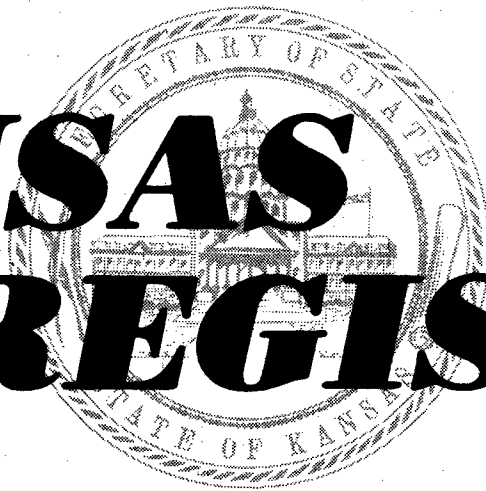


KANSAS REGISTER



State of Kansas

**JACK H. BRIER
Secretary of State**

Vol. 5, No. 36

September 4, 1986

Pages 1193-1224

IN THIS ISSUE

	Page
State Planning Council on Developmental Disabilities Services	
Notice of Meeting	1194
State Board of Indigents' Defense Services	
Notice of Meeting	1194
Legislative Interim Committee Schedule	1194
Office of Securities Commissioner	
Notice of Hearing on Proposed Administrative Regulations	1196
Kansas Water Office	
Notice of Hearings	1196
Department of Transportation	
Notice to Contractors	1196
State Conservation Commission	
Notice to Contractors	1197
Employee Award Board	
Notice of Hearing on Proposed Administrative Regulations	1197
Advisory Commission on Juvenile Offender Programs and the State Advisory Group	
Notice of Meeting	1197
Department of Economic Development	
Notice of Hearing on Proposed Administrative Regulations	1198
Department of Revenue	
Notice of Hearing on Proposed Administrative Regulations	1198
Attorney General	
Opinions No. 86-119 through 86-121	1198
Department of Administration	
Notice of Commencement of Negotiations for Engineering Services	1199
Notice of Hearing on Proposed Administrative Regulations	1199
Secretary of State	
Usury Rate for September	1200
Certificate of the State Board of Canvassers	1200
State Board of Agriculture	
Notice of Hearing on Proposed Administrative Regulations	1205
State Corporation Commission	
Notices of Hearings	1205, 1206
Notice of Motor Carrier Hearings	1210
Notice of Bond Redemption	
Finney County	1206
Notice of Bond Sale	
Sherman County	1207
Notice to Bidders for State Purchases	1209
Temporary Administrative Regulations	
Social and Rehabilitation Services	1213
Kansas Facts	1221

State of Kansas
**SOCIAL AND REHABILITATION SERVICES
 STATE PLANNING COUNCIL ON
 DEVELOPMENTAL DISABILITIES SERVICES**

NOTICE OF MEETING

The State Planning Council on Developmental Disabilities Services will meet from 9 a.m. to 4 p.m. Tuesday, September 9, at Lakemary Center, 100 Lakemary Drive, Paola.

JOHN KELLY
 Executive Secretary

Doc. No. 004553

State of Kansas
**BOARD OF INDIGENTS'
 DEFENSE SERVICES**
NOTICE OF MEETING

The State Board of Indigents' Defense Services will meet at 1:30 p.m. Monday, September 15, at the Holidome, Golden Harvest Room, Hutchinson.

For further information contact Ron Miles, Director, 503 Kansas Ave., Suite 536, Topeka 66603, (913) 296-4505.

RONALD E. MILES
 Director

Doc. No. 004543

State of Kansas

LEGISLATURE

INTERIM AGENDA

The following committee meetings have been scheduled during the period of September 8 through September 19, 1986:

Date	Room	Time	Committee	Agenda
Sept. 9	514-S	10:00 a.m.	Special Committee on	Proposal No. 21—Review of bill and resolution of drafts.
Sept. 10	514-S	9:00 a.m.	Legislative Apportionment	
Sept. 11	123-S	10:00 a.m.	Special Committee on Ways	11th: (a.m.) Proposal No. 35, staff report and hearing; (p.m.) Proposal No. 39, staff report and hearing; Proposal No. 38, committee discussion. 12th: (a.m.) Proposal No. 41, staff report and presentation by KSU extension representatives; (p.m.) hearing on Proposal No. 40.
Sept. 12	123-S	9:00 a.m.	and Means	

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



PHONE: 913/296-3489

Sept. 11 Sept. 12	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Transportation	Proposal No. 30—Selection of Highway Improvement Projects. Proposal No. 34—Mid States Port Authority Powers; possible consideration of previously heard proposals.
Sept. 11 Sept. 12	313-S 313-S	10:00 a.m. 9:00 a.m.	Special Committee on Tort Reform and Liability Insurance	11th: Conferees of Kansas Tort Claims Act; review of legislative suggestions to date. 12th: Insurance Department recommendations and committee discussion.
Sept. 16 Sept. 17	527-S 527-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Agenda to be determined.
Sept. 17 Sept. 18	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Energy and Natural Resources	Briefings and hearing on Proposal No. 10—State Water Plan.
Sept. 18 Sept. 19	527-S 527-S	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
Sept. 18 Sept. 19	519-S 519-S	9:00 a.m. 8:00 a.m.	Task Force on Business Training—Legislative Commission on Kansas Economic Development	18th: Legislative Post Audit report concerning job training programs and agency responses; job training and economic development issues. 19th: Hearings: Vocational and business training programs—enhancement of economic developments.
Sept. 18 Sept. 19	526-S 526-S	10:00 a.m. 9:00 a.m.	Task Force on Capital Markets and Tax Structure—Legislative Commission on Economic Development	Banking structure.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 004557

State of Kansas

**SECURITIES COMMISSIONER
OF KANSAS****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted from 9:30 to 10 a.m. Wednesday, September 24, at the Office of the Securities Commissioner, Suite 212, 503 Kansas Ave., Topeka, to consider the adoption and amendment of permanent and temporary regulations of the Commissioner.

All interested parties may submit written comments prior to the hearing to the Commissioner at the above address. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to adoption of the proposed amendments and revocations. Following the hearing, all written and oral comments submitted by interested parties will be considered by the Commissioner as a basis for making any changes to the proposed amendments or revocations.

The following is a brief summary of the proposed regulations and amendments:

K.A.R. 81-3-3. Investment Advisor; fees. The proposed regulation implements L. 1986, Ch. 91, Sec. 1 and authorizes registered investment advisors to charge fees based on a share of capital appreciation of a client's account.

81-5-3. Isolated transaction exemption. The proposed amendment prohibits the use of public advertising or public solicitation in connection with an offering as a condition to claiming the exemption.

81-5-6. Uniform limited offering exemption. The proposed amendment further extends the state limited offering exemption from registration to cover those issues exempt under federal regulation D, Rule 506.

81-5-7. Exchange and NASDAQ/NMS Exemption. The proposed regulation exempts from registration certain securities of issuers listed on enumerated national and regional exchanges and with NASDAQ/National Market System.

Copies of the full text of the proposed amendments and regulations and the fiscal impact statements may be obtained by writing to the Office of the Securities Commissioner at the above address.

JOHN R. WURTH
Securities Commissioner of Kansas

Doc. No. 004555

State of Kansas

KANSAS WATER OFFICE**NOTICE OF HEARINGS**

The Kansas Water Office will conduct two public hearings to obtain public comment on proposed guidelines for irrigation, municipal and industrial water conservation plans. The hearings are scheduled as follows:

- Wednesday, September 10, 1:30 p.m., Room 313-South, State Capitol, Topeka
- Thursday, September 11, 7 p.m., Fort Hays Experiment Station Auditorium, Hays

Copies of the proposed guidelines will be available for inspection after August 11 at the conservation district office located in each county. Copies may also be obtained from the Kansas Water Office.

For additional information contact Thomas W. Lowe, Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612-1215, (913) 296-3185.

JOSEPH F. HARKINS
Director, Kansas Water Office

Doc. No. 004542

State of Kansas

DEPARTMENT OF TRANSPORTATION**NOTICE TO CONTRACTORS**

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. 004532

State of Kansas

STATE CONSERVATION COMMISSION**NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 29,000 cubic yard flood control dam site 19-6 in Brown County will be received by the Wolf River Watershed Joint District No. 66 in the Wolf River Watershed Office, Robinson 66532, until 1 p.m. September 15, and then will be publicly opened. Proposals will be issued upon request to all prospective bidders by calling (913) 544-6686.

Copies of plans and specifications are available at the Wolf River Watershed Office or Speaker-King Inc., 125 W. 4th, Holton 66436, (913) 364-4309.

KENNETH F. KERN
Executive Director

Doc. No. 004545

State of Kansas

**DEPARTMENT OF ADMINISTRATION
EMPLOYEE AWARD BOARD****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 9 a.m. Friday, September 19, in the Old Supreme Court Room, third floor, State Capitol, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Employee Award Board. These regulations are being adopted on a temporary and permanent basis.

All interested parties may submit written comments prior to the hearing to John Collins, Division of Personnel Services, Room 129-S, State Office Building, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

A summary of proposed regulations follows:

K.A.R. 18-1-1 relates to the Employee Award Board. This new regulation is proposed pursuant to L. 1986, Chapter 320.

K.A.R. 18-1-2 is a proposed new regulation which establishes a service award program pursuant to L. 1986, Chapter 320.

K.A.R. 18-2-1 through 18-2-7 are proposed new regulations to implement a suggestion award program for state employees which was authorized by L. 1986, Chapter 320.

Copies of these regulations and of the fiscal impact statements may be obtained from the Division of Personnel Services, (913) 296-4084 (KANS-A-N 561-4084).

ALDEN K. SHIELDS
Secretary of Administration

Doc. No. 004564

State of Kansas

**SOCIAL AND REHABILITATION SERVICES
ADVISORY COMMISSION ON JUVENILE
OFFENDER PROGRAMS AND THE
STATE ADVISORY GROUP****NOTICE OF MEETING**

The Advisory Commission on Juvenile Offender Programs and the State Advisory Group will meet at 9:30 a.m. Friday, September 12, in Room 521, State Capitol, Topeka.

BENJAMIN S. COATES
Juvenile Offender Programs
Youth Services

Doc. No. 004556

State of Kansas

**DEPARTMENT OF ECONOMIC
DEVELOPMENT****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 9 a.m. Friday, September 19, in the conference room of the Kansas Department of Economic Development, 400 W. 8th, fifth floor, Topeka, to consider the adoption of proposed temporary and permanent rules and regulations of the department.

All interested parties may submit written comments prior to the hearing to the Secretary of Economic Development, 400 W. 8th, 5th Floor, 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 present 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 Secretary of Economic Development as the basis for making changes to these proposed regulations.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing the Department of Economic Development.

The following is a brief summary of the proposed regulations:

K.A.R. 110-1-1 and 110-1-2 are sections of Article 1 of the Kansas Administrative Regulations relating to certification of venture capital companies and offering of credits against Kansas income tax for cash investment in certified Kansas venture capital companies. This regulation is required and authorized by L. 1986, Ch. 285.

CHARLES J. SCHWARTZ
Secretary of Economic Development

Doc. No. 004562

State of Kansas

DEPARTMENT OF REVENUE

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 9 a.m. Monday, September 22, in the Office of the Kansas Department of Revenue, secretary's conference room, second floor, State Office Building, Topeka, to consider the adoption of a proposed temporary regulation of the Department of Revenue.

A copy of the fiscal impact statement may be obtained by contacting Melanie Caro, Legal Services Bureau, Kansas Department of Revenue, State Office Building, Topeka 66612-1588.

All interested parties may submit written comments prior to or at the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. A copy of the full text of the proposed regulation follows.

92-51-40. Handicapped persons placards and identification card fees. The fee for any placard issued to a handicapped person or any person responsible for the transportation of a handicapped person pursuant to section 2 of chapter 36 of the 1986 Session Laws of Kansas shall be \$2. The fee for any individual identification card issued to a handicapped person pursuant to section 2 of chapter 36 of the 1986 Session Laws of Kansas shall be \$1. (Authorized by and implementing L. 1986, Ch. 36, Sec. 2; effective, T - ,)

HARLEY T. DUNCAN
Secretary of Revenue

Doc. No. 004566

State of Kansas

ATTORNEY GENERAL

Opinion No. 86-119

Taxation—Property Exempt from Taxation—Church Parsonages; Application for Exemption. Senator Edward F. Reilly, Jr., 3rd District, Leavenworth, August 22, 1986.

It is well-settled that parsonages are not tax exempt under the Kansas Constitution. Thus, parsonages have been taxable property since the 1969 legislature dropped the specific provision granting parsonages an exemption. By passing Senate Bill No. 400, the 1986 legislature once again granted parsonages an exemption. However, churches must affirmatively reapply to the Board of Tax Appeals to be granted such an exemption. In addition to this application being mandated by statute, it is necessary in light of the fact that, through 1986 Senate Bill No. 400, the legislature changed the test to be applied in determining a parsonage's tax-exempt status from its pre-1969 test. Because of this, it is imperative that the Board of Tax Appeals have the applications in order to make an informed decision. Cited herein: K.S.A. 1985 Supp. 79-201, as amended by L. 1986, ch. 368, § 1 *Seventh*,

and L. 1986, ch. 369, § 1 *Seventh*; K.S.A. 79-213; Kan. Const., Art. 11, § 1; Gen. Stat. of 1909, Sec. 9216; L. 1929, ch. 283, § 1; K.S.A. 1968 Supp. 79-201 *First*; L. 1969, ch. 429, § 1. JLM

Opinion No. 86-120

Automobiles and Other Vehicles—Uniform Act Regulating Traffic; Powers of State and Local Authorities—Removal of Traffic Hazards from Private Property; Growing Crops. John Thomas Reid, Harvey County Attorney, Newton, August 22, 1986.

For purposes of a property owner's duty to remove traffic hazards from private property, growing crops are included in the terms "any tree, plant, shrub or other obstruction." Cited herein: K.S.A. 8-201(a), K.S.A. 1985 Supp. 77-201 *Second*, as amended by L. 1986, ch. 211, § 39. JLM

Opinion No. 86-121

Counties and County Officers—County Commissioners; Powers and Duties—Vacancies; Residence Requirements; Rearrangement of Commissioner Districts. Charles A. Peckham, Rawlins County Attorney, Atwood, August 22, 1986.

K.S.A. 19-202 requires each member of the board of county commissioners to be a qualified elector and a resident of the district within the county that he or she represents. Such residency requirement is a continuing, as well as a preliminary, qualification for the office. Accordingly, the office of county commissioner automatically becomes vacant upon the commissioner's moving to another commissioner district, even if his or her new residence is still located within the county in which said commissioner was elected to serve.

Furthermore, a board of county commissioners has the authority to rearrange its commissioner districts by county resolution, as long as the commissioners comply with the broad guidelines for redistricting contained in K.S.A. 19-204 and Kansas case law. The statute requires the board of commissioners to divide the county into commissioner districts which are "as compact and equal in population as possible." Additionally, the Kansas Supreme Court has imposed the requirement that the integrity of the boundaries of voting precincts be maintained. Absent an intentional abuse of discretion, if a county adheres to these guidelines in rearranging its county commissioner districts, the commissioners may re-draw the commissioner district boundary lines as they see fit. Cited herein: K.S.A. 19-202; 19-204; 19-2608, repealed, L. 1976, ch. 129, § 1; K.S.A. 1985 Supp. 77-201, as amended by L. 1986, ch. 211, § 39; Gen. Stat. 1915, § 2539; Kan. Const., Art. 4, § 2; Art. 5, § 1. BPA

ROBERT T. STEPHAN
Attorney General

Doc. No. 004558

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

**NOTICE OF COMMENCEMENT
 OF NEGOTIATIONS
 FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for engineering services for a technical assistance study for energy management of Porter Hall at Pittsburg State University, Pittsburg.

Notice is also given of the negotiation of an engineering contract for energy conservation measures for a portion of Russ Hall at Pittsburg State University.

Any questions or expressions of interest should be directed to Norman D. Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to September 19, 1986.

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

Doc. No. 004544

State of Kansas
DEPARTMENT OF ADMINISTRATION

**NOTICE OF HEARING
 ON PROPOSED
 ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 1 p.m. Friday, September 19, in the Old Supreme Court Room, third floor, State Capitol, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Department of Administration.

All interested parties may submit written comments prior to the hearing to the Secretary of Administration, 2nd Floor, State Capitol, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

A summary of proposed regulations follows:

Division of Accounts and Reports

K.A.R. 1-16-15: This regulation establishes conditions under which a reduced subsistence allowance may be paid. Amendments to the regulation reflect proposed amendments to K.A.R. 1-16-18 and are therefore technical in nature. This regulation is being adopted on a temporary basis.

K.A.R. 1-16-18: The proposed amendments to this regulation would provide for reimbursement of meal and lodging expenses incurred while traveling within the state on official business in the same manner currently prescribed for traveling out-of-state. Meal expense allowance for travel within the state would be on a quarter day basis at a prescribed rate of \$4 per quarter. The regulation sets lodging expense limitations of \$40 per night for in-state travel except that

locations designated as high cost geographic areas would have a limitation of \$50 per night. The maximum lodging expense limitations for travel out-of-state would be increased from \$50 to \$60 per night for destinations not designated as high cost areas while the prescribed maximum rates for designated high cost geographic areas and certain other identified areas would remain at the rates prescribed under the current regulation. This regulation is being adopted on a temporary basis.

1-16-18a: Amendments to the regulation adjust the list of high cost geographic areas to reflect current information about the costs of travel to those locations and the changes in reimbursement rates established by K.A.R. 1-16-18. This regulation is being adopted on a temporary basis.

1-16-18b: This is a new regulation clarifying that state employees who travel in-state on official state business and who are eligible for reimbursement for lodging expenses are not required to share lodging accommodations with other state employees. This regulation is being adopted on a temporary and a permanent basis.

Copies of these regulations and their fiscal impact statements may be obtained from the Division of Accounts and Reports, Room 110-N, State Office Building, Topeka 66612, (913) 296-2311 (KANS-A-N 561-2311).

The following regulations are being revoked on a temporary and permanent basis and will be replaced by the proposed regulations of the Employee Award Board:

1-29-1	1-30-11
1-29-2	1-30-14
1-29-3	1-30-16
1-30-1	1-30-18
1-30-3	1-30-19
1-30-4	1-30-21
1-30-5	1-30-22
1-30-7	1-30-23
1-30-8	1-30-24

Copies of these regulations and fiscal impact statements may be obtained from the Division of Personnel Services, Room 129-S, State Office Building, Topeka 66612, (913) 296-4084 (KANS-A-N 561-4084).

ALDEN K. SHIELDS
 Secretary of Administration

Doc. No. 004563

State of Kansas

SECRETARY OF STATE**NOTICE**

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1985 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of September 1, 1986 through September 30, 1986 shall be 11.13 per cent.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 29th day of August, A.D. 1986.

JACK H. BRIER
Secretary of State

Doc. No. 004565

State of Kansas

SECRETARY OF STATE**CERTIFICATE OF THE
STATE BOARD OF CANVASSERS**

We, John Carlin, Governor; Jack H. Brier, Secretary of State; and Robert T. Stephan, Attorney General, constituting the State Board of Canvassers of the State of Kansas, do hereby certify that we have examined the certified abstract of votes on file in the office of the Secretary of State, as prescribed by law, and find that the statement given of the whole number of votes cast at the Primary Election held on August 5, 1986, for the several candidates for the various offices therein named are correct.

We further certify that each of the following named persons is entitled to a place on the official ballot as the candidate of his or her respective party, for the respective offices, at the General Election to be held on November 4, 1986, by virtue of receiving the greatest number of votes cast at said Primary Election for the various offices or by nomination made at political party convention.

United States Senator

Bob Dole, Russell, Republican
Guy MacDonald, Wichita, Democrat

United States Representative, 1st District

Pat Roberts, Dodge City, Republican
Dale Lyon, Athol, Democrat

United States Representative, 2nd District

Phill Kline, Lawrence, Republican
Jim Slattery, Topeka, Democrat

United States Representative, 3rd District

Jan Meyers, Overland Park, Republican

United States Representative, 4th District

Bob Knight, Wichita, Republican
Dan Glickman, Wichita, Democrat

United States Representative, 5th District

Bob Whittaker, Augusta, Republican
Kym E. Myers, Emporia, Democrat

Governor—Lieutenant Governor

Mike Hayden, Atwood, Republican
Jack Walker, Overland Park, Republican
Tom Docking, Wichita, Democrat
John G. Montgomery, Junction City, Democrat

Secretary of State

Bill Graves, Salina, Republican
Judith C. "Judy" Runnels, Topeka, Democrat

Attorney General

Robert T. "Bob" Stephan, Wichita, Republican
Dennis W. Moore, Overland Park, Democrat

State Treasurer

Larry "Monty" Montgomery, Topeka, Republican
Joan Finney, Topeka, Democrat

Insurance Commissioner

Fletcher Bell, Lawrence, Republican
Daniel M. Landers, Mulvane, Democrat

State Representative, 1st District

Tim Shallenburger, Baxter Springs, Republican
Kent Lynch, Baxter Springs, Democrat

State Representative, 2nd District

F. L. "Slick" Norris, Altamont, Republican
Jack Lacey, Oswego, Democrat

State Representative, 3rd District

Lawrence J. Wilbert, Pittsburg, Republican

State Representative, 4th District

Judy Riches, Pittsburg, Republican
L. V. (Sam) Roper, Girard, Democrat

State Representative, 5th District

Edwin H. Bideau III, Chanute, Republican

State Representative, 6th District

Steven L. Stapleton, Parsons, Republican
Bill Brady, Parsons, Democrat

State Representative, 7th District

James W. Wilson, Coffeyville, Republican
Jim Russell, Coffeyville, Democrat

State Representative, 8th District

Cindy Empson, Independence, Republican
Gene Garman, Independence, Democrat

State Representative, 9th District

Rochelle Beach Chronister, Neodesha, Republican

State Representative, 10th District

Denise C. Apt, Iola, Republican

State Representative, 11th District

Richard L. Harper, Fort Scott, Republican
Harvey D. Crandall, Fort Scott, Democrat

State Representative, 12th District

George Clasen, Garnett, Republican
George Teagarden, La Cygne, Democrat

State Representative, 13th District

Burt DeBaun, Osage City, Republican
Elaine Wells, Carbondale, Democrat

State Representative, 14th District

Jack E. Beauchamp, Ottawa, Republican
Bettie Sue Shumway, Ottawa, Democrat

State Representative, 15th District

Marvin Wm. Barkis, Louisburg, Democrat

State Representative, 16th District

James E. Lowther, Emporia, Republican

State Representative, 17th District

Jeff Freeman, Burlington, Republican
Jackson George, Lebo, Democrat

State Representative, 18th District

Eugene P. (Gene) Amos, Shawnee, Republican
Barbara Miller, Shawnee, Democrat

State Representative, 19th District

Phil Kline, Overland Park, Republican

State Representative, 20th District

Arthur W. Douville, Overland Park, Republican
Kaye Cleaver, Overland Park, Democrat

State Representative, 21st District

Ron Fox, Prairie Village, Republican

State Representative, 22nd District

Bruce Mayfield, Overland Park, Republican
Carol Sader, Prairie Village, Democrat

State Representative, 23rd District

Gary H. Blumenthal, Merriam, Democrat

State Representative, 24th District

Rex B. Hoy, Fairway, Republican

State Representative, 25th District

Samuel Burr Sifers, Mission Hills, Republican

State Representative, 26th District

Vincent K. Snowbarger, Olathe, Republican
Lyric Bartz, Olathe, Democrat

State Representative, 27th District

Nancy Brown, Stanley, Republican

State Representative, 28th District

Kerry Patrick, Leawood, Republican

State Representative, 29th District

Robert (Bob) Vancrum, Overland Park, Republican

State Representative, 30th District

Franklin E. (Frank) Weimer, Lenexa, Republican
Jean M. Stover, Lenexa, Democrat

State Representative, 31st District

Jack J. H. Beemont, Kansas City, Republican
Bill Wisdom, Kansas City, Democrat

State Representative, 32nd District

Herman G. Dillon, Kansas City, Democrat

State Representative, 33rd District

Michael J. (Mike) Peterson, Kansas City, Democrat

State Representative, 34th District

Thomas E. Barnes, Kansas City, Republican
Norman E. Justice, Kansas City, Democrat

State Representative, 35th District

Clarence C. Love, Kansas City, Democrat

State Representative, 36th District

B. D. Kanan, Kansas City, Republican
Mary Jane Johnson, Kansas City, Democrat

State Representative, 37th District

Bill Reardon, Kansas City, Democrat

State Representative, 38th District

John F. Sutter, Kansas City, Democrat

State Representative, 39th District

Fred W. Rosenau, Kansas City, Democrat

State Representative, 40th District

Alfred Ramirez, Bonner Springs, Republican

State Representative, 41st District

Clyde D. Graeber, Leavenworth, Republican
Jim Murphy, Leavenworth, Democrat

State Representative, 42nd District

Martha Jenkins, Leavenworth, Republican
David Hornick, Leavenworth, Democrat

State Representative, 43rd District

David G. Miller, Eudora, Republican
Bob Miller, Baldwin City, Democrat

State Representative, 44th District

Chris Miller, Lawrence, Republican
Jessie M. Branson, Lawrence, Democrat

State Representative, 45th District

Martha J. Parker, Overbrook, Republican
John M. Solbach, Lawrence, Democrat

State Representative, 46th District

Benjamin Casad, Lawrence, Republican
Betty Jo Charlton, Lawrence, Democrat

State Representative, 47th District

Jack Foster, Linwood, Republican
Robin D. Leach, Linwood, Democrat

State Representative, 48th District

Joan E. Adam, Atchison, Democrat

State Representative, 49th District

Don Sallee, Troy, Republican
Jim Bowhay, Netawaka, Democrat

(continued)

State Representative, 50th District
Marvin E. Smith, Topeka, Republican

State Representative, 51st District
Ginger Barr, Auburn, Republican

State Representative, 52nd District
Clint Acheson, Topeka, Republican
Burton L. (Bud) Buser, Topeka, Democrat

State Representative, 53rd District
Mac McConnell, Topeka, Republican
Bill Roy, Jr., Topeka, Democrat

State Representative, 54th District
Bill Bunten, Topeka, Republican
June Teasley, Topeka, Democrat

State Representative, 55th District
Katie Pyle, Topeka, Republican
Joan Wagnon, Topeka, Democrat

State Representative, 56th District
Peggy M. Boggs, Topeka, Republican
Kathleen Sebelius, Topeka, Democrat

State Representative, 57th District
Arlene F. Clayton, Topeka, Republican
Donald E. Mainey, Topeka, Democrat

State Representative, 58th District
George Alexander, Topeka, Republican
Anthony Hensley, Topeka, Democrat

State Representative, 59th District
Marion W. Manion, Topeka, Republican
Charles F. Laird, Topeka, Democrat

State Representative, 60th District
Richard E. "Dick" Eckert, Wetmore, Republican

State Representative, 61st District
Lauren Welch, Wamego, Republican
Don M. Rezac, Onaga, Democrat

State Representative, 62nd District
Lloyd D. Polson, Vermillion, Republican
Bruce F. Larkin, Baileyville, Democrat

State Representative, 63rd District
Bill Bryant, Washington, Republican

State Representative, 64th District
James D. Braden, Clay Center, Republican

State Representative, 65th District
Ed C. Rolfs, Junction City, Republican

State Representative, 66th District
Ivan Sand, Riley, Republican
Katha Connor Hurt, Manhattan, Democrat

State Representative, 67th District
Joseph A. Knopp, Manhattan, Republican

State Representative, 68th District
Elaine Hassler, Abilene, Republican
Matt M. Matthews, Council Grove, Democrat

State Representative, 69th District
Larry F. Turnquist, Salina, Democrat

State Representative, 70th District
Duane A. Goossen, Goessel, Republican
Timothy S. Fry, Cottonwood Falls, Democrat

State Representative, 71st District
Bob E. Ott, Salina, Republican

State Representative, 72nd District
Thomas F. Walker, Newton, Republican

State Representative, 73rd District
Dale M. Sprague, McPherson, Republican

State Representative, 74th District
Jayne Aylward, Salina, Republican

State Representative, 75th District
Jean Plummer, El Dorado, Republican
Kenneth W. Green, El Dorado, Democrat

State Representative, 76th District
Rex Crowell, Longton, Republican

State Representative, 77th District
Kenneth R. King, Leon, Republican

State Representative, 78th District
Dorothy Higginbottom Flottman, Winfield,
Republican

State Representative, 79th District
Jack Shriver, Arkansas City, Democrat

State Representative, 80th District
Robert H. Miller, Wellington, Republican

State Representative, 81st District
Debara K. Schauf, Mulvane, Republican
Harvey Wells, Mulvane, Democrat

State Representative, 82nd District
Elizabeth Baker, Derby, Republican
Albert Davy, Derby, Democrat

State Representative, 83rd District
Joann Pottorff, Wichita, Republican
Cyrel Dean Foote, Wichita, Democrat

State Representative, 84th District
Jim Smith, Wichita, Republican
Connie Ames Kennard, Wichita, Democrat

State Representative, 85th District
Ben Foster, Wichita, Republican
John Livengood, Bel Aire, Democrat

State Representative, 86th District
Carl T. Ratner, Wichita, Republican
Henry M. Helgerson, Jr., Wichita, Democrat

State Representative, 87th District
Wanda Fuller, Wichita, Republican
John Polson, Wichita, Democrat

State Representative, 88th District
 J. Santford "Sandy" Duncan, Wichita, Republican
 James Sanford Phillips, Sr., Wichita, Democrat

State Representative, 89th District
 Theo Cribbs, Wichita, Democrat

State Representative, 90th District
 James E. "Jim" Cochran, Valley Center, Republican
 Ken Francisco, Maize, Democrat

State Representative, 91st District
 Vernon L. "Vern" Williams, Wichita, Republican
 Hibbard G. Davis, Wichita, Democrat

State Representative, 92nd District
 Bob Langhofer, Wichita, Republican
 Ken Grotewiel, Wichita, Democrat

State Representative, 93rd District
 Rick Bowden, Goddard, Democrat

State Representative, 94th District
 Dennis Spaniol, Wichita, Republican

State Representative, 95th District
 Michael Tom Sawyer, Wichita, Democrat

State Representative, 96th District
 George R. Dean, Wichita, Democrat

State Representative, 97th District
 Van Long, Wichita, Republican
 Darrel M. Webb, Wichita, Democrat

State Representative, 98th District
 Diane A. Gjerstad, Wichita, Democrat

State Representative, 99th District
 Harold P. Dyck, Hesston, Republican

State Representative, 100th District
 J. C. Long, Harper, Republican

State Representative, 101st District
 Robert S. Wunsch, Kingman, Republican

State Representative, 102nd District
 Donna Whiteman, Hutchinson, Democrat

State Representative, 103rd District
 Jesse (Jess) Harder, Buhler, Democrat

State Representative, 104th District
 Michael R. (Mike) O'Neal, Hutchinson, Republican
 Bill Bornholdt, Hutchinson, Democrat

State Representative, 105th District
 Jerald W. (Jerry) Minix, Lyons, Republican
 Leroy F. Fry, Little River, Democrat

State Representative, 106th District
 Clifford V. Campbell, Beloit, Republican
 Loren Fisher, Ada, Democrat

State Representative, 107th District
 Deanna Buckland, Concordia, Republican
 Kent Campbell, Miltonvale, Democrat

State Representative, 108th District
 Lee Hamm, Pratt, Democrat

State Representative, 109th District
 Keith Roe, Mankato, Republican

State Representative, 110th District
 Robert D. "Bob" Miller, Russell, Republican
 Lynn Hall, Russell, Democrat

State Representative, 111th District
 Errol G. Wuertz, Hays, Republican
 Delbert L. Gross, Hays, Democrat

State Representative, 112th District

* Republican
 (Editor's note: Special election to be held September 9 to determine
 Republican candidate.)

William R. Evans, Great Bend, Democrat

State Representative, 113th District
 Frank Buehler, Claflin, Republican

State Representative, 114th District
 Susan Roenbaugh, Lewis, Republican
 Gary Caplinger, Larned, Democrat

State Representative, 115th District
 Melvin J. Neufeld, Ingalls, Republican
 E. Dean Shelor, Minneola, Democrat

State Representative, 116th District
 Kathryn Sughrue, Dodge City, Democrat

State Representative, 117th District
 Max Moomaw, Dighton, Republican

State Representative, 118th District
 Gayle Mollenkamp, Russell Springs, Republican
 Dean L. Papes, WaKeeney, Democrat

State Representative, 119th District
 Marvin L. Littlejohn, Phillipsburg, Republican
 Galen E. Bennett, Norton, Democrat

State Representative, 120th District
 Fred Gatlin, Atwood, Republican
 Ray Lohofener, Oberlin, Democrat

State Representative, 121st District
 Don E. Crumbaker, Brewster, Republican

State Representative, 122nd District
 Harold Guldner, Syracuse, Republican

State Representative, 123rd District
 David J. Heinemann, Garden City, Republican

State Representative, 124th District
 Eugene L. Shore, Johnson, Republican

State Representative, 125th District
 Carl Holmes, Plains, Republican

District Judge, 13th Judicial District, Division 1
 John E. Sanders, Eureka, Republican

(continued)

District Judge, 14th Judicial District, Division 1
Richard A. Medley, Coffeyville, Democrat

District Judge, 14th Judicial District, Division 2
David L. Thompson, Independence, Democrat

District Judge, 16th Judicial District, Division 1
Erich M. Shultz, Dodge City, Republican
Don C. Smith, Dodge City, Democrat

District Judge, 18th Judicial District, Division 4
David W. Kennedy, Wichita, Republican

District Judge, 18th Judicial District, Division 5
Kay Royse, Wichita, Democrat

District Judge, 18th Judicial District, Division 7
Tom Raum, Wichita, Republican

District Judge, 18th Judicial District, Division 8
Nicholas W. Klein, Wichita, Democrat

District Judge, 18th Judicial District, Division 15
Paul Buchanan, Wichita, Republican

District Judge, 18th Judicial District, Division 17
Ken Kimmel, Wichita, Republican

District Judge, 18th Judicial District, Division 18
James G. Beasley, Wichita, Republican

District Judge, 18th Judicial District, Division 19
Robert D. Watson, Wichita, Democrat

District Judge, 19th Judicial District, Division 3
George E. Sybrant, Arkansas City, Republican

District Judge, 20th Judicial District, Division 1
Barry A. Bennington, St. John, Democrat

District Judge, 22nd Judicial District, Division 1
Keith Sprouse, Marysville, Republican

District Judge, 24th Judicial District
C. Phillip Aldrich, Larned, Democrat

District Judge, 26th Judicial District, Division 1
Keaton G. Duckworth, Elkhart, Republican

District Judge, 27th Judicial District, Division 1
Porter K. Brown, Hutchinson, Republican
Richard J. Rome, Hutchinson, Democrat

District Judge, 27th Judicial District, Division 3
Steven R. Becker, Buhler, Republican

District Judge, 29th Judicial District, Division 3
Dean J. Smith, Kansas City, Democrat

District Judge, 29th Judicial District, Division 4
William Mahoney, Kansas City, Democrat

District Judge, 29th Judicial District, Division 5
Leo J. Moroney, Kansas City, Democrat

District Judge, 29th Judicial District, Division 6
Cordell D. Meeks, Jr., Kansas City, Democrat

District Judge, 29th Judicial District, Division 10
Matthew G. Podrebarac, Kansas City, Democrat

District Judge, 29th Judicial District, Division 11
Bill D. Robinson, Jr., Kansas City, Democrat

District Judge, 29th Judicial District, Division 12
Philip L. Sieve, Kansas City, Democrat

District Judge, 29th Judicial District, Division 15
Donald A. Hardy, Kansas City, Democrat

District Magistrate Judge,
17th Judicial District, Position 3
Wilda June Brown, Norton, Republican

District Magistrate Judge,
22nd Judicial District, Position 3
Dennis L. Droge, Bern, Republican
James B. O'Connor, Seneca, Democrat

District Magistrate Judge,
23rd Judicial District, Position 1
Lawrence H. Litson, Gove, Republican

Member, State Board of Education, 1st District
Mildred G. McMillon, Tonganoxie, Democrat

Member, State Board of Education, 3rd District
Paul D. Adams, Osage City, Republican

Member, State Board of Education, 5th District
Sheila Frahm, Colby, Republican

Member, State Board of Education, 7th District
Richard M. Robl, Hutchinson, Republican

Member, State Board of Education, 9th District
Bob Clemons, Independence, Republican
L. Lamar Davis, Edna, Democrat

Proposed Amendments to the Constitution

Question No. 1

Yes—211,058

No—141,600

Question No. 2

Yes—181,685

No—171,166

In Testimony Whereof, we have hereunto subscribed our names this 26th day of August A.D. 1986.

JOHN CARLIN

Governor

JACK H. BRIER

Secretary of State

ROBERT T. STEPHAN

Attorney General

Doc. No. 004551

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has issued an order which penalized Weilert Enterprises for failure to follow the provisions of K.A.R. 82-3-400(a) with regard to an injection well located in the SE Quarter, Section 02, Township 05 South, Range 22 West, Norton County, Kansas.

Pursuant to K.S.A. 55-164, the matter is set for hearing at 1:30 p.m. Friday, September 19, in the conference room of the Conservation Division, 200 Colorado Derby Building, 200 W. 1st, Wichita.

ANN T. RIDER
Assistant General Counsel

Doc. No. 004547

State of Kansas
BOARD OF AGRICULTURE

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 10 a.m. Monday, September 22, in Conference Room A of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of a proposed temporary and permanent rule and regulation of the Kansas State Board of Agriculture. This rule and regulation will become effective on May 1, 1987 as a permanent regulation, and will become effective as a temporary regulation upon approval by the State Rules and Regulations Board.

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 to the Legal Division, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612, at or before the time of the hearing. 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 presentation to five minutes.

A summary of the proposed regulation is as follows:
4-25-1. Establishes the fee for the annual report of the State Board of Agriculture at \$5 per copy.

Copies of this regulation and the fiscal impact statement may be obtained by writing to the Legal Division of Kansas State Board of Agriculture.

DONALD L. JACKA
Acting Secretary of Agriculture

Doc. No. 004554

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has issued an order which penalized the Remington Financial Corporation for failure to follow the provisions of K.A.R. 82-3-400(a) with regard to an injection well located in the SW Quarter, Section 04, Township 29 South, Range 13 East, Elk County, Kansas.

Pursuant to K.S.A. 55-164, the matter is set for hearing at 10 a.m. Tuesday, October 7, in the conference room of the Conservation Division, 200 Colorado Derby Building, 200 W. 1st, Wichita.

ANN T. RIDER
Assistant General Counsel

Doc. No. 004548

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has issued an order which penalized the following operators for failure to renew their operator or contractor licenses as required by K.S.A. 55-155 and K.A.R. 82-3-120:

- Buchanan, Wayne W.
- Bumgarner, William Guy
- Caldwell, Jack
- Chase, Pat
- Knight, Joeann
- Manske, Robert W.
- Stephens, Wesley William
- Van Fleet, George
- Advanced Petroleum
- Dixie Well Service, Inc.
- Doberman Oil & Gas Co.
- Euram Petroleum, Inc.
- Falcon Energy Corp.
- Kiowa Exploration Company
- Leach Well Pulling
- L & M Oil Co.
- Mugs Pulling Service
- North American Royalties, Inc.
- N & W Enterprises, Inc.
- Petro Energies, Inc.
- Pioneer Operations Co., Inc.
- Spogey Oil Co.
- Stanton Explorations, Inc.
- Viable Resources, Inc.
- Washita Production Company.

Pursuant to K.S.A. 55-164, the matter is set for hearing at 1:30 p.m. Monday, September 15, in the conference room of the Conservation Division, 200 Colorado Derby Building, 200 W. First, Wichita.

JAMES E. BROWNE
Assistant General Counsel

Doc. No. 004546

(Published in the KANSAS REGISTER, September 4, 1986.)

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF HEARING

On December 5, 1985, Pony Express Courier Corporation filed a rate application with the State Corporation Commission for permission to adjust its rates for intrastate movements of general commodities. The applicant requested permission to increase its revenue by \$199,584 annually, which presents an overall increase of 9 percent.

The application has been set for hearing before the commission at 10 a.m. Thursday, September 25, in Hearing Room B, fourth floor, State Office Building, 10th and Topeka Blvd., Topeka.

All parties wishing to participate in this proceeding shall follow the commission's intervention regulation, K.A.R. 82-1-225.

Copies of the application are on file at the State Corporation Commission, fourth floor, State Office Building, Topeka. Any questions regarding the application may be directed to Mary Wettig, Assistant General Counsel, at (913) 296-3361.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 004561

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has received an application by the National Motor Freight Traffic Association, Inc. on behalf of its member motor carriers. The application seeks approval of the agreement prescribing procedures whereby its member motor common carriers collectively formulate the classifications applicable on the property they transport, including property moved intrastate by certain participating carriers within Kansas.

National Motor Freight Traffic Association, Inc. is the publishing agent for the National Motor Freight Classification (NMFC), and has its office at 2200 Mill Road, Alexandria, VA 22314. It is a corporation organized in 1956 under the laws of the District of Columbia.

The application is made pursuant to K.S.A. 66-1,112c and K.A.R. 82-4-68 through 82-4-85.

The application has been set for hearing before the commission at 10 a.m. Wednesday, September 17, in Hearing Room B, fourth floor, State Office Building, 10th and Topeka Blvd., Topeka.

All parties wishing to participate in this proceeding shall follow the commission's intervention regulation, K.A.R. 82-1-225.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 004560

NOTICE OF REDEMPTION TO THE HOLDERS OF FINNEY COUNTY, KANSAS FAMILY MORTGAGE REVENUE BONDS 1980 SERIES A

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated as of January 1, 1980, \$325,000 amount of bonds are called for redemption on October 1, 1986 at a redemption price of 100 percent of the principal price being redeemed plus accrued interest to October 1, 1986.

Coupon bonds of \$5,000 denominations, called in full:

Table with 6 columns of bond numbers and denominations: 227, 320, 376, 435, 519, 589, 657, 731, 772, 828, 876, 933, 985, 1047, 1103, 1161, 1213, 1289, 1382, 1390, 1548, 1630, 1702, 1759, 1812, 1865, 1918, 1962, 2024, 2077, 2130, 2183, 2250, 2289, 2342, 2395, 2448, 2476, 2501, 2554, 2607, 2665, 2720, 2766, 2819, 2872, 2925, 2978, 3031, 3084, 3137, 3190, 3295, 3349, 3402, 3427, 3455, 3508, 3556.

Coupon bonds with the April 1, 1987 and all subsequent coupons should be presented as shown below.

Continental Illinois National Bank and Trust Company of Chicago
Attn: Collection Division
30 N. LaSalle St., 16th Floor
Chicago, IL 60697

In addition to the coupon bonds listed above, a portion of or the entire amount of fully registered bonds is also called as shown below:

Table with 3 columns: Bond Number, Total Principal, Amount Called. Rows include R142 (\$25,000), R136 (75,000), R85 (30,000), R92 (5,000), R120 (5,000), R147 (5,000).

Registered bonds should be presented to the principal paying agent at the following address:

Continental Illinois National Bank and Trust Company of Chicago
Attn: Corporate Trust Operations
30 N. LaSalle St., 16th Floor
Chicago, IL 60697

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. Interest on the bonds or portions of bonds called for redemption will cease to accrue on October 1, 1986. Coupons for October 1, 1986 should be detached and presented in the usual manner.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent

tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated August 30, 1986.

Finney County, Kansas
By: Continental Illinois National Bank
and Trust Company of Chicago, Trustee

Doc. No. 004552

(Published in the KANSAS REGISTER, September 4, 1986.)

NOTICE OF BOND SALE
\$150,000
GENERAL OBLIGATION
PUBLIC BUILDING BONDS
SERIES B, 1986
OF SHERMAN COUNTY, KANSAS

Date, Time and Place of Receiving Bids

The Board of County Commissioners of Sherman County, Kansas will receive sealed bids at the office of the County Clerk, Sherman County Courthouse, Goodland, Kansas, until 1 p.m. M.D.T. on Monday, September 15, 1986, for \$150,000 par value general obligation public building bonds, series B, 1986, of the county, at which time the Board of County Commissioners will meet in the County Commission chambers to publicly open the bids. No oral or auction bids will be considered.

Description of Bonds

The series B, 1986 bonds will be dated as of September 1, 1986, and shall mature on September 1 in each of the years and in the amounts set forth below. The bonds shall consist of fully registered certificated bonds in denominations of \$5,000 or any integral multiple thereof, not exceeding the principal amount of bonds maturing each year. Interest will be payable semiannually, commencing September 1, 1987, and each March 1 and September 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 mailing of check or draft of the paying agent to the registered owners thereof as their names appear on the registration books of the county 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 county.

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

Principal Amount	Maturity Date
\$10,000.00	September 1, 1987

10,000.00	September 1, 1988
10,000.00	September 1, 1989
15,000.00	September 1, 1990
15,000.00	September 1, 1991
15,000.00	September 1, 1992
15,000.00	September 1, 1993
20,000.00	September 1, 1994
20,000.00	September 1, 1995
20,000.00	September 1, 1996

Interest Rate

Proposals will be received on the bonds bearing such rate or rates of interest, as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the date on which the bonds are sold (September 8, 1986), 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 county, and shall be addressed to the Board of County Commissioners, Sherman County Courthouse, Goodland, KS 67735, Attention: Janet R. Rumble, County 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 county 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 "County Treasurer, Sherman County, 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 county as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bonds

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 county reserves the right to reject any and all 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 county, 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 county, and the bonds will be sold subject to the approving opinion of

(continued)

Winton M. Hinkle, P.A., bond counsel, of Wichita, Kansas. The number, denomination of bonds, and the 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 September 25, 1986. 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 about September 30, 1986, at any bank in the state of Kansas or in the city of Kansas City, Missouri, at the expense of the county. Delivery elsewhere will be made at the expense of the purchaser.

Pending Legislation Pertaining to Tax Exemption

On December 17, 1985, the United States House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill, which presently is pending in the U.S. Senate, contains a number of requirements which generally are effective for all state and local obligations issued after December 31, 1985, and, if the bill becomes law in its present form, would be applicable to the bonds. On June 24, 1986, the United States Senate passed a version of H.R. 3838. The county will covenant to comply with the requirements of the provisions of the bill to maintain the tax-exempt status of the bonds. The opinion of bond counsel will state that under existing laws and regulations, the interest on the bonds is exempt from federal income taxation and, assuming continued compliance by the county with such covenant, interest on the bonds would continue to be exempt from federal income taxation if the bill becomes law in its present form; except that for taxable years beginning after 1987, the interest on the bonds could be included in adjusted net gain for purposes of the minimum tax imposed on property and casualty insurers under Section 1023 of the bill.

The county will designate the bonds as "qualified tax-exempt obligations" as defined in Section 802(e)(3) of the Conference Committee Report on H.R. 3838, dated August 16, 1986.

Legal Opinion

Bids shall be conditioned upon the approving opinion of Winton M. Hinkle, P.A., 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 county. Said legal opinion will state in part that the bonds will constitute general obligations of the county, 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 county; 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 the costs of making improvements to public buildings in Sherman County, Kansas, namely, the re-roofing of the County Home for the Aged and the construction of a rural fire station building.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the 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 county.

Assessed Valuation

Assessed valuation figures for Sherman County, Kansas, for the year 1985, are as follows:

Assessed valuation of taxable tangible property	\$41,578,524
Taxable value of motor vehicles and motor vehicle dealers' inventory ..	\$ 5,205,873
Equalized assessed valuation for computation of bonded debt limitations	\$46,784,397

Bonded Indebtedness

The total outstanding bonded indebtedness of Sherman County, Kansas, at the date hereof, including this \$150,000 proposed issue of bonds, is \$1,140,000.

Official Statement

Additional copies of this notice of bond sale, copies of the county's official statement relating to the bonds, or further information may be received from the office of the County Clerk, Sherman County Courthouse, Goodland 67735, or Mid-Continent Municipal Investments, Inc., 333 Century Plaza Building, Wichita 67202, the county's financial consultant.

Dated August 18, 1986.

SHERMAN COUNTY, KANSAS
By Janet R. Rumble
County Clerk

Doc. No. 004550

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.

MONDAY, SEPTEMBER 15, 1986

- #27365
Kansas Fish and Game Commission—
VEGETATION CONTROL
- #27369
Statewide—CEREALS
- #66872
Department of Transportation—POWERLINE
PROTECTOR
- #66873
University of Kansas Medical Center—RADIATION
DETECTION EQUIPMENT
- #66874
Kansas Neurological Institute—DISHWASHER
- #66875
University of Kansas—FERTILIZER
- #66876
Wichita State University and University of
Kansas—BULBS (FLOWER)
- #66877
University of Kansas—SAFETY PROTECTIVE
GEAR
- #66881
Kansas State University—LAB APPARATUS
- #66882
University of Kansas Medical Center—
MICROFICHE READER-PRINTER
- #66897
University of Kansas—PAPER, PRINTING AND
BINDING
- #66898
State Corporation Commission—ABANDONED
MINE LAND PROGRAM, JOHNS RECLAMATION
PROJECT, Crawford County
- #66902
Fort Hays State University—STUDENT
VIEWBOOK
- #66924
Fort Hays State University—DIRECT ACCESS
STORAGE DEVICE

TUESDAY, SEPTEMBER 16, 1986

- #A-5581
Kansas Neurological Institute—REPLACE TOILET
COMPARTMENTS, Sunflower and Cottonwood
lodges
- #A-5621
Wichita State University—REMODEL SUITE 107,
Morrison Hall, on campus
- #27370
Kansas State University—SNOW REMOVAL
- #66885
Department of Transportation—PHOTOGRAPHIC
EQUIPMENT

- #66886
Emporia State University—STEEL
- #66890
State Park and Resources Authority—SEWAGE
LIFT STATION, Melvern State Park
- #66891
Kansas Soldiers' Home—WOOD DOORS
- #66892
Kansas Correctional Industries—ALUMINUM
SHEETS, CHROMATE TREATED
- #66913
Adjutant General's Department—ARMORY UNIT
STORAGE SPACE ADDITIONS, Kansas City
- #66914
Adjutant General's Department—ARMORY UNIT
STORAGE SPACE ADDITIONS, Clay Center
- #66916
Adjutant General's Department—ARMORY UNIT
STORAGE SPACE ADDITIONS, Hutchinson

WEDNESDAY, SEPTEMBER 17, 1986

- #A-5313
Youth Center at Beloit—REPLACE ITEMS OF
KITCHEN EQUIPMENT (DISHWASHER AND
STEAM BOOSTER HEATER), Central Cafeteria
Facility
- #A-5675
Kansas State University—LANDSCAPE PLANTING,
Parking Lots A-1 and C-3
- #27367
Kansas State Penitentiary—REFUSE CONTAINER
AND REMOVAL SERVICE
- #66894
Department of Revenue—PLATFORM SCALES,
Meriden
- #66895
Kansas State University—LIBRARY DETECTION
SYSTEM
- #66896
State Reception and Diagnostic Center—
DISHWASHER
- #66918
Adjutant General's Department—ARMORY UNIT
STORAGE SPACE ADDITIONS, Coffeyville,
Cherryvale, and Neodesha
- #66920
Adjutant General's Department—ARMORY UNIT
STORAGE SPACE ADDITIONS, Dodge City, Garden
City and Liberal
- #66933
Department of Health and Environment—
HAZARDOUS WASTE COLLECTION PROGRAM

THURSDAY, SEPTEMBER 18, 1986

- #A-5689(a)
Department of Administration—MISCELLANEOUS
SIDEWALK REPAIRS, Statehouse grounds
- #27362
Statewide—IBM COMPATIBLE COMPUTER
DISPLAY TERMINALS, PRINTERS AND
CONTROLLERS

(continued)

#27368

Department of Human Resources—JANITORIAL SERVICE

#27371

Department of Health and Environment—BLOOD PRODUCTS AND SERVICES

#66900

Norton State Hospital—LAUNDRY EQUIPMENT

#66901

Wichita State University—GRASS SEED

#66903

State Reception and Diagnostic Center—CLOTHING

#66904

Larned State Hospital—ELECTROENCEPHALOGRAPH

#66905

Kansas State University—MICROSCOPE STAGE

#66906

Kansas State University—ELECTRONIC TEST EQUIPMENT

#66907

Wichita State University—LASER LEVELING SYSTEM

#66922

Adjutant General's Department—ARMORY UNIT STORAGE SPACE ADDITIONS, Troy

FRIDAY, SEPTEMBER 19, 1986

#66923

Kansas State University—COMPUTER PERIPHERALS

#66925

Wichita State University—GAMMA COUNTER SYSTEM

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 004549

**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 otherwise noticed.

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka 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."

Application set for September 16, 1986

Application for Certificate of Convenience and Necessity:

Superior Oilfield Service,) Docket No. 151,508 M
Inc.)
702 W. Railroad)
Canton, KS 67428)

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 McPherson, Marion and Saline counties, Kansas.

Applications set for September 30, 1986

Application for Extension of Certificate of Convenience and Necessity:

George R. & Connie L.) Docket No. 150,957 M
Williams, dba)
Soup-to-Nuts Pick-up)
and Delivery Service)
2409 19th St.)
Great Bend, KS 67530) MC ID No. 124102

Applicant's Attorney: None

General commodities (except classes A and B explosives, household goods, commodities in bulk, hazardous materials as defined in 49 C.F.R. § 172.101, commodities requiring refrigeration and no packages over 50 lbs.),

Between Rush and Ness counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Harold Whitaker, dba) Docket No. 142,948 M
Whitaker Trucking)
9001 E. 79th St. South)
Derby, KS 67037) MC ID No. 120068

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

Cement and fly ash,

From points and places in Allen, Montgomery, Neosho, Pottawatomie, Shawnee, Wilson and Wyandotte counties, Kansas, to points and places in the state of Kansas.

Dry bulk commodities (except flour),

Between points and places in Kansas on and east of the west boundary lines of Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman and Harper counties.

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 Certificate of Convenience and Necessity:

Prairie Transport, Inc.) Docket No. 151,505 M
113 E. A Ave.)
Kingman, KS 67068)

Applicant's Attorney: None

Feeds, hay, grain and straw,

Between points in Finney, Ford, Kiowa, Pratt, Kingman, Reno, Harvey, Sedgwick, Sumner, Cowley and Montgomery counties, Kansas, on the one hand, and the state of Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

A. J. Holmquist, dba) Docket No. 150,960 M
A. J. Holmquist Excavating)
Contractor)
1737 E. North St.)
Salina, KS 67401) MC ID No. 119087

Applicant's Attorney: None

Salt,

Between points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Flexible Transport, Inc.) Docket No. 151,506 M
6801 S. 13th)
P.O. Box 21875)
Milwaukee, WI 53211) MC ID No. 120827

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

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

Between all points and places in Kansas lying on and east of U.S. 281.

Also,

Between points and places in Kansas lying on and east of U.S. 281, on the one hand, and on the other, points and places in Kansas.

Application for Abandonment of Contract Carrier Permit:

Eubank Brothers, Inc.) Docket No. 30,209 M
730 E. 1st)
Pratt, KS 67124) MC ID No. 100421

Applicant's Attorney: None

Applications set for October 2, 1986

Application for Extension of Certificate of Convenience and Necessity:

Michael Bennett Trucking,) Docket No.
Inc.)
16 E. Armador)
Seneca, KS 66538) MC ID No. 100308

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

Grain,

Between all points and places in the state of Kansas.
Dry feed and dry feed ingredients, pet food, dry fertilizer, hay and seeds,

Between points and places east of U.S. 183.

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.

Liquid fertilizer (except anhydrous ammonia),

Between points in Douglas, Saline, Doniphan and Leavenworth counties, Kansas, on the one hand, and points and places in the state of Kansas, on the other hand.

Livestock,

Between points and places in Republic, Cloud, Ottawa, Saline, McPherson, Marion, Dickinson, Clay, Washington, Marshall, Riley, Geary, Morris, Chase, Lyon, Wabaunsee, Pottawatomie, Ford, Finney, Seward, Nemaha, Jackson, Shawnee, Osage, Franklin, Douglas, Jefferson, Atchison, Brown, Doniphan, Leavenworth, Johnson and Miami counties, Kansas.

Also,

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

Application for Certificate of Convenience and Necessity:

Jim Sanko) Docket No. 151,507 M
Box 2)
Spearville, KS 67876) MC ID No. 103232

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

Grain, hay, feed and feed ingredients,

Between points in Kansas lying on and south of K-96 and on and west of U.S. 281.

Also,

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

(continued)

Application for Transfer of Certificate of Convenience and Necessity:

Steve Countryman) Docket No. 57,742 M
2210 S. Lorraine)
Hutchinson, KS 67502) MC ID No. 100519
TO:

Bobby G. Perser and
Shirley A. Perser, dba
Bob's Truck Repair
2210 S. Lorraine
P.O. Box 2857
Hutchinson, KS 67502-2857

Applicant's Attorney: William Mitchell, 119 W. Sherman, P.O. Box 604, Hutchinson, KS 67502-0604

Wrecked and disabled vehicles,

Between all points within the counties of Reno, Sedgwick, Harvey, Kingman, Stafford, Ellsworth, McPherson, Marion and Saline, eight miles north of the south county line of Saline.

Also,

All points and places within the above counties, on the one hand, and the state of Kansas, on the other.

Application for Extension of Certificate of Convenience and Necessity:

Bobby G. Perser and) Docket No. 57,742 M
Shirley A. Perser, dba)
Bob's Truck Repair)
2210 S. Lorraine)
P.O. Box 2857)
Hutchinson, KS 67502)

Applicant's Attorney: William Mitchell, 119 W. Sherman, P.O. Box 604, Hutchinson, KS 67504-0604

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

Between all points within the counties of Reno, Sedgwick, Harvey, Kingman, Stafford, Ellsworth, McPherson, Marion, Saline, Sumner, Pratt, Barton, Dickinson, Chase, Lyon, Rice and Butler.

Also,

Between all points and places within those counties, on the one hand, and the state of Kansas, on the other.

Application for Extension of Certificate of Convenience and Necessity:

Paul E. Schartz Dirt) Docket No. 149,837 M
Construction, Inc.)
Route 1, Box 103)
Clafin, KS 67525) MC ID No. 124090

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

Livestock, hay, grain, dry feed, dry feed ingredients, dry fertilizer and construction materials,

Between points and places in Thomas, Wichita,

Scott, Finney, Hodgeman, Edwards, Gray, Ford, Kiowa, Seward, Kingman, Butler, Dickinson, Lyon and Greenwood 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 Transfer of Certificate of Convenience and Necessity:

Ronald V. Schneider and) Docket No. 114,040 M
Leslie K. Schneider, dba)
Home Oil Co.)
Box 248)
Lucas, KS 67648) MC ID No. 102120
TO:

Post Rock Enterprises, Inc.
Lucas, KS 67648

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

Unmanufactured agricultural products,

Between all points and places in an area bounded on the north by the Nebraska state line, on the east by K-77, on the south by K-50, and on the west by K-283.

Also,

Between all points and places within that area, on the one hand, and all points and places within the state of Kansas, on the other hand.

Gasoline, diesel fuel, gasahol and refined oil, in bulk and packages,

From all pipeline terminals and refineries in the counties of Reno, McPherson, Sedgwick, Saline, Barton and Cloud, to all points and places in the counties of Lincoln, Russell, Ottawa and Saline.

Application for Certificate of Convenience and Necessity:

Earl R. Benedick and) Docket No. 151,509 M
Janice Benedick, dba)
Bennie's Tank Service)
700 S. Main)
Plainville, KS 67663)

Applicant's Attorney: None

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 counties of Rawlins, Decatur, Norton, Phillips, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Trego, Ellis, Russell, Lincoln, Scott, Lane, Ness, Rush, Barton, Rice, Finney, Hodgmen, Pawnee, Stafford, Reno, Haskell, Gray, Ford, Edwards, Kiowa, Pratt, Kingman, Stevens, Seward, Meade, Clark, Comanche, Barber and Harper.

Applications set for October 7, 1986

Application for Certificate of Convenience and Necessity:

The Gilday Company, Inc.) Docket No. 151,510 M
 1525 N. 26th)
 Kansas City, KS 66102)

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

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

Between points and places in Wyandotte, Leavenworth, Jefferson, Shawnee, Wabaunsee, Douglas, Johnson, Lyon, Osage, Franklin, Miami, Coffey, Anderson and Linn counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Holton Transport, Inc.) Docket No. 22,721 M
 P.O. Box 230)
 Holton, KS 66436) MC ID No. 100098

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

Petroleum and petroleum products,

Between all Kansas pipeline terminals, refineries and storage points, on the one hand, and all points and places in the following named Kansas counties on the other: Doniphan, Atchison, Leavenworth, Wyandotte, Johnson, Miami, Linn, Bourbon, Allen, Anderson, Crawford, Cherokee, Franklin, Douglas, Jefferson, Brown, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Pottawatomie, Clay, Cloud, Marshall, Ottawa, Republic, Riley, Washington, Barton, Saline, Morris, Lyon, Sedgwick, Dickinson, Geary, McPherson, Reno, Harvey, Butler, Cowley, Marion, Chase, Wabaunsee and Phillips.

Also,

Between all of the above named counties, on the one hand, and on the other, all points and places in Kansas.

Vegetable oil, soybean oil and products thereof,

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

Fertilizer,

From Douglas County, Kansas, to points and places in Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Glen Weidert &) Docket No. 148,304 M
 Dean Gough, dba)
 Glen & Dean's Truck)
 Service)
 520 W. State)
 Erie, KS 66733) MC ID No. 114139

TO:

Glen Weidert, dba
 Glen's Truck Service
 520 W. State
 Erie, KS 66733

Applicant's Attorney: None

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

Between all points and places in Neosho County, Kansas.

Also,

Between all points and places in Neosho County, Kansas, on the one hand, and on the other, all points and places in the state of Kansas.

WILLIAM E. GREEN
 Administrator
 Transportation Division

Doc. No. 004559

**State of Kansas
 SOCIAL AND REHABILITATION SERVICES**

**TEMPORARY ADMINISTRATIVE
 REGULATIONS**

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

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-55. Cooperation. (a) Establishment of eligibility. Each applicant, recipient, or ineligible caretaker relative shall cooperate with the agency in the establishment of eligibility as provided in K.A.R. 30-4-39. Failure to provide information necessary to determine eligibility shall render the assistance family ineligible for assistance.

(b) Monthly status report. Each recipient shall file a monthly status report on or before the 5th day of each calendar month. An additional five calendar days shall be allowed as an administrative period, before the report is considered to be untimely, to allow for delays in mail service, weekends and holidays.

(c) Social security number. Each applicant or recipient shall provide the agency with the applicant's or recipient's social security number. Failure to provide the number, or failure to apply for a number if the applicant or recipient has not previously been issued a number, shall render the applicant or recipient ineligible for assistance.

(d) Paternity and support. The caretaker relative who is applying for or receiving assistance shall cooperate with the agency in establishing the paternity of any child born out-of-wedlock for whom assistance is claimed, and in obtaining support payments for the caretaker relative and for any child for whom assistance is claimed. Failure to cooperate shall render the caretaker relative ineligible for assistance unless the caretaker relative demonstrates good cause for refusing to cooperate. Cooperation includes:

(continued)

(1) Appearing at the local child support enforcement office, as necessary, to provide information or documentation needed to establish paternity of a child born out-of-wedlock, to identify and locate the absent parent, and to obtain support payments;

(2) appearing as a witness at court or at other proceedings necessary to achieve the child support enforcement objectives;

(3) forwarding to the child support enforcement unit any support payments received from the absent parent which are covered by the support assignment; and

(4) providing information, or attesting to the lack of information, under penalty of perjury.

(e) Potential resources. Each applicant or recipient shall cooperate with the agency in obtaining any resources due the applicant, recipient or child for whom assistance is claimed. Failure to cooperate without good cause shall render the applicant or recipient ineligible for assistance.

(f) Third party resources. Each applicant or recipient shall cooperate with the agency in identifying and providing information to assist the agency in pursuing any third party who may be liable to pay for medical services under the medical assistance program. Failure to cooperate without good cause shall render the applicant or recipient ineligible for assistance. This effective date of this regulation shall be July 1, 1986. (Authorized by K.S.A. 1985 Supp. 39-708c; implementing K.S.A. 1985 Supp. 39-708c, K.S.A. 39-719b; effective May 1, 1981; amended May 1, 1982; amended, T-87-15, July 1, 1986.)

30-4-91. Eligibility factors specific to the transitional GA (TGA) program. (a) Each applicant or recipient shall meet the applicable general eligibility requirements set forth in K.A.R. 30-4-51, 30-4-52, 30-4-53, 30-4-54, 30-4-55, 30-4-56, 30-4-57, 30-4-58, 30-4-59, 30-4-60, and 30-4-61, and the specific eligibility requirements set forth below to be eligible for TGA.

(1) Each applicant or recipient who is eligible for a federal program or GAU or who has been rendered ineligible for a federal program or GAU due to a voluntary action on the part of the applicant or recipient, and the members of the assistance family group for whom the applicant or recipient is legally responsible, shall be ineligible for TGA.

(2) Each applicant or recipient who is voluntarily unavailable for employment, and the members of the assistance family group for whom the applicant or recipient is legally responsible, shall be ineligible for TGA. This provision shall not be applicable to persons who are attending high school on a full-time basis or who are participating in an agency-approved, work-related activity.

(b) Assistance shall be limited to a maximum of four months in a 12-month period of time. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c; effective, T-84-8, March 29, 1983; effective May 1, 1984; amended May 1, 1985; amended, T-87-15, July 1, 1986.)

30-4-101. Standards for persons in own home, other family home, specialized living, commercial board and room, or commercial room-only living arrangements. A monetary standard addresses the costs of day to day expenses and certain special expenditures. (a) Basic standard. The basic standards are set forth below. The basic standards include \$10.00 per person as an energy supplement.

PERSONS IN PLAN			
1	2	3	4
\$123.00	\$199.00	\$268.00	\$327.00

For each additional person, add \$53.00.

(b) Shelter standard. A standard has been established for shelter based on location in the state. The county shelter standards are set forth below.

Standard.	Group I		Group II
	\$76.00		\$86.00
	Allen	Anderson	Logan
	Barber	Atchison	Lyon
	Bourbon	Barton	Marshall
	Chase	Brown	McPherson
	Chautauqua	Cheyenne	Miami
	Cherokee	Clark	Mitchell
	Comanche	Clay	Morris
	Cowley	Cloud	Nemaha
	Crawford	Coffey	Ness
	Edwards	Decatur	Norton
	Elk	Dickinson	Osborne
	Finney	Doniphan	Ottawa
	Greenwood	Ellis	Phillips
	Harper	Ellsworth	Pottawatomie
	Labette	Ford	Rawlins
	Marion	Geary	Republic
	Meade	Gove	Rice
	Montgomery	Graham	Rooks
	Neosho	Grant	Rush
	Pratt	Greeley	Russell
	Reno	Hamilton	Saline
	Stafford	Haskell	Scott
	Stanton	Hodgeman	Sheridan
	Sumner	Jackson	Smith
	Wilson	Jewell	Stevens
	Woodson	Kearny	Thomas
		Kingman	Trego
		Lane	Wabaunsee
		Lincoln	Wallace
		Linn	Washington
			Wichita

Standard.	Group III	Group IV	Group V
	\$97.00	\$109.00	\$135.00
	Franklin	Butler	Harvey
	Gray	Douglas	Johnson
	Kiowa	Jefferson	
	Morton	Leavenworth	
	Pawnee	Osage	
	Seward	Riley	
	Sherman	Sedgwick	
		Shawnee	
		Wyandotte	

The effective date of this regulation shall be July 1, 1986. (Authorized by K.S.A. 1985 Supp. 39-708c; implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-85-19, July 1, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-4-113. Income exempt as applicable income.

The following income shall be exempt as applicable income in the determination of the budgetary deficit:

- (a) earned income of a recipient child if the child is under the age of 18 years and a full-time student or if the child is a part-time student and is not a full-time employee;
- (b) earned income of a recipient child who is 18 years of age and a full-time student;
- (c) irregular, occasional or unpredictable monetary gifts not to exceed \$30.00 per person in any calendar quarter;
- (d) work incentive payments in WIN;
- (e) income-in-kind;
- (f) foster care standard payments;
- (g) shelter cost participation payments. In shared living arrangements in which two families contribute toward the shelter obligations, any cash paid toward the shared shelter obligation by one family to the second family in the shared arrangement shall not be considered as income to the second family. This exemption shall not be applicable in a bona fide, commercial landlord-tenant arrangement;
- (h) tax refunds and rebates other than the earned income tax credit;
- (i) interest credited to a checking or savings account;
- (j) incentive payments received by renal dialysis patients;
- (k) home energy assistance furnished by a federal or state regulated entity whose revenues are primarily derived on a rate-of-return basis, by a private, non-profit organization, by a supplier of home heating oil or gas, or by a municipal utility company which provides home energy, if the assistance provided is based on need;
- (l) income of a child received from a youth program funded by the job training partnership act of 1982, except that earned income received under the program shall only be exempt for a period of six months;
- (m) housing assistance from federal housing programs;
- (n) assistance payments in the month received;
- (o) the first \$50.00 of child support or child support in combination with spousal support received in a month; and
- (p) support payments received and forwarded to the agency following the effective date of the assignment of support rights to the agency. However, reported current support which is in excess of the amount exempted in paragraph (o) of this section and which, if treated as nonexempt income, would result in ineligibility, or a support refund disbursed by the agency to the recipient, shall not be exempt income. The effective date of this regulation shall be July 1, 1986. (Authorized by K.S.A. 1985 Supp. 39-708c; implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended, T-87-15, July 1, 1986.)

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-70. Payment of medical expenses for eligible recipients. (a) Program recipients shall be eligible for the payment of specific medical expenses as follows:

(1) Payment of medicare (title XVIII) premiums and deductibles and co-insurance amounts for services covered in the medicaid program. Recipients who are ineligible for program coverage because they have a spenddown shall also be eligible for the payment of the medicare (title XVIII) premium expense. For cash recipients (including SSI) age 65 or older, payment of the medicare (title XVIII) premium shall begin with the month of approval for medicaid, excluding any months of prior eligibility. For recipients under age 65 who are eligible for medicare after receiving retirement and survivor's disability insurance for 24 consecutive months, payment of the medicare (title XVIII) premium shall begin with the 25th month. For all other recipients, payment of the medicare (title XVIII) premium shall begin with the second month following the month of approval for medicaid, excluding any months of prior eligibility;

(2) payment of premiums of health maintenance organizations which are approved by the agency; and

(3) payment of other allowable medical expenses incurred in the current eligibility base period in excess of any co-pay or spenddown requirements.

(b) The scope of services to be provided recipients and the payment for those services shall be as set forth in articles 5 and 10 of this chapter, subject to the following limitations.

(1) Payment for a particular medical expense shall be denied if it is determined that:

(A) The recipient failed to utilize medical care available through other community resources, including public institutions, veterans administration benefits, and those laboratory services that are available at no charge through the state department of health and environment;

(B) a third party liability for the medical expense has been established and is available;

(C) the recipient fails to make a good faith effort to establish a third party liability for the medical expense or fails to cooperate with the agency in establishing the liability. Payment of a medical expense may be delayed pending the outcome of a determination concerning third party liability;

(D) the expense is not covered or is only partially covered by an insurance policy because of an insurance program limitation or exclusion;

(E) the recipient failed to notify the provider of services of the recipient's eligibility for the program;

(F) the service is cosmetic, pioneering, experimental, or a result of complications related to such procedures; or

(G) the service was provided by a provider not designated as a lock-in provider for any recipient who is locked into designated providers due to abuse or

(continued)

participation in a primary care network. This limitation shall not apply to emergency services or services not provided by the primary care network.

(2) Payment for out-of-state services shall be limited to:

(A) Payment on behalf of recipients living near a state border, where medical services are normally provided by medical vendors that are located in the bordering state and within 50 miles of the state border, except for community mental health center services or alcohol and drug abuse services;

(B) emergency services rendered outside the state;

(C) nonemergency services for which prior approval by the agency has been given. Authorization from the agency shall be obtained before making arrangements for the individual to obtain the out-of-state services;

(D) services provided by independent laboratories;

(E) services provided in the state by out-of-state durable medical equipment and medical supply providers, if there is a provider service representative located in the state; and

(F) services provided to foster care recipients.

(3) Payment liability for services rendered to a person who is mandated to receive inpatient treatment for tuberculosis and who is not otherwise eligible for participation in the program shall be limited to services related to the treatment.

(4) Each claim for payment shall be submitted within six months of the date of service and in accordance with K.A.R. 30-5-65.

(5) The scope of services for adult non-medicaid (non-title XIX) program recipients shall be limited as set forth in K.A.R. 30-5-150 through 30-5-172.

(6) The scope of services for adult medicaid (title XIX) program recipients shall be limited as set forth in K.A.R. 30-5-156, 30-5-160, and 30-5-161. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-11, June 17, 1981; modified, L. 1982, ch. 469, May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

Article 6.—MEDICAL ASSISTANCE PROGRAM—CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-41. Assistance planning. (a) Definitions.

(1) "Family group" means the applicant or recipient and all individuals living together in which there is a relationship of legal responsibility or a caretaker relative relationship.

(2) "Caretaker relative" means the relative who is assigned the primary responsibility for the care and control of the child.

(3) "Eligible relative" means a caretaker relative who is considered in the plan with the child. A stepparent shall not be considered as an eligible relative unless the stepparent is the only caretaker relative in the home and is financially eligible.

(4) "Legally responsible relative" means the person

who has the legal responsibility to provide support for the person in the plan.

(b) In independent living arrangements, persons in the family group shall be included or excluded from the assistance plan at the applicant's or recipient's request, except as provided in K.A.R. 30-6-74 and 30-6-79. The assistance plan shall consist of those members of the family group for whom assistance is requested and eligibility is determined. Eligibility for medical assistance shall not be denied for the reason that an application for medical assistance is made on behalf of a deceased person. Any individual excluded from the medical assistance plan shall not be eligible in a separate medical assistance plan, except that SSI recipients shall have a separate medical assistance plan.

(c) In institutional living arrangements, each person shall have a separate assistance plan with the following exceptions:

(1) When the person's protected income level is being computed as if the person were maintaining independent living arrangements;

(2) when the person's income and resources are considered available to both members of a couple as set forth in K.A.R. 30-6-106(f); or

(3) when a couple is residing in the same long term care home and only one spouse has income.

(d) Any person who is ineligible for medical assistance because of a penalty provision shall be excluded from that person's family group medical assistance plan. The effective date of this regulation shall be July 1, 1986. (Authorized by K.S.A. 1985 Supp. 39-708c; implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended T-87-15, July 1, 1986.)

30-6-55. Cooperation. (a) Establishment of eligibility. Each applicant, recipient, or ineligible caretaker relative shall cooperate with the agency in the establishment of eligibility. Failure to provide information necessary to determine eligibility shall render the assistance family ineligible for medical assistance as provided in K.A.R. 30-6-39.

(b) Potential resources. Each applicant or recipient shall cooperate with the agency in obtaining any resources due the applicant, recipient, or any other person for whom assistance is claimed. Failure to cooperate without good cause shall render the applicant or recipient ineligible for medical assistance.

(c) Social security number. Each applicant or recipient shall provide the agency with the applicant's or recipient's social security number. Failure to provide the number, or failure to apply for a number if the applicant or recipient has not previously been issued a number, shall render the applicant or recipient ineligible for assistance.

(d) Paternity and support. Each applicant or recipient shall cooperate with the agency in establishing the paternity of any child born out-of-wedlock for whom

assistance is claimed, and in obtaining medical support for the applicant or recipient and for any child for whom assistance is claimed. Failure to cooperate shall render the applicant or recipient ineligible for assistance unless the individual demonstrates good cause for refusing to cooperate. Cooperation shall include:

(1) Appearing at the local child support enforcement office, as necessary, to provide information or documentation needed to establish the paternity of a child born out-of-wedlock, to identify and locate the absent parent, and to obtain medical support;

(2) appearing as a witness at court or at other proceedings necessary to achieve the child support enforcement objectives;

(3) forwarding to the child support enforcement unit any medical support payments received from the absent parent which are covered by the support assignment; and

(4) providing information, or attesting to the lack of information, under penalty of perjury.

(e) Third party resources. Each applicant or recipient shall cooperate with the agency in identifying and providing information to assist the agency in pursuing any third party who may be liable to pay for medical services under the medical assistance program. Failure to cooperate without good cause shall render the applicant or recipient ineligible for medical assistance. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, T-86-9, May 1, 1985; amended, T-86-19, July 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-65. Automatic eligibles. To be automatically eligible for medical assistance, each person shall meet the general eligibility requirement of K.A.R. 30-6-63 and shall be: (a) Legally entitled to and receiving SSI benefits and shall meet the general eligibility requirements of residence;

(b) legally entitled to and receiving state (Kansas) supplemental payments related to SSI;

(c) determined by SSA to retain recipient status, although not currently receiving an SSI benefit;

(d) receiving public assistance (excepting emergency assistance) pursuant to article 4 of this chapter. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d);

(e) not receiving public assistance for one of the following reasons:

(1) The person is eligible for less than \$10.00 of public assistance;

(2) the amount of recovery of an overpayment is greater than the budget deficit;

(3) the person is eligible using prospective budgeting, but ineligible due to retrospective accounting of income; or

(4) the person is not receiving TGA due to the four-month time limitation provision of K.A.R. 30-4-91(b);

(f) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding

the month in which the family became ineligible for ADC, ADC-FC, or APW and which became ineligible solely because of increased earned income or increased hours of employment. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible (legally entitled) to receive ADC or ADC-FC, or APW as long as a family member is employed and the family and the person remains ineligible for ADC or ADC-FC, or APW solely because of increased earned income or increased hours of employment. The receipt of an extra pay check due to an additional pay period within a calendar month shall not constitute an increase in earnings;

(g) included in the assistance plan of a family which was receiving ADC, ADC-FC, or APW in at least three of the six months immediately preceding the month in which the family became ineligible for ADC, ADC-FC, or APW as a result (in whole or in part) of collection or increased collection of support. Such recipients shall meet the general eligibility requirement of K.A.R. 30-6-55(d). Automatic eligibility for the medical assistance program shall continue for the four months immediately subsequent to the last month in which the family was eligible (legally entitled) to receive ADC, ADC-FC, or APW as long as the family remains ineligible for ADC, ADC-FC, or APW due to such collection or increased collection of support;

(h) mandated to receive inpatient treatment for tuberculosis;

(i) one who is not a public assistance recipient but is receiving maintenance payments from youth services;

(j) included in the assistance plan of a family which became ineligible for ADC, ADC-FC, or APW solely because of the termination of the earned income disregards as provided in K.A.R. 30-4-111(e). Automatic eligibility for the medical assistance program shall continue for the nine months immediately subsequent to the last month in which the family was eligible (legally entitled) to receive ADC, ADC-FC, or APW;

(k) a non-ADC eligible child who is under 18 years of age and who meets the ADC income and resource requirements pursuant to article 4 of this chapter; or

(1) a child born to a mother eligible for and receiving medicaid at the time of birth for a period of up to one year. The child shall remain eligible so long as such mother remains eligible for medicaid and the child remains in the same household with the mother. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-

(continued)

86-19, July 1, 1985; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-78. Medicaid (title XIX) determined eligibles—eligibility factors specific to aid to pregnant women (APW). (a) An applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and shall be medically determined to be pregnant.

(b) Assistance under this provision shall continue for two calendar months following the month in which the pregnancy terminates. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c; effective May 1, 1983; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-79. Non-ADC child determined eligibles. Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the specific eligibility requirements set forth below to be eligible for medical assistance related to a non-ADC child. (a) Each child shall be under 18 years of age.

(b) Each child shall not be eligible for any other medical assistance program with federal financial participation (FFP).

(c) The needs of all non-ADC siblings shall be included in determining the needs of the non-ADC child if living together. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective, T-85-26, Oct. 15, 1984; effective May 1, 1985; amended, T-87-15, July 1, 1986.)

30-6-103. Determined eligibles; protected income levels. (a) Independent living.

(1) The protected income level for persons in independent living arrangements shall be based on the total number of persons in the assistance plan and the legally responsible persons in the family group who are not included in the plan.

(2) The protected income levels for independent living shall also be used when an applicant or recipient:

- (A) Enters a medicaid-approved facility;
- (B) is absent from the home for medical care for a period not to exceed three months to allow for maintaining their independent living arrangements; or
- (C) is in the home- and community-based services program.

(3) The following table shall be used to determine the protected income level for persons in independent living.

PERSONS IN INDEPENDENT LIVING
(Per Month)

1	2	3	4
\$341.00	\$450.00	\$460.00	\$470.00

The protected income level for additional persons shall be the sum of the basic standard for a like public assistance family plus the maximum state shelter standard.

(b) Institutional living arrangements. For persons residing in institutional settings, the protected income

level shall be \$25.00 except as noted in paragraph (2) of subsection (a).

(c) Specialized living arrangements. The protected income level for persons residing in approved, specialized living arrangements, including adult family homes, home- and community-based congregate care facilities, and child care facilities, shall be as established by the secretary. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710; sec. 2; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-36, Dec. 21, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-106. General rules for consideration of resources, including real property, personal property, and income. (a) Ownership for assistance purposes shall be determined by legal title. In the absence of legal title, ownership shall be determined by possession.

(b) Resources, to be real, shall be of a nature that the value can be defined and measured. Value of resources shall be established by the objective measurements set forth in paragraphs (1) and (2) below.

(1) Real property. The value of real property shall be initially determined by the latest uniform statewide appraisal value of the property which shall be adjusted to reflect current market value. If the property has not been appraised or if the market value as determined above is not satisfactory to the applicant or recipient or the agency, an estimate or appraisal of its value shall be obtained from a disinterested real estate broker. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(2) Personal property. The market value of personal property shall be initially determined by a reputable trade publication. If a publication is not available, or if there is a difference of opinion regarding the value of the property between the agency and the individual, an estimate from a reputable dealer shall be used. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(c) (1) Resources shall be considered available both when actually available and when the applicant or recipient has the legal ability to make them available. A resource shall be considered temporarily unavailable when there is a legal impediment that precludes the disposal of the resource and the applicant or recipient is pursuing reasonable steps to overcome such impediment.

(2) For the purpose of this subsection, a revocable or irrevocable trust, established by an applicant or recipient or their spouse, shall be considered available to the applicant or recipient up to the maximum value of the funds which may be made available under the terms of the trust in behalf of the applicant or recipient if:

(A) That applicant or recipient is a beneficiary; and
 (B) the trustees are permitted to exercise any discretion with respect to distribution to the applicant or recipient.

(d) The resource value of property shall be that of the applicant's or recipient's equity in the property. Unless otherwise established, the proportionate share of jointly-owned real property and the full value of jointly-owned personal property shall be considered available to the applicant or recipient.

(e) Resources of all persons in the assistance plan shall be considered.

(f) (1) The combined resources of husband and wife, if they are living together, shall be considered in determining eligibility of either or both for the medical assistance program, unless otherwise prohibited by law.

(2) A husband and wife shall be considered to be living together if they are regularly residing in the same household. Temporary absences of either the husband or the wife for education or training, working, securing medical treatment or visiting shall not be considered to interrupt the couple's living together.

(3) A husband and wife shall not be considered as living together when they are physically separated and not maintaining a common life, or when one or both enter into a care situation, including either a medicaid-approved or non-approved care facility or a home- and community-based services care arrangement. If only one spouse is an applicant or recipient and one or both enter a care situation, their resources shall be considered available to each other in the month in which the care arrangement begins. Thereafter, only the resources that are actually made available to the applicant or recipient shall be considered. If both spouses are applicants or recipients and one or both enter a care situation, the following provisions apply:

(A) Income shall be considered available to each other for the month in which the care situation begins. Their income shall continue to be considered available to each other for the following six months if they share the same room in a care situation; and

(B) real and personal property shall be considered available to each other for the month in which the care situation begins and the six following months.

(g) The resources of an ineligible parent, the income of a stepparent, or the income of a parent of a minor parent shall be considered in determining the eligibility of a minor child for the medical assistance program if the individual and child are living together.

(h) When any individual in the household, other than a stepparent or a parent of a minor parent, who does not have the responsibility to support a person in the plan voluntarily and regularly contributes cash to the recipient toward household expenses (including maintenance costs), only that amount over that person's pro rata share of the protected income level for the household shall be counted as income in the assistance plan.

(i) Despite subsections (f), (g), and (h) above, the resources of an SSI beneficiary shall not be consid-

ered in the determination of eligibility for medical assistance of any other person.

(j) The resources of an alien sponsor shall be considered in determining eligibility for the alien as prescribed by the secretary of health and human services and as approved by the secretary of social and rehabilitation services. "Sponsor" shall include a public or private agency or organization.

(k) The conversion of real and personal property from one form to another shall not be considered as income to the applicant or recipient except for the proceeds from a contract for the sale of property.

