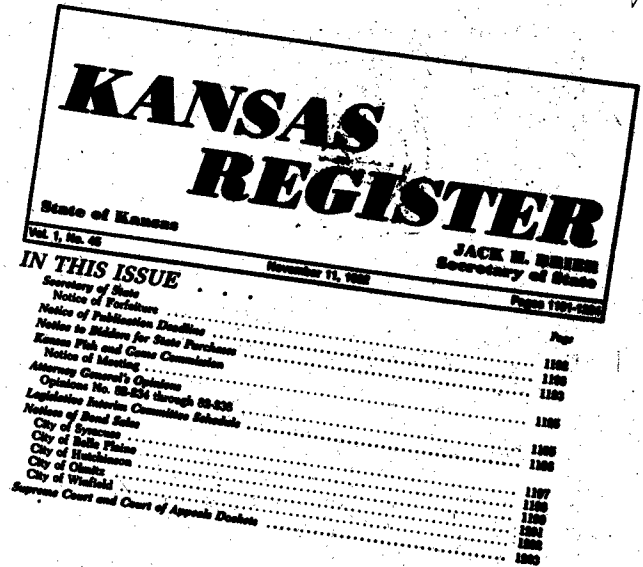
The Kansas House of Representatives received its first woman member that same year. Mrs. Minnie Tamar Grinstead, a Republican from Liberal, was elected from the 123rd District. She served until 1925.

Kansas was the seventh state to ratify the Equal Rights Amendment, doing so 69 days after its presentation to the states by the U.S. Congress. The amendment was ratified in Kansas March 28, 1972, passing the House by a vote of 86 to 37 and the Senate 34 to 5.

The voters of Kansas have repeatedly demonstrated their willingness to take the lead in women's rights. Although Kansas ranks 32nd in population of women and 31st in the ratio of women to men, it ranks sixth in the number of women holding public office. In addition to boasting one of only two women U.S. Senators in the country, Kansas also has one of only 10 women state treasurers. Kansas is also above average in its numbers of women legislators, county commissioners, mayors and city council members.

NOW AVAILABLE . . .

**CUSTOM-MADE
LOOSELEAF BINDERS
for the
KANSAS REGISTER**



We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

Kansas Register binders. . . \$14.00 each includes shipping and handling.

CLIP AND MAIL

Dear Secretary Brier: Please send _____ *Kansas Register* binders.
(Quantity)

Price: \$14.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

Shipping is by
U.P.S. Delivery Service;
STREET ADDRESS
IS NECESSARY.

Mail order, WITH PAYMENT, to: *Kansas Register*; Secretary of State; State Capitol; Topeka, KS 66612.

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612-1594

Second Class
postage paid
at
Topeka, Kansas

**Use this form (or a copy of it) to enter a
SUBSCRIPTION**

_____ One-year subscriptions @ \$47.50 ea.
TOTAL ENCLOSED _____
(Make checks payable to Kansas Register)

THIS SPACE FOR REGISTER OFFICE
USE ONLY, PLEASE

CODE _____ REC. NO. _____
EXPIRES _____ ENTERED BY _____

SEND TO: _____
(Please, no
more than
4 address
lines.) _____

Zip code must be included

Mail order, WITH PAYMENT, to: Kansas Register; Secretary of State; State Capitol; Topeka, KS 66612-1594.

**Use this form (or a copy of it) for
CHANGE OF ADDRESS**

Remove your mailing label (above) and affix it here:

Indicate change or correction of name or address
here:

