

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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August 21, 1986

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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 August 1 through August 12:

**Developmental Disabilities Services,
State Planning Council on**

Eunice J. Schwemmer, Ph.D., 1126 Skelly, El Dorado 67042. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Joan C. Strickler, 1523 University Drive, Manhattan 66502. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Patrick A. Terick, 408 W. Augusta, Augusta 67010. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Betty Weithers, 441 Indiana, Lawrence 66044. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Aileen C. Whitfill, 1611 S.W. Jewell, Topeka 66604. Effective August 1, 1986. Expires July 1, 1990. Succeeds R. Don Horner, Ph.D.

Indigents' Defense Services, State Board of

Lynn Zeller Barclay, Box 28, Perry 66073. Effective August 1, 1986. Subject to Senate confirmation. Expires July 1, 1989. Reappointment.

John T. Ivy, 1620 Montana, El Dorado 67042. Effective August 1, 1986. Subject to Senate confirmation. Expires July 1, 1989. Reappointment.

Alan G. Metzger, 7211 Suncrest, Wichita 67212. Effective August 1, 1986. Subject to Senate confirmation. Expires July 1, 1989. Reappointment.

Law Enforcement Training Commission, Kansas
Terry L. Campbell, 1207 N. 8th, Lansing 66043. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Ray D. Classen, P.O. Box 98, North Newton 67117. Effective August 1, 1986. Expires July 1, 1988. Succeeds Anthony DiPlacito, resigned.

James R. Garrison, Route 1, Box 105, Johnson 67855. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Bruce A. Hertel, 1503 Marjorie, Hays 67601. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

David E. Reavis, 1722 W. 28th Terrace, Lawrence 66044. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Nick A. Tomasic, 608 Splitlog, Kansas City 66101. Effective August 1, 1986. Expires July 1, 1990. Reappointment.

Savings and Loan Board

Richard H. Reynolds, 109 Shady Lane, Osawatomie 66064. Effective August 1, 1986. Subject to Senate confirmation. Expires June 30, 1990. Reappointment.

District Judge, 29th Judicial District, Div. 1

John H. Bukaty, Jr., 2017 Freeman, Kansas City 66102. Effective August 1, 1986. Expires when a successor is elected and qualifies according to law. Succeeds James J. Lysaught, retired.

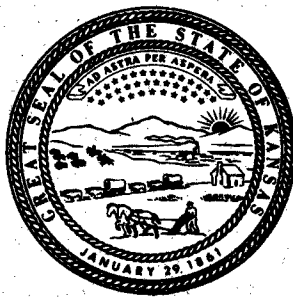
JACK H. BRIER
Secretary of State

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JACK H. BRIER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas

**SOCIAL AND REHABILITATION SERVICES
ADULT SERVICES ADVISORY COUNCIL****NOTICE OF MEETING**

The Adult Services Advisory Council will meet from 10:30 a.m. to 12:30 p.m. Tuesday, September 2, at the SRS Staff Development Training Center, Feldman Building, 2700 W. 6th, Topeka.

JANET SCHALANSKY
Acting Commissioner of
Adult Services

Doc. No. 004504

State of Kansas

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

The Kansas Council on Employment and Training (KCET) will meet from 9 a.m. to noon on Wednesday, August 27, in the Pozez Education Center, Stormont-Vail Regional Medical Center, 1500 S. W. 10th, Topeka.

This special meeting has been scheduled for the purpose of reviewing options for funding House Bill 2799, relating to training programs for the state's correctional institutions.

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.
Secretary of Human Resources

Doc. No. 004509

State of Kansas

ATTORNEY GENERAL**Opinion No. 86-112**

Bonds and Warrants—Refunding Bonds—Conditions and Limitations; Refinancing Construction Accounts. Norman E. Gaar, Bond Counsel for Unified School District 231, Johnson County, Overland Park, August 7, 1986.

A school district which has money remaining in a construction account funded with proceeds of a bond issue authorized by K.S.A. 72-6761 may, in conjunction with the issuance of K.S.A. 1985 Supp. 10-427 *et seq.* general obligation bonds designed to refund the outstanding bonds, transfer the money in the construction account to an escrow (as described in K.S.A. 10-427a) pledged for the payment of principal and interest on the outstanding bonds. A portion of the proceeds of the issue not required for the escrow may then be transferred to replenish the construction account. The school district's original authority to issue general obligation bonds pursuant to K.S.A. 72-6761 together with its authority to refund its outstanding

general obligation bonds pursuant to K.S.A. 1985 Supp. 10-427 permits such a transaction to be accomplished without an election or a repetition of the authority required by K.S.A. 72-6761. Pursuant to K.S.A. 1985 Supp. 10-427a, the issuance of such bonds will not increase the school district's indebtedness for the purpose of calculating statutory debt limitations. Cited herein: K.S.A. 10-117; K.S.A. 1985 Supp. 10-120; K.S.A. 10-427; 10-427a; K.S.A. 72-6761. MFC

Opinion No. 86-113

Consumer Credit Code—Consumer Credit Transactions; Other Charges and Modifications—Attorney's Fees; National Direct Student Loans. Jean S. Sagan, Associate General Counsel, Kansas Board of Regents, Topeka, August 7, 1986.

National direct student loans administered by state universities are subject to the provisions of the Kansas Uniform Consumer Credit Code which prohibit the assessment of attorney's fees and other collection costs to the borrower upon default. Cited herein: 16a-1-102; K.S.A. 1985 Supp. 16a-1-301(13); K.S.A. 16a-2-507; 16a-3-402. JLM

Opinion No. 86-114

Intoxicating Liquors and Beverages—Miscellaneous Provisions—Constitutionality of Affirmation Provisions. John A. Lamb, Director of Alcoholic Beverage Control, Department of Revenue, Topeka, August 7, 1986.

Kansas is one of 21 states that currently requires affirmation and price posting by all suppliers of liquor who sell their products to distributors (wholesalers) in the state. Price posting is a requirement that each supplier notify Alcoholic Beverage Control of the price to be charged for each item to be sold in the state. Affirmation is a sworn statement that the prices as posted are at the same level as the lowest prices offered to wholesalers in any other state. The statement also serves as an agreement not to discriminate among Kansas distributors in terms of prices or other services.

On June 3, 1986, the United States Supreme Court held that New York's price affirmation laws were unconstitutional because they placed a substantial burden on interstate commerce. In that the price affirmation laws of Kansas and New York are virtually identical, it is our opinion that Kansas affirmation laws relating to pricing in any other state is unconstitutional. Furthermore, enforcement of this interstate affirmation should cease immediately.

The Supreme Court's decision did not address intrastate affirmation or posting. It is our opinion that intrastate affirmation and intrastate posting should continue to be enforced. This will ensure that no discrimination among Kansas wholesalers will occur. Cited herein: K.S.A. 1985 Supp. 41-1101; K.S.A. 41-1111; 41-1112; K.A.R. 14-4-7; K.A.R. 14-4-11 (1985). TL

ROBERT T. STEPHAN
Attorney General

Doc. No. 004508

State of Kansas

BOARD OF ACCOUNTANCY**NOTICE OF MEETING**

The State Board of Accountancy will meet at 9 a.m. Wednesday, September 3, in Room 237, 503 Kansas Ave., Topeka. Persons interested in agenda items or in attending should contact the board office at (913) 296-2162, or Room 236 at the address above.

GLENDIA SHERMAN
Board Secretary

Doc. No. 004501

State of Kansas

STATE CONSERVATION COMMISSION**NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 20,000 cubic yard flood control dam site M-9 in Franklin County will be received by the Marais des Cygnes Drainage District No. 1 in the Franklin County Soil Conservation Service Field Office, 209 W. 2nd, Ottawa 66067, until 2 p.m. September 4, and then will be publicly opened. Proposals will be issued upon request to all prospective bidders by calling (913) 242-1109. Copies of plans and specifications are available at the office of Agricultural Engineering Associates, 102 E. 2nd, Uniontown 66779, (316) 756-4845.

KENNETH F. KERN
Executive Director

Doc. No. 004506

State of Kansas

SOCIAL AND REHABILITATION SERVICES**NOTICE OF MEETING**

The Department of Social and Rehabilitation Services will meet at 9 a.m. Tuesday, September 2, in the Staff Development Training Center, Feldman Building, 2700 W. 6th, Topeka.

The scheduled agenda includes:

- Preliminary announcement soliciting public input in regard to proposals concerning permanent administrative regulations.
- Ideas related to possible needed legislation during the 1987 session.
- LIEAP State Plan discussion.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (area office and State Office Building), Wichita and Winfield.

ROBERT C. HARDER
Secretary of Social and
Rehabilitation Services

Doc. No. 004505

State of Kansas

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

Sealed bids for the following items will be received by the Director of Purchases, State Office Building, Topeka, until 2 p.m. C.D.T., and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

TUESDAY, SEPTEMBER 2, 1986

#27300-A

Department of Transportation—REFLECTIVE SHEETING

#27352

Emporia State University—AIR FRESHENER—SERVICE

#66719

University of Kansas—SPECTROPHOTOMETER

#66720

Adjutant General's Department—FURNISH ALL LABOR AND MATERIALS FOR MODERNIZATION OF ARMORY, Hutchinson

#66721

University of Kansas Medical Center—PORTABLE VENTILATOR

#66727

Kansas State University—TRACTOR, Hays

#66735

Department of Transportation—RADIO TOWER, Pratt

#66737

Department of Transportation—RADIO EQUIPMENT SHELTER, Hutchinson

#66771

Kansas Correctional Industries—PAINT SUSPENDING AGENT

#66785

University of Kansas Medical Center—SURGICAL DEVICES

WEDNESDAY, SEPTEMBER 3, 1986

#A-5663

University of Kansas Medical Center—PARKING LOT IMPROVEMENTS, Lot #97

#27327

Statewide—OCTOBER (1986) MEAT PRODUCTS

#27334

Statewide—PLASTIC AND RUBBER GOODS (CLASS 10)

#66730

Kansas Fish and Game Commission—FLOTATION PONTOONS, various locations

#66731

Department of Transportation—LUMBER AND PLYWOOD

#66738

Department of Transportation—TIMERS

#66739

Department of Transportation—ELECTRONIC SIRENS

#66760

Adjutant General's Department—FURNISH ALL LABOR AND MATERIALS FOR MODERNIZATION OF ARMORY, Kansas City

#66761

Adjutant General's Department—FURNISH ALL
LABOR AND MATERIALS FOR MODERNIZATION
OF ARMORY, Coffeyville

THURSDAY, SEPTEMBER 4, 1986

#A-5528

Adjutant General's Department—PARTIAL
REROOF OF SOUTH ARMORY, Wichita

#A-5619

Wichita State University—PAINTING OF
CEILING, Miller Concert Hall, on campus

#27350

University of Kansas Medical Center—OCTOBER
(1986) MEAT PRODUCTS

#27351

Kansas State Penitentiary—FREEZER
STORAGE/DELIVERY SERVICE

#66745

Kansas State University—VACUUM EQUIPMENT

#66746

Department of Transportation—ROCK CUTTER
TEETH

#66747

Kansas State University—RESEARCH
MICROSCOPE

#66748

Department of Transportation—SCREEN ROCK,
SIZE 3, 1/2" to 2 1/2", Fort Riley

#66749

Department of Transportation—SEALANT, CRACK,
Salina

#66756

Kansas State University—VACUUM EQUIPMENT

#66757

Pittsburg State University—PHYSICS APPARATUS

#66758

Kansas Soldiers' Home—COMMERCIAL
FREEZERS AND REFRIGERATORS

#66759

Department of Health and Environment—
CONTINUOUS MAILERS

#66788

Pittsburg State University—DISK DRIVE
SUBSYSTEM

#66793

University of Kansas—GARAGE EQUIPMENT

FRIDAY, SEPTEMBER 5, 1986

#A-5455

University of Kansas—PROVIDE ASBESTOS
ABATEMENT, Snow Hall, on campus

#27328

Statewide—CANNED GOODS

#27345

Statewide—FIBER OPTIC MULTIPLEXERS AND
COAXIAL ELIMINATION EQUIPMENT

#66764

Fort Hays State University—FREQUENCY
EXTRACTOR AND INTENSITY DISPLAY SCOPE

#66765

Department of Human Resources—CONTINUOUS
MAILERS—K-BEN 78

#66766

Department of Health and Environment—AIR
QUALITY INSTRUMENTS

#66772

Kansas State Industrial Reformatory—HEATING
AND AIR CONDITIONING EQUIPMENT

#66773

University of Kansas—COMPRESSOR

#66774

Kansas Fish and Game Commission—MOWER

#66775

University of Kansas—CUSTOM SOFTWARE AND
HARDWARE

#66776

Kansas Correctional Industries—GRAPHIC ARTS
EQUIPMENT

#66777

Kansas State Penitentiary—FOOD SERVICE
EQUIPMENT

#66781

Kansas State Penitentiary—ICE MAKER
DISPENSER

#66782

Department of Transportation—GRAPHIC ARTS
SUPPLIES

#66783

Kansas State Industrial Reformatory—X-RAY UNIT
AND REFURBISH DEFIBRILLATOR

#66784

Kansas State University—AUDIO VISUAL
SUPPLIES

#66786

Kansas State University—COMPUTER
PERIPHERALS

#66787

Pittsburg State University—COMPUTER
PERIPHERALS

#66794

Department of Transportation—FURNISH AND
INSTALL OVERHEAD DOORS, various locations

#66795

Kansas State University—MORLEX SOLUTION

MONDAY, SEPTEMBER 8, 1986

#27346

All state agencies in greater Topeka
area—TYPEWRITER MAINTENANCE

TUESDAY, SEPTEMBER 16, 1986

#66767

Kansas Bureau of Investigation—ELECTRO
STATIC DETECTION APPARATUS

TUESDAY, SEPTEMBER 23, 1986

#A-5225

Kansas State University—CONSTRUCT THE FRED
BRANLAGE COLISEUM

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 004510

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF MOTOR CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30
a.m. before the State Corporation Commission, State
Office Building, fourth floor, Topeka, unless other-
wise noticed.

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

(continued)

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka 66612, (913) 296-3808 or 296-2110.

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

Applications set for September 16, 1986

Application for Extension of Certificate of Convenience and Necessity:

Ronald D. Viers and) Docket No. 150,969 M
Sherry M. Adams, dba)
Viers Wrecker Service)
114 Ridgeway)
Carbondale, KS 66414)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Shawnee, Lyon and Douglas counties, Kansas.

Also,

Between all points and places in Shawnee, Lyon and Douglas counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Edward E. Pates, dba) Docket No. 143,035 M
Salina Moving Company)
400 E. Forest)
Salina, KS 67401) MC ID No. 120157

Applicant's Attorney: D. S. Hulst, P.O. Box 225, Lawrence National Bank Bldg., Lawrence, KS 66044

Household goods,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Double T Industries, Inc.) Docket No. 151,500 M
P.O. Box 227)
Rolla, KS 67954)

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Oilfield materials, equipment and supplies, iron and steel articles and machinery,

Between points in the Kansas counties of Morton, Stevens, Seward, Meade, Stanton, Grant, Haskell, Gray, Ford, Hamilton, Kearny, Finney, Greeley, Wichita, Scott, Lane and Ness.

Also,

Between above Kansas counties, on the one hand, and on the other, points in Kansas.

Renoticed Amended Application for Certificate of Convenience and Necessity:

Vester F. Skaggs, dba) Docket No. 150,970 M
Skaggs Trucking)
1003 Millwood)
Salina, KS 67401)

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

Grain,

Between points and places in Kansas.

Dry feed, dry feed ingredients and dry fertilizer,

Between points and places in Barton, Mitchell, Lincoln, Ellsworth, Rice, Reno, Ottawa, Saline, McPherson, Harvey, Sedgwick, Marion, Dickinson and Clay counties, Kansas.

Also,

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

Application for Extension of Certificate of Convenience and Necessity:

Sabre Trucking, Inc.) Docket No. 142,188 M
310 W. Central)
Suite 214)
Wichita, KS 67202) MC ID No. 119718

Applicant's Attorney: Paul Dugan, 10222 W. Central, American National Bank Building, Wichita, KS 67242

Fresh water and salt water,

Between all points and places in Wallace, Greeley, Wichita, Hamilton, Kearny, Stanton, Grant, Haskell, Gray, Morton, Stevens and Seward counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other hand.

Application for Transfer of Certificate of Convenience and Necessity:

Ron Langhofer, dba) Docket No. 141,648 M
Ron's Service)
Box 129, Hwy 177)
Cassoday, KS 66842) MC ID No. 119356

TO:

Ron's Service, Inc.
Box 129, Hwy 177
Cassoday, KS 66842

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

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points on the Kansas Turnpike between Shawnee and Sedgwick counties in Kansas (including points on the turnpike in said counties), on the one hand, and on the other, all points in Kansas.

Between points in that portion of Kansas bounded on the east by K-99; on the north by US-50; on the west by US-77; and on the south by US-54, including points on said boundaries.

Also,

Between that portion of Kansas described immediately above, on the one hand, and on the other, all points in Kansas.

Application for Certificate of Convenience and Necessity:

Richard Lofland, dba) Docket No. 151,501 M
 Pair-A-Dice)
 Transportation)
 307 W. 26th)
 Hutchinson, KS 67502)

Applicant's Attorney: Lester Arvin, Century Plaza Bldg., Wichita, KS 67202

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

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Russell Wells, dba) Docket No. 151,502 M
 Wells & Sons Tank)
 Service)
 Box 13)
 Damar, KS 67632)

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

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

Between all points and places in the Kansas counties of Ellis, Rooks, Graham, Russell, Trego, Rush, Phillips, Osborne, Norton, Sheridan, Sherman, Thomas, Gove, Decatur, Rawlins, Cheyenne, Logan and Wallace.

Applications set for September 18, 1986

Application for Certificate of Convenience and Necessity:

Vincent P. Thompson, Sr., dba) Docket No. 151,503 M
 Wichita Insurance Pool)
 270 W. 53rd St. North)
 Wichita, KS 67204)

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

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, recrea-

tional trailers, golf carts, campers, pick-up toppers, boats and motorcycles,

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

Application for Certificate of Convenience and Necessity:

S & S Truck Line, Inc.) Docket No. 151,504 M
 Box 4034)
 Kansas City, MO 64101)

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

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

Between points in Leavenworth, Wyandotte, Johnson and Sedgwick counties, Kansas, on the one hand, and on the other, all points and places in Kansas.

Application for Abandonment of Contract Carrier Permit:

Herbert Chastain, dba) Docket No. 145,079 M
 Herb's Delivery Service)
 1700 N.E. 112th Terrace)
 Kansas City, MO 64155) MC ID No. 121792

Applicant's Attorney: None

Application for Transfer of Certificate of Convenience:

Aero Mayflower Transit Company, Inc.) Docket No. 19,975 M
 9998 N. Michigan Road)
 Carmel, IN 46032) MC ID No. 106953

TO:

Mayflower Transit, Inc., dba
 Aero Mayflower Transit Co., Inc.
 9998 N. Michigan Road
 Carmel, IN 46032

Applicant's Attorney: Wilburn G. Lowry, Mayflower Group, Inc., P.O. Box 107, Indianapolis, IN 46206-0107

Household goods,

From, to, and between all points in the state of Kansas.

WILLIAM E. GREEN
 Administrator
 Transportation Division

Doc. No. 004507

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, September 9, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider proposed amendments to Kansas Administrative Regulations (K.A.R.) 91-12-23; 91-12-48, and 91-12-58.

The proposed amendments to 91-12-23 would permit the State Board of Education to grant a waiver of class size, caseload, age range and personnel requirements prescribed in the special education regulations to allow flexibility in the regulations in unusual circumstances. Editorial changes also are proposed.

The proposed amendments to 91-12-48 would clarify the initial educational placement of children admitted to a youth center. Specifically, the youth centers would place a student in the regular education program and initiate a comprehensive evaluation only if circumstances warrant it. This regulatory change is being made due to the enactment of 1986 House Bill 3100.

The proposed amendments to 91-12-58 would designate the regression formula to be used in identifying children with learning disabilities. The change is being made at the request of the Joint Committee on Administrative Rules and Regulations. Editorial changes also are proposed.

A copy of each proposed regulation is being mailed to chief school administrators in the state and may be reviewed in their offices by interested persons. Also, a copy of each proposed regulation and its fiscal impact statement may be obtained from the secretary of the State Board of Education at the Kansas State Education Building prior to the date of the hearing.

On the date of the hearing, all interested parties 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 group representatives who cannot appear at the hearing may submit to the secretary of the board, at least five days before the hearing, their views in regard to the proposed regulations 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. 004503

State of Kansas

BOARD OF AGRICULTURE

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Friday, September 5, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed permanent rules and regulations of the Kansas State Board of Agriculture. These rules and regulations will become effective on May 1, 1987 as permanent regulations. In addition, certain regulations will be revoked.

All interested persons may attend and will be given an opportunity to express comments either orally or in writing, or both. Those persons unable to attend may submit written comments before the hearing to the Office of Control, Division of Inspections, at the address above. For those who desire to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulations is as follows:

4-10-1. Adopts the existing temporary regulation as a permanent regulation.

4-10-2. Will be revoked.

4-10-2a. Adopts rules for approval of equipment and systems.

4-10-2b. Adopts rules for construction and testing of containers.

4-10-2c. Adopts rules for markings on systems and containers.

4-10-2d. Adopts rules for location of containers.

4-10-2e. Adopts rules for container valves and appurtenances.

4-10-2f. Adopts rules for piping, tubing and fittings.

4-10-2g. Adopts rules for hose specifications and assemblies.

4-10-2h. Adopts rules for safety devices.

4-10-2i. Adopts rules for filling densities and transfer of liquids.

4-10-2j. Adopts rules for tank car and transport truck unloading.

4-10-2k. Adopts miscellaneous rules including liquid level gauging devices.

4-10-4. Adopts the existing temporary regulation as a permanent regulation.

4-10-5. Adopts the existing temporary regulation as a permanent regulation.

4-10-15. Adopts by reference "Guidelines to Kansas Anhydrous Ammonia Regulations and Inspections" as published by the Kansas State Board of Agriculture.

Copies of these regulations and the fiscal impact statements may be obtained by writing to Glen Searcy, Office of Control, Division of Inspections.

DONALD L. JACKA

Acting Secretary of Agriculture

Doc. No. 004513

State of Kansas

LEGISLATURE

INTERIM AGENDA

The following committee meetings have been scheduled during the period of August 25 through September 5, 1986:

Date	Room	Time	Committee	Agenda
Aug. 25	522-S	10:00 a.m.	Subcommittee—Special Committee on Federal and State Affairs	Proposal No. 16—Recreation Commission.
Aug. 25 Aug. 26	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Agriculture—Legislative Commission on Economic Development	Conferees from agri-business.
Aug. 26 Aug. 27	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Communications, Computers and Technology	Proposal No. 3—Automated University Library Operations.
Aug. 27 Aug. 28	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	Proposal No. 18—Diversion Programs.
Aug. 29 Aug. 29	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Court System	Hearings on Proposal No. 5—Court Systems.
Aug. 28 Aug. 29	123-S 123-S	10:00 a.m. 9:00 a.m.	Task Force on Capital Markets and Tax Structure—Legislative Commission on Economic Development	Effect of taxation on economic development.
Aug. 28 Aug. 29	522-S 522-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Presentations by selected state agencies on FY 1988 capital improvement requests. Funding by the state institutions building fund; presentation of final site work plans for Ellsworth Correctional Work Facility.
Sept. 3	527-S	10:00 a.m.	Legislative Budget Committee	Proposal No. 22—State General Fund: conference with Secretary of SRS; staff reports re SGF finances.
Sept. 3	123-S	9:00 a.m.	State Task Force on Parimutuel	Hearing open to the public. Anyone wishing to testify regarding parimutuel implementing legislation must submit written testimony in advance to Pat Davis, Office of the Governor, 2nd Floor, Capitol, Topeka, KS 66612, (913) 296-4052.

(continued)

Sept. 4	519-S	10:00 a.m.	Legislative Post Audit	Legislative matters.
Sept. 4 Sept. 5	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Presentations by selected state agencies on FY 1988 capital improvement requests.
Sept. 5	527-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.

The following revisions have been made in Interim Committee Charges (Proposals):

Special Committee on Transportation

Proposal No. 30—Selection of Highway Improvement Projects

Study of the methods and formulas used by the Kansas Department of Transportation in determining the priority of highway improvement projects; also, review recommendations 47-49 of the *Kansas Eco-*

nomic Development Study; Findings, Strategy and Recommendations with emphasis on how selection of highway improvement projects contributes to economic development activities.

Special Committee on Judiciary

Proposal No. 19—Dispositional Alternatives

Explore the possibility of instituting fines and counseling as additional dispositional alternatives under the Juvenile Offenders Code.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 004515

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET**

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

**Kansas Court of Appeals
Wyandotte County Courthouse, Division 5 Courtroom
Kansas City, Kansas**

**Before Meyer, P.J.; Donald L. Allegrucci, District Judge, assigned;
and Floyd H. Coffman, District Judge Retired, assigned.**

**Thursday, September 11, 1986
9:30 a.m.**

Case No.	Case Name	Attorney	County
59,058	State of Kansas, appellee,	Bruce Beye, Assistant District Attorney Attorney General	Johnson
	v.		
59,050	Allen Brown, appellant. In the Matter of the Estate of Elizabeth V. Jordan, Deceased.	Michael F. Brunton Roy S. Bennett, Jr. John Ivan	Wyandotte
58,541	Continental Insurance Co., appellee,	Barry W. McCormick	Wyandotte
	v.		
	Wilco Truck Rental, Inc., et al., appellants.	Stephen S. Brown B. Scott Tschudy Ronald C. Newman	

59,312	Jerry Wayne Smith, <i>et al.</i> , appellees, v. Herb Maschner, <i>et al.</i> , appellants.	Jerry Wayne Smith, <i>pro se</i> Craig Bryant, <i>pro se</i> Clarence E. Grissom, <i>pro se</i> Timothy G. Madden	Leavenworth
58,733	George Dale Brake, appellant, v. State of Kansas, appellee.	1:30 p.m. Jessica R. Kunen Stephen R. Tatum, Assistant District Attorney Attorney General	Johnson
58,521	State of Kansas, <i>ex rel.</i> , Secretary of SRS, appellee, v. Bobby O. Bonnel, Jr., appellant.	Austin N. Wyrick Robert F. Duncan	Atchison
59,124	State Bank of Meridan, appellee, v. Charles A. McKinsey, appellant.	John E. Stumbo Charles A. McKinsey, <i>pro se</i>	Jefferson
58,747	State of Kansas, appellee, v. John Mark Stamps, appellant.	Paul Morrison, Assistant District Attorney Attorney General Robert E. Jenkins	Johnson

Friday, September 12, 1986

9:30 a.m.

Case No.	Case Name	Attorney	County
59,342	Robert Lee Cotton, appellant, v. State of Kansas, appellee.	Francis G. Martin Nick A. Tomasic, District Attorney Attorney General	Wyandotte
58,607	CCE Enterprises, Inc., appellant, v. City of DeSoto, and Mustafa Enterprises, Inc., v. Hisham H. Mustafa, v. Robert E. Lee and Janet M. Lee, and Charles and Carol Eklund, appellants.	Rod L. Richardson L. Franklin Taylor David Carson Gail Bruner Wilson E. Speer	Johnson
58,966	Executive Financial Services Inc., appellant, v. Gene R. Mohr, Tri-County Farm Farm Equip. Co.; Mohr-Loyd Leasing and James Loyd, and State Bank of Stanley and First National Bank of Olathe, appellees.	Michael E. Whitsitt Randolph G. Willis Michael E. Francis R. Scott Beeler Richard N. Roe	Johnson
58,987	M. Patricia Morton, appellee, v. James Lee Morton, appellant.	James M. Sheeley Kent Döcking	Wyandotte

(continued)

Kansas Court of Appeals
11th Floor Courtroom, Sedgwick County Courthouse
525 N. Main, Wichita, Kansas

Before Briscoe, P.J.; Janice D. Russell, Associate District Judge, assigned;
and Jean F. Shepherd, Associate District Judge, assigned.

Thursday, September 11, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,742	In the Interest of T.M.J., a Minor Child under 18 years.	John D. Clark Bill Griffith, Gdn. A/L Elizabeth Carson Don Astle	Sedgwick
58,372	Wichita Wire Inc. and Plaza Towel Holder Co., Inc., appellees, v. Arlene Lenox and Lenox Mfg. Inc., appellants.	Gary Ayers F. C. (Rick) Davis II	Sedgwick
58,606	Diem Van Luu, by his guardian and conservator, Loan Thi Tran, appellant, v. Standard Fire Ins. Co., appellee.	William L. Fry James T. McIntyre	Sedgwick
58,888	General Motors Accept. Corp., James E. Patterson, appellant, v. Tom Raum, <i>et al.</i> , appellees.	Connie Nordboe John Patterson, <i>pro se</i> Nancy L. Ulrich	Sedgwick
1:30 p.m.			
58,300	Hilda N. Binyon and Kernie W. Binyon, appellants, v. Whole Foods Association, v. Joan E. Lee and James R. Lee, appellees.	George D. McCarthy Bruce B. Fitts Ross A. Hollander	Sedgwick
58,513	Roberta L. Johnson, appellant, v. Thomas W. Crawford, Sr., appellee.	Roger D. Hughey Michael G. Coash	Butler
58,655	Kansas State Board of Healing Arts, appellee, v. Dr. John E. Monts, D.C., appellant.	Larry Buening John Terry Moore	Sedgwick
58,573	Danny Howard Williams, appellant, v. R. L. Spurgeon, <i>et al.</i> , appellee.	Danny H. Williams, <i>pro se</i> S. A. Issinghoff	Sedgwick

Friday, September 12, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,433	In the Matter of the Marriage of Laurie Sue Veach and Bruce Allen Veach.	Steve Sadowsky Donald E. Lambdin	Sedgwick
58,697	Annabelle M. Sears, appellant, v. Michael A. Quade, appellee.	Ronald D. DeMoss Amy Lemley Jay Fowler	Sedgwick
58,618	Bob Morey, dba Morey's and Crow Bonding Co., appellants, v. Jim McKown and Carroll Ghan, appellees.	James L. Pinkerton Robert T. Cornwell	Sedgwick

Summary Calendar—No Argument

58,823 S.C.	Karen E. Lawson, appellee, v. Vulcan Materials Co., appellant, and Workers' Compensation Fund.	Roger M. Theis James B. Zongker Douglas D. Johnson Marvin R. Appling	Sedgwick
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Kansas Court of Appeals
District Courtroom, Sherman County Courthouse
Goodland, Kansas

Before Abbott, C.J.; Steven P. Flood, District Judge, assigned;
and Melvin M. Gradert, Associate District Judge, assigned.

Thursday, September 11, 1986
10:30 a.m.

Case No.	Case Name	Attorney	County
58,743	State of Kansas, appellee, v. Raymond R. Beckman, appellant.	Michael H. Haas, County Attorney Attorney General	Sheridan
59,362	In the Matter of the Marriage of Donna Loree McDowell and Charles McDowell.	Robert E. Keeshan Thomas H. Sullivan William H. Stowell	Phillips
1:00 p.m.			
59,286	Glendolyn Gregg, appellant, v. Marvin Wudtke, appellee.	John C. Tillotson	Norton
59,262	Jerome Hein, appellee, v. U.S.D. 238, Smith County, appellant.	Donald F. Hoffman David M. Schauner	Smith
59,322	Gale D. Lohrmeyer, appellee, v. Rowh Motor Co. and Employers Mutual Insurance Co., appellee, Workers' Compensation Fund, appellant.	Lowell F. Hahn	Norton
58,282	State of Kansas, appellee, v. Robert Miller, Jr., appellant.	Harry Bleeker Brock R. McPherson	Rawlins
59,116	Joseph Mentlick, Jr., Exec. Estate of Joseph Mentlick, Deceased, and Bonnie Mentlick, appellants, v. Thomas County National Bank, appellee.	Charles Peckham, County Attorney Attorney General John F. McClymont James Smith Robert J. Lewis, Jr.	Thomas
		Jerry Fairbanks	

Friday, September 12, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,767	Farmers National Bank of Oberlin, appellee, v. Franklin Urban and Willa Urban, appellants.	Alan F. Alderson Charles L. Frickey	Decatur
58,760	In the Matter of the Marriage of George O. Schmidt and Ruth Schmidt.	Mark C. Whitney Thomas R. Oglevie Thomas C. Boone	Sherman

(continued)

58,751	Robert R. McCants Trust, <i>et al.</i> , appellants, v. McCants Publishing Co., Inc., and Raymond W. McCants, appellees.	J. Ronald Vignery Dennis L. Bieker	Sherman
Summary Calendar—No Argument			
58,806 S.C.	Bradley Ray Boan, appellant, v. State of Kansas.	Benjamin C. Wood Nick Tomasic, District Attorney Attorney General	Wyandotte

**Kansas Court of Appeals
Division I, Courtroom, Reno County Courthouse
Hutchinson, Kansas**

Before Brazil, P.J.; Elliott Fry, Associate District Judge, assigned;
and William J. Dick, Associate District Judge, assigned.

Thursday, September 11, 1986
10:30 a.m.

Case No.	Case Name	Attorney	County
58,878 S.C.	Charles F. Lofland, appellee, v. Janet D. Lofland, appellant.	Stanley Juhnke	Reno
58,832	Janet Lofland, appellant, v. Delores Ann Davis, Charles F. Lofland, Stanley Juhnke, <i>et al.</i> , appellees.	Janet Lofland, <i>pro se</i> Janet Lofland, <i>pro se</i> Stanley Juhnke	Reno
59,079	Donella J. Searle, appellant, v. Evans Box Mfg. Corp., Inc.	Arthur W. Solis William J. Bradley, Jr.	Reno
1:00 p.m.			
58,988	Craig Robinson, appellant, v. State of Kansas, appellee.	Louis S. Wexler Timothy Chambers, County Attorney Attorney General	Reno
59,246	Warren R. Schmitt, John S. Schmidt, Lynn W. Schwartzkopf and Dennis M. Lancley, dba Prairie Venture I, appellees, v. David L. Lukens and Zahn B. Lukens, appellants.	Tino Monaldo Patricia Rose Myers	Reno
58,731	Diane Jamieson, appellee, v. Ralph Barnes, <i>et al.</i> , appellant.	Michael V. Madden E. Dexter Galloway	Reno
59,078	Walter L. Wright, appellant, v. Evans Box Mfg. Corp., appellee.	Arthur W. Solis William J. Bradley, Jr.	Reno
58,853	Russell Unsel, appellant, v. Frisbie Const. Co. and U.S. Fire Insurance Co., appellees.	John M. Ostrowski George E. McCullough Gary A. Winfrey	Harper

Friday, September 12, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,957	State of Kansas, appellee,	David E. Roberts and Francis E. Meisenheimer, Assistant County Attorneys Attorney General	Reno
	v. Louis Baker Dixon and David Dean Crossman, appellants.	Clancy Holeman	
59,086	Maudie Koenemann, appellant,	Charles D. Lee	Reno
	v. First National Bank of Hutchinson, <i>et al.</i> , appellees.	H. Newlin Reynolds	
58,217	Jost & Wiens Const. Co., Inc., appellant,	David Chalfant	Reno
	v. Felix Tarm, Kay Tarm, and Salt City Federal Savings & Loan Association, appellees.	Casey R. Law T. J. Carney James F. Gilliland	
59,122	State of Kansas, appellee,	Michael E. Cleary, County Attorney Attorney General	Harvey
	v. Richard R. Unruh, appellant.	Joe Dickinson	

Kansas Court of Appeals
District Courtroom, Ellis County Courthouse
Hays, Kansas

Before Parks, P.J.; Rees, J.; and David S. Knudson,
District Judge, assigned.

Thursday, September 11, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,685	Kansas Packing & Seals, Inc., appellants,	Robert L. Bates	Barton
	v. J. & S Sales, Inc., appellee.	Mike Keeley Tom Berscheidt	
59,145	Randolph Boggs, appellants,	Ross Wichman	Ellis
	v. J. B. Collins, R. W. Collins, and Beacon Hill, Inc., appellees.	Ed Larson	
58,683	Kaser Impl. Co., appellee,	Edward C. Hageman	Osborne
	v. Martin Bland, appellant.	Ron Svaty	
		1:30 p.m.	
58,728	Federal Land Bank of Wichita, appellee,	Alice Leslie Rawlings John C. Herman Allen Kirshen	Graham
	v. Iva Keiswetter, appellant.	Michael Harris Iva B. Keiswetter Edward Larson	

(continued)

58,756	Valdah Benson, formerly Valdah Fern Harkness, <i>et al.</i> , appellants, v. Marmik Oil Co. and Harold W. McLean, appellees.	Van Smith Greg L. Bauer Eugene A. Burk Stuart R. Collier	Ness
58,237	Traders State Bank of Glen Elder, appellant, v. Max L. Eberle and Marjorie M. Eberle, appellees.	Don W. Noah John Sherman	Mitchell
58,442	Federal Land Bank of Wichita, appellee, v. C. David Jensen, Virginia Jensen, David L. Jensen, and Citizens State Bank of Grainfield, appellants.	Richard Evans Paul R. Shepherd Doug Thompson Dennis L. Bieker David L. Jensen, <i>pro se</i>	Gove
58,444	State of Kansas, appellee, v. Wayne L. Briscoe, appellant.	Willis K. Musick, County Attorney Attorney General Patrick R. Barnes	Ellis

Friday, September 12, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,319	Wet Walnut Creek Watershed Joint Dist. No. 58, appellant, v. Daryl W. Filbert, <i>et al.</i> , appellees.	Thomas L. Toepfer	Ness
58,106	State of Kansas, <i>ex rel</i> , Edward Bouker, City Attorney for the City of Liebenthal, appellant, v. Wenny Herrman, <i>et al.</i>	Ivan D. Krug Edward E. Bouker	Rush
58,478	Downs National Bank, appellee, v. Farmers National Bank of Osborne and M. A. Desmarteau, appellants.	Gene F. Anderson John T. Bird	Osborne
58,802	In the Matter of the Estate of E. F. Madden, Deceased.	David D. Moshier Marvin E. Thompson Thomas C. Boone Doris R. Burtscher	Ellis

Kansas Court of Appeals
Courtroom 304, Saline County Courthouse
Salina, Kansas

Before Davis, P.J.; Stephen Nyswonger, District Judge, assigned;
and Carl B. Anderson, Jr., Associate District Judge, assigned.

Thursday, September 11, 1986
9:00 a.m.

Case No.	Case Name	Attorney	County
59,218	Dennis R. Sanborn, appellant, v. Coleen K. Sanborn.	Ellen Mitchell	Saline
59,442	City of Salina, v. Star B. Inc., <i>et al.</i>	Wilma J. Naab Aubrey G. Linville David D. Moshier Philip R. Shaffer	Saline

59,043	Richard James and Susan James, appellees, v. Clarence Scheidt, appellant.	Lawrence R. Uri, Jr.	Saline
59,391	Russell Engine Serv. Inc., appellee, v. Bob R. Webster, dba Custom Oil Exploration, v. Keith Johnson, appellant.	James L. Sweet Mark Arthur, Jr. Robert L. Earnest	Russell
1:00 p.m.			
58,379	City of Beloit, appellee, v. Robert E. Thompson, appellant.	Jerry L. Harrison	Mitchell
59,374	Cyclone Well Service, Inc., appellee, v. C.A.P. Operating, Inc., <i>et al.</i> , appellants.	James L. Sweet Terry L. Malone	Saline
58,915	In re Suspension of License of David T. Morris to operate a Motor Vehicle.	Jack O. Bowker Michael S. Holland Brian Cox	Russell
58,346	Richard W. Doyle, appellee, v. Melton Motor Inc., and General Motors Acceptance Corp., appellants.	William L. Winkley Doug Thompson Jack N. Stewart	Saline

Friday, September 12, 1986

9:00 a.m.

Case No.	Case Name	Attorney	County
58,763	North Central Kansas Prod. Credit Association, appellee, v. BDR Farms, Inc., Billy Hansen, Randy E. Hansen and Dennis Hansen, aka Dennis R. Hansen.	Donald W. Noah Doug Thompson	Republic
58,903	First National Bank of Beloit, appellee, v. Jerome L. Boden, <i>et al.</i> , appellants.	J. Stan Sexton	Mitchell
58,538	People's State Bank & Trust Co., appellant, v. Central Kansas Pathological Assoc., Chartered, <i>et al.</i> , appellees.	Mark J. Noah Greg L. Bauer Raymond L. Dahlberg Ernest McRae Larry E. Keenan	Barton
59,001	Susagnes Heller Schwerman and Leonard Schwerman, appellants, v. Rose D. Heller, Robert S. Heller, Karen J. Heller, John Heller, Leonard J. Heller, <i>et al.</i> , appellees.	Thomas H. Conroy Jerry L. Harrison	Mitchell

LEWIS C. CARTER
Clerk of the Appellate Courts

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

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

Notice is hereby given of the commencement of negotiations for surveying services and soil and sub-surface investigation and testing services for a project to reroute steam tunnels at the Osawatomie State Hospital, Osawatomie.

Questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to September 5, 1986.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 004514

State of Kansas
DEPARTMENT OF TRANSPORTATION
NOTICE TO CONTRACTORS

It is the intent that sealed proposals for the construction of bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T., September 18, 1986, and then publicly opened:

DISTRICT ONE—Northeast

Wyandotte—670-105 K-2888-01—I-670, beginning at the intersection of I-670 and I-70, then east to the Missouri state line, bridges 1.28 and 1.29, bridge superstructure. (Federal Funds)

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

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

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004511

State of Kansas
DEPARTMENT OF TRANSPORTATION
NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T., September 18, 1986, and then publicly opened:

DISTRICT ONE—Northeast

Johnson—7-46 K-0447-05-K-7, Clear Creek bridge 143, 0.6 mile north of K-12 on Frontage Road, bridge replacement. (Federal Funds)

Johnson—46 U-1056-01—Intersection of Johnson Drive (U.S. 56) and Mission Road, intersection improvement. (Federal Funds)

Nemaha—66-C-0648-01—County road, southeast edge of Centralia, 0.1 mile, bridge replacement. (Federal Funds)

Wyandotte—70-105 K-0966-03—I-70, from east of I-635, then east to I-670, 1.7 miles, grading, surfacing and bridge. (Federal Funds)

Wyandotte—70-105 K-0966-06—I-70, from east of I-635, then east to I-670, 1.7 miles, signing. (Federal Funds)

Wyandotte—70-105 K-0966-07—I-70, from east of I-635, then east to I-670, 1.7 miles, lighting. (Federal Funds)

Wyandotte—70-105 K-0966-08—I-70, beginning at 18th Street and Pacific Avenue, then east, 0.1 mile, grading and surfacing. (Federal Funds)

Wyandotte—435-105 K-0992-01, I-435 and Kaw Drive (K-32), traffic signal. (Federal Funds)

Wyandotte—105 U-0979-01—Roe Lane bridge over Turkey Creek in Kansas City, 0.1 mile, bridge replacement. (Federal Funds)

Wyandotte—70-105 M-1434-01—I-70, bridges, 96, 167 and 189 at the junction of I-70 and K-32, bridge repair. (State Funds)

DISTRICT TWO—Northcentral

Chase—50-9 M-1437-01—U.S. 50, Diamond Creek bridge 48, 2.8 miles northeast of K-150, bridge repair. (State Funds)

Ellsworth—4-27 M-1401-01—K-4, 7 miles east and 1 mile north of Geneseo then northeast 0.6 mile, 0.1 mile, slide repair. (State Funds)

DISTRICT FOUR—Southeast

Franklin—59-30 M-1448-01—U.S. 59, north abutment of Atchison, Topeka and Santa Fe railroad bridge 50, north 0.1 mile, slide repair. (State Funds)

Labette—101-50 X-0906-02-K-101, crossing of Missouri Pacific and K-101 in Edna, grading and surfacing. (Federal Funds)

DISTRICT FIVE—Southcentral

Sedgwick—87 U-107-01—K-15 and 71st Street north of Derby, traffic signal. (Federal Funds)

Sumner—166-96 M-1426-01—U.S. 166, bridge 77 over Kansas Turnpike east of South Haven, bridge repair. (State Funds)

DISTRICT SIX—Southwest

Ford—56-29 M-1445-01—U.S. 56, Ford-Gray county line east to old U.S. 56, 9.1 miles, cold milling. (State Funds)

Ford—50-29 M-1446-01—U.S. 50, 0.2 mile east of east junction of U.S. 283 east 10.6 miles, cold milling. (State Funds)

Ford—59-29 M-1447-01—U.S. 50, beginning at Ford-Edwards county line southwest to approximately 1 mile east of Spearville, 9.4 miles, cold milling. (State Funds)

Lane—96-51 M-1444-01—K-96, 3.1 miles east of the Scott-Lane county line east to west city limits of Dighton, 8.3 miles, cold milling. (State Funds)

Ness—96-68 K-2807-01-K-96, Walnut Creek Drive bridge 43, 12.8 miles east of U.S. 283, bridge repair. (State Funds)

Seward—83-88 M-1443-01—U.S. 83, end of 4-lane, north of Liberal, north 7.7 miles, cold milling. (State Funds)

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

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

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004512

State of Kansas

MINED-LAND CONSERVATION
AND RECLAMATION BOARDTEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective July 1, 1986.

Expire May 1, 1987.)

Article 2.—MEANING OF TERMS

47-2-75. Definitions; incorporation by reference. The following parts and sections of the federal rules and regulations of the office of surface mining, department of the interior, promulgated pursuant to the surface mining control and reclamation act of 1977, are hereby incorporated by reference as rules and regulations of the board, with exceptions as indicated. The incorporation by reference shall cover the parts and sections as they existed on October 1, 1985:

(a) Definitions, 30 CFR 700.5, except:

(1) "Regulatory authority" and "state regulatory authority" are defined in K.A.R. 47-2-53;

(2) "Surface coal mining operations" is defined in K.S.A. 49-403(s); and

(3) "Surface coal mining and reclamation operations" is defined in K.S.A. 49-403(r).

(4) The following shall be deleted from the definition of "anthracite":

Notices of changes made to this publication will be periodically published by the office of surface mining in the federal register. This ASTM standard is on file and available for inspection at the OSM office, U.S. Department of the Interior, South Interior Building, Washington, D.C. 20240, at each OSM regional office, district office and field office, and at the central office of the applicable state regulatory authority, if any. Copies of this publication may also be obtained by writing to the above locations. A copy of this publication will also be on file for public inspection at the federal register library, 1100 L St., N.W. Washington, D.C. Incorporation by reference provisions approved by the director of the federal register February 7, 1979. The director's approval of this incorporation by reference expires on July 1, 1981.

(5) "Regulatory program" is defined in K.A.R. 47-2-53a.

(b) Definitions, 30 CFR 701.5, except:

(1) "Imminent danger to the health and safety of the public" is defined in K.S.A. 49-403(n);

(2) "Operator" is defined in K.S.A. 49-403(d);

(3) "Permit" is defined in K.S.A. 49-403(o);

(4) "Permit area" is defined in K.S.A. 49-403(p);

(5) "Significant, imminent environmental harm to land, air or water resources" is defined in K.A.R. 47-2-58; and

(6) The following federal definitions are deleted entirely:

(A) "Agricultural activities or farming";

(B) "Alluvial valley floors";

(C) "Arid and semiarid area";

(D) "Essential hydrologic functions";

(E) "Flood irrigation";

(F) "Materially damage the quality and quantity of water";

(G) "Rangeland";

(H) "Special bituminous coal mines";

(I) "Subirrigation";

(J) "Undeveloped rangeland"; and

(K) "Upland areas."

(c) Definitions, 30 CFR 705.5, except:

(1) "Employee" is defined in K.A.R. 47-2-21; and

(2) "State regulatory authority" is defined in K.A.R. 47-2-53.

(d) This regulation shall take effect on or after May 1, 1986. (Authorized by K.S.A. 49-404, 49-405; implementing K.S.A. 49-401 *et seq.*; effective, E-81-30, Oct. 8, 1980; effective May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended, T-87-16, July 1, 1986.)

JOYCE STOVER
Executive Director

Doc. No. 004480

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENTTEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective July 1, 1986. Expire May 1, 1987.)

Article 48:—TRAUMATIC HEAD
INJURY FACILITIES

28-48-1. General certification. The code of federal regulations, 42 CFR 405.1101 to 42 CFR 405.1137 inclusive, as in effect July 1, 1985, is adopted by reference. (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

28-48-2. Definitions. (a) The definitions in K.A.R. 28-39-76, and amendments thereto, are applicable to K.A.R. 28-48-1 to K.A.R. 28-48-8.

(b) "Postacute trauma head injury" means any combination of focal and diffuse central nervous system dysfunctions, both immediate and delayed, that occur at the brain stem level and above and that resulted from the interaction of any single or repetitive external force on the body.

(c) "Coma" means a deep unconscious state resulting from a traumatic brain injury. (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

28-48-3. Administration. (a) Each facility shall adopt and enforce written policies relative to:

(1) The health care, safety, psychosocial, and self-esteem needs of the patients;

(2) Protection of personal and property rights of patients;

(3) Review of policies. All policies and procedures of the facility shall be revised as necessary and shall be reviewed at least annually;

(4) Availability of policies. Policies and procedures shall be available on request to all persons during normal business hours. A notice of availability shall be posted in a conspicuous location in the facility.

(b) Admission. Each facility shall have written policies regarding admission of patients. The admission policies shall meet the following requirements:

(1) Each facility shall only admit persons having a diagnosis of postacute traumatic head injury.

(2) Each facility shall use Ranchos Los Amigos (RLA) or disability rating scales (DR) to measure cognitive functioning.

(3) Each patient admitted shall be under the care of a physician licensed to practice in Kansas.

(4) Upon admission or within 48 hours of admission, referral information shall be obtained by the facility. Referral forms shall include the medical history, diagnosis, personal and social data, and description of permitted activities. Pertinent rehabilitative information shall be requested within seven days of admission and such requests shall be documented.

(5) Before admission, the prospective patient or the legal guardian of the patient shall be informed in writing of the rates and charges for the facility's ser-

vices and of the patient's obligation regarding payment. This information shall include the refund policy of the facility.

(6) At the time of admission, the facility shall execute a written agreement with each patient or the legal guardian of the patient which describes in detail the goods and services which the patient will receive and which sets forth the obligations that the patient has toward the facility:

(7) Each facility shall not admit:

(A) Any person with an infection or disease in communicable stage;

(B) Any woman who is pregnant or within three months following pregnancy; or

(C) Any child under the age of 14 years, unless:

(i) The child is presently in a coma;

(ii) A pediatric physician is on staff; and

(iii) Nursing personnel have completed at least six hours of inservice training specifically relating to pediatric nursing. (Authorized by and implementing K.S.A. 65-461, effective, T-86-18, July 1, 1986.)

28-48-4. Patient care. (a) Each facility shall have and implement written patient care policies and procedures for meeting the total medical, nursing, nutritional, and psychosocial needs of patients.

(b) These policies and procedures shall govern admission procedures, the patient care plan, all areas of services and functions provided by the facility, and transfer and discharge procedures.

(c) The facility shall appoint in writing a physician to be responsible to the administrator for the execution of patient care policies and procedures and patient care plans for all patients.

(d) Specialized rehabilitative services as required in CFR 405.1126 shall be provided only on site.

(e) Restraints. There shall be a signed physician's order for any restraint, including justification, type of restraint, and duration of application. A patient shall not be restrained unless, in the written opinion of the attending physician, it is required to prevent injury to the patient or to others and alternative measures have failed.

(f) Patient care and hygiene. Each facility shall provide supportive services to maintain the patients' comfort and hygiene as follows:

(1) Patients confined to bed shall receive a complete bath every other day or more often as needed.

(2) Incontinent patients shall be checked at least every two hours and shall be given partial baths and clean linens promptly when the bed or clothing is soiled.

(3) Pads shall be used to keep the patient dry and comfortable.

(4) Rubber, plastic, or other types of protectors shall be kept clean, completely covered, and not in direct contact with the patient.

(5) Soiled linen and clothing shall be removed immediately from the patient's room to prevent odors.

(6) There shall be fresh water for all patients at the bedside at all times unless fluids are restricted by physician's order.

(7) Patients shall be assisted with oral hygiene to

keep mouth, teeth, or dentures clean. Measures shall be taken to prevent dry, cracked lips.

(8) There shall be a written, ongoing program for skilled care implemented as follows:

(A) Bony prominences and weight-bearing parts, such as heels, elbows, and back, shall be bathed and given care frequently to prevent discomfort and the development of pressure sores.

(B) Treatment for pressure sores shall be given according to written physician's orders.

(C) The position of patients confined to bed shall be changed at least every two hours during the day and night.

(D) Patients shall be positioned in good body alignment.

(E) Precautions shall be taken to prevent foot drop in bed patients.

(g) Oxygen.

(1) Precautions shall be taken during administration of oxygen in the facility to ensure the safety of patients and staff.

(2) Oxygen shall be administered only upon the written order of the attending physician.

(3) The director of nursing shall be responsible for ensuring that the staff administering oxygen are trained and competent to do so and that equipment is properly functioning.

(4) A sign shall be posted on the corridor side of the door which reads "Oxygen—No Smoking."

(5) Before oxygen is put into use, all smoking materials, matches, lighters, or any item capable of causing a spark or flame shall be removed from the room.

(6) Oxygen containers shall be anchored to prevent them from tipping or falling over.

(h) Supervision of patient nutrition.

(1) Nursing personnel shall monitor food and fluid intake of patients and shall assist, when necessary, in the feeding of patients.

(2) Procedures shall be established to inform the dietetic services department of physicians' diet orders and of patients' dietetic problems.

(3) Food and fluid intake of patients shall be observed, recorded, and reported to the charge nurse.

(i) Restorative nursing care.

(1) The facility shall have a written program of restorative nursing care which shall be an integral part of nursing services and shall be directed toward assisting the patient to achieve and maintain an optimal level of self-care and independence.

(2) There shall be evidence of regular staff development training sessions for all nursing personnel in restorative nursing techniques that:

(A) Promote ambulation to aid in activities of daily living;

(B) Assist in bladder and bowel retraining;

(C) Encourage self-help;

(D) Promote the maintenance of normal range of motion;

(E) Ensure correct chair and bed positioning; and

(F) Prevent or reduce incontinence.

(3) Written records shall be maintained regarding all restorative nursing services performed. (Autho-

rized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

28-48-5. Staff development. (a) Each facility shall plan and conduct an ongoing staff development program designed to improve the skills of all employees.

(1) Each employee shall receive annual training in fire prevention and safety, accident prevention, confidentiality of patient information, psychosocial needs of patients, infection control, and patient rights.

(2) All health care personnel shall receive annual training in restorative nursing techniques and dental care and hygiene.

(3) Each administrator shall annually accumulate 10 clock hours of continuing education relating to rehabilitation or traumatic brain injury.

(4) Each director of nursing shall, prior to employment, have completed 30 hours of formal nursing education pertinent to rehabilitative nursing and shall annually accumulate 10 hours of nursing education in the area of rehabilitation or traumatic head injury.

(5) Each unlicensed employee giving direct individual care to patients shall participate in at least 12 hours of staff development programs per year. All other employees shall participate in at least eight hours of staff development programs per year.

(6) Written records shall be maintained which indicate content of staff development programs and those in attendance.

(b) The facility shall provide training for each newly employed nurse aide and that training shall be completed within six months of employment. The training shall include:

(1) Twenty-five hours of classroom training, including the following subject areas: rehabilitative process, special services for and treatment of the post-acute trauma head injured person, traumatic brain injury complications, emergency training, CPR, and Heimlich maneuver; and

(2) Fifty hours of clinical training, including demonstration, observation, and supervised experience in the following areas: physical therapy, occupational therapy, speech/language therapy, cognitive assessment, disabilities, behavior modification, and communication techniques.

(c) Each facility shall designate a training director who shall be a registered nurse in Kansas. The training director shall design and approve nurse aide training programs provided or accepted by the facility. Each classroom instructor shall be a licensed or professional health care provider having at least one year of experience in rehabilitative nursing within the preceding five years. Clinical demonstration and supervision shall be performed by licensed personnel. (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

28-48-6. Staffing. (a) Each facility shall meet the nurse aide training, examination, continuing education, and certificate update requirements in K.A.R. 28-39-79 to K.A.R. 28-39-81b and any amendments thereto.

(continued)

(b) Each facility shall employ qualified personnel to ensure that patient needs are met 24 hours a day. The following requirements shall be met:

(1) Licensed nursing. Each facility shall provide a registered nurse for each nursing unit at all times.

(A) Between the period 6:00 a.m. to 9:00 p.m., the facility shall provide one licensed nurse for each 18 patients or for each fraction of 18 patients; and

(B) Between the period of 9:00 p.m. to 6:00 a.m., the facility shall provide for one licensed nurse for each 36 patients or fraction of 36 patients.

(2) Nursing personnel. In addition to the requirements of section (b)(1), each facility shall provide for direct, individual patient care by nursing personnel as follows:

(A) Between the period 6:00 a.m. to 9:00 p.m., one nursing personnel for each nine patients or fraction of nine patients; and

(B) Between the period 9:00 p.m. to 6:00 a.m., one nursing personnel for each 18 patients or fraction of 18 patients.

(c) Each facility shall employ one full-time patient activities coordinator for each 36 patients or fraction of 36 patients.

(d) Each facility shall employ one full-time social services designee for each 36 patients or fraction of 36 patients. (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

28-48-7. Medical records. Each facility shall meet the requirements related to medical records in K.A.R. 28-39-91 and any amendments thereto. (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

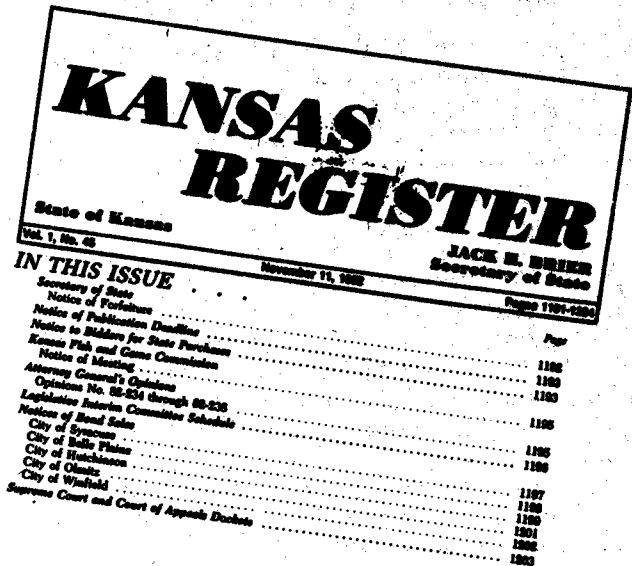
28-48-8. Physical environment. Each facility shall meet the requirements of K.A.R. 28-39-109 to K.A.R. 28-39-113 and any amendments thereto, except for K.A.R. 28-39-109(b)(1)(D). (Authorized by and implementing K.S.A. 65-461, effective, T-87-18, July 1, 1986.)

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