(1) Income shall not be considered both as income and as property in the same month. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-109. Personal property. (a) Definitions.

(1) "Personal property" means all property, excluding real property.

(2) "Cash assets" mean money, investments, cash surrender or loan values of life insurance policies, trust funds, and similar items on which a determinate amount of money can be realized.

(3) "Other personal property" means personal effects, household equipment and furnishings, home produce, livestock, equipment, vehicles, inventory, contracts from the sale of property, and similar items on which a determinate amount of money can be realized.

(b) Treatment of personal property. Personal property, unless exempted, shall be considered a resource.

(c) Exempted personal property. The resource value of the following classifications of personal property shall be exempt:

(1) Personal effects;

(2) household equipment and furnishings in use or only temporarily not in use;

(3) tools in use and necessary for the maintenance of house or garden;

(4) stock and inventory of self-employed persons that are reasonable and necessary in the production of goods and services;

(5) items for home consumption. These items shall consist of produce from a small garden consumed from day to day and any excess which may be canned or stored, and a small flock of fowl or livestock which are used to meet the food requirements of the family;

(6) cash assets which are traceable to income exempted as income and as a cash asset;

(7) any contract from the sale of property, if the proceeds from the contract are considered as income;

(8) for non-SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended in the month received or in the following month;

(continued)

(9) for non-SSI, income-producing property, including tools, equipment, machinery and livestock, if the annual adjusted gross income from its use is at least 40% of its gross market value. Adjusted gross income shall be determined by deducting, from the gross income, the expenses of cost of maintenance and cost of purchase;

(10) for non-SSI, one vehicle for each assistance family with a value in an amount not to exceed \$1,500.00;

(11) for non-SSI, burial plots and funeral agreements as established by the secretary of health and human services and as approved by the secretary of social and rehabilitation services;

(12) for SSI, insurance not exceeding \$1,500.00 face value, owned by any applicant or recipient family member. Face value shall not include and shall not be increased by accumulated dividends, but shall be decreased by an outstanding policy loan. If the total face value of insurance policies owned by any one individual exceeds \$1,500.00, the total cash surrender value of those policies shall be a nonexempt resource;

(13) for SSI, one vehicle for each assistance family. Additional vehicles shall be exempt if shown to be essential for employment, for self-support, for medical treatment of a specific medical problem, or if specially equipped for use by a handicapped person;

(14) for SSI, any personal property of a blind or disabled person which is covered by an approved plan of self-support;

(15) for SSI, the equity value of income-producing personal property, other than cash assets, if:

(A) The equity value of income-producing personal property plus the equity value of income-producing real property does not exceed \$6,000; and

(B) a net annual return of at least 6% of the total equity is produced;

(16) for SSI, burial plots as established by the secretary of health and human services for the SSI program;

(17) for SSI, any burial contract as established by the secretary of health and human services for the SSI program and as approved by the secretary of social and rehabilitation services;

(18) for SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended within three months of the sale; and

(19) for SSI, a retroactive social security payment for the six months following the month of receipt. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

30-6-113. Income exempt as applicable income.

The following income shall be exempt as applicable income in the determination of eligibility: (a) Income in kind;

(b) foster care standard payments;

(c) shelter cost participation payments. In shared living arrangements in which two families contribute toward the shelter obligations, any cash paid toward the shared shelter obligation by one family to the second family in the shared arrangement shall not be considered as income to the second family. This exemption shall not be applicable in a bona fide, commercial landlord-tenant arrangement;

(d) assistance payments in the month received;

(e) home energy assistance furnished by a federal or state regulated entity whose revenues are primarily derived on a rate-of-return basis, by a private, non-profit organization, by a supplier of home heating oil or gas, or by a municipal utility company which provides home energy, if the assistance provided is based on need;

(f) income of a child received from a youth program funded by the job training partnership act of 1982, except that earned income received under the program shall only be exempt for a period of six months;

(g) incentive payments received by renal dialysis patients;

(h) interest credited to a checking and saving accounts;

(i) irregular, occasional, or unpredictable monetary gifts not to exceed \$30.00 per person in any calendar quarter;

(j) tax refunds and rebates other than earned income tax credits;

(k) for non-SSI, earned income of a recipient child if the child is under the age of 18 years and a full-time student or if the child is a part-time student and is not a full-time employee;

(l) for non-SSI, earned income of a recipient child who is 18 years of age and a full-time student;

(m) for non-SSI, work incentive payments in WIN;

(n) for non-SSI, support payments covered by an assignment of support rights related to ADC and ADC-FC and forwarded to the agency. However, a support refund, disbursed by the agency to the client, shall not be exempt;

(o) for non-SSI, housing assistance from federal housing programs;

(p) for non-SSI, the first \$50.00 of child support or child support in combination with spousal support received in a month;

(q) for SSI, refund of taxes paid on real property or on food purchases;

(r) for SSI, 1/3 of child support payments received by an eligible child from an absent parent;

(s) for SSI, earnings of an unmarried child who is a student under 22 years of age up to \$400.00 a month. This exemption shall not exceed \$1,620.00 a year;

(t) for SSI, work expenses of a blind recipient;

(u) for SSI, impairment-related work expenses of a disabled recipient;

(v) for SSI, incentive allowances and reimbursements for individuals in training to provide support

services under the jobs training partnership act (JTPA) program administered by state and local subdivisions;

(w) for SSI, the difference between the social security benefit entitlement in August, 1972, and the entitlement in September, 1972, for persons who were receiving cash assistance through the programs of AABD or ADC in September, 1972 and who were entitled to a social security benefit in September, 1972. This exemption shall apply only if the exemption establishes eligibility without a spenddown;

(x) for SSI, the amount of all social security cost of living adjustments for a person who was concurrently receiving SSI and social security after April, 1977 and who would be eligible for SSI if the cost of living adjustments received since that person was last eligible for SSI were not considered as income;

(y) for SSI, income allocated and expended by an adult in an institutional living arrangement for the support of the adult's spouse or minor children. The income allocation shall not exceed the amount necessary to bring their income up to the protected income level appropriate to their living arrangement;

(z) for SSI, SSI payments to which the person is not legally entitled that are subject to SSI recovery; and

(aa) for SSI, child support collected by the agency and paid as a \$50.00 or less pass-through of child support.

(bb) For SSI, the amount of the December, 1983 increase in social security disabled widow or widower benefits resulting from the changes in the actuarial reduction formula and all subsequent cost of living adjustments for a person who was concurrently receiving SSI and social security disabled widow and widower benefits under section 202(e) or 202(f) of the social security act provided that:

(1) The person became ineligible for SSI due solely to the 1983 actuarial increase;

(2) the person has continuously received social security disabled widow or widower benefits since December, 1983; and

(3) the person would be currently eligible for SSI if it were not for the 1983 actuarial increase and all subsequent cost of living adjustments. The effective date of this regulation shall be July 1, 1986. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by 1986 HB 2710, sec. 2; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986.)

DR. ROBERT HARDER
Secretary of Social and
Rehabilitation Services

Doc. No. 004483

KANSAS FACTS

Education is top priority

Education in Kansas springs from simple settings—sod huts and one-room schoolhouses. If the means were modest, the goals were not. Early-day Kansans understood the value of education as revealed in the original State Constitution which provides: "The legislature shall encourage the promotion of intellectual, moral, scientific and agricultural improvement by establishing a uniform system of common schools, and schools of a higher grade, embracing normal, preparatory, collegiate and university departments."

From such humble beginnings, Kansas has developed a comprehensive network of public schools. The State Board of Education supervises all public elementary, secondary, vocational-technical schools and community colleges. The 10 members of the board, each representing different districts, are elected by the voters. They serve four-year terms, with five being elected every two years. Higher education in state universities is the responsibility of the State Board of Regents, a nine-member board appointed by the governor.

Within the public system there are 1,051 elementary schools, 85 junior high schools, 348 high schools, six four-year state universities, one municipal university, 19 community colleges, 14 area vocational-technical schools and one two-year technical institute. There are also 186 parochial, private or special elementary and secondary schools, 20 church-affiliated colleges and universities, four private two-year colleges and a federally operated junior college for Indians.

Elementary and Secondary Education

Elementary and secondary education is provided in Kansas primarily through the public school system. The state is divided into 306 unified school districts. Each district is controlled by a seven-member board of education, which is elected by the district residents. The unpaid board members serve four-year terms.

Local control of public education has a long history in Kansas. The state provides supervision, basic finance and related resources as well as general guidelines, but educational policies and operational matters are left to local school districts. Local boards are responsible for the quality of educational services available in their communities. They select their own textbooks and teaching materials, determine what is taught, establish graduation requirements and hire their own staff. The more than \$500 million spent annually on elementary and secondary schools is divided almost evenly between local property taxes and state aid.

Higher Education

Kansas ranks fifth in the United States in the number of institutions of higher learning per capita, and eighth among the states in the number of public institutions of higher learning per capita.

Bethel College, Newton, was the first Mennonite College in the nation. Haskell Indian Junior College

(continued)

in Lawrence is the only federally operated two-year college for Indians. Haskell celebrated its centennial in 1984. The school was dedicated September 17, 1884. Three days later, "the arrival of a wagon train bringing 42 Cheyennes and 36 Arapahoes created a stir at Haskell." The students came "with their parents wearing paint and feathers." Baker University, Baldwin City, is the oldest institution of higher learning in Kansas. Washburn University, Topeka, is the state's only public municipal university. It is home to one of the state's two law schools. The school's mascot is the "Ichabod," which is named for founder Ichabod Washburn.

Vocational-Technical Schools

Vocational-technical schools are the fastest growing educational area in the state. The 14 vocational-technical schools in Kansas are scattered throughout the state. They provide Kansas business and industry with skilled craftsmen and technicians. The state system covers seven general occupational areas: trade and industry, technical training, agriculture, distribution, home economics, business and office occupations and health occupations. Course offerings include agriculture production, distributive education, practical nursing, food management and production, clerical work, auto mechanics, carpentry, drafting, electronics, printing, welding and computer work.

Regents' Institutions

The seven Regents' institutions offer a variety of academic programs. Each institution has certain unique activities and offerings. A brief description of each follows:

University of Kansas, Lawrence—KU opened in 1866. It was the first state university in the Great Plains region. KU has an enrollment of nearly 27,000 students, the largest of any school in the Big Eight Conference. Its academic programs include the only medical school and the only pharmacy school in the state. It also has one of the two law schools in Kansas. The KU Medical Center, Kansas City, serves not only as a teaching facility for health professionals, but also as an important research and treatment hospital. KU's Mid-America Cancer Center is nationally recognized as one of the top cancer research and treatment centers, and a recently completed Radiation Therapy Center is one of the best in the country. The KU Medical Center operates a branch in Wichita. Special activities at KU include: the State Geological Survey, the Law Enforcement Training Center and the Bureau of Child Research, an internationally recognized leader in the study of mental retardation and developmental disabilities. KU athletic teams, the Jayhawks, are members of the Big Eight Conference.

Kansas State University, Manhattan—Established in 1863, K-State was the nation's original land-grant university. Although the main campus is in Manhattan, the university owns or leases more than 14,000 acres in 19 counties for agricultural research. It also conducts agricultural programs in several foreign nations. More than 18,000 students are enrolled in the university, which offers off-campus education in sev-

eral areas of the state. K-State is especially noted for its academic programs in agriculture, home economics and veterinary medicine. Through the Federal Land-Grant Act, Kansas State is responsible for all county extension activities in the state. K-State has one of the most prestigious lecture series in American colleges and universities, the Alfred M. Landon Lecture Series on Public Issues. In athletic events, the K-State Wildcats compete in the Big Eight.

Wichita State University, Wichita—Founded as Fairmount College in 1895, WSU became a municipal university in 1926 and a state university in 1964. Enrollment is more than 17,000. WSU has a cultural program that serves not only the student body, but also the city of Wichita. Activities include theater, music, art exhibits and lectures, including the Dwight D. Eisenhower Lecture Series. The Center for Gerontology and the Center for Urban Studies provide special research and services. WSU's mascot is the Wheat Shocker. WSU is in the Missouri Valley Conference.

Emporia State University, Emporia—Established in 1863 as the Kansas State Normal School, ESU was later called the Kansas State Teachers College of Emporia. Training of educators is still emphasized, although other academic programs are offered. Enrollment is nearly 5,500. The ESU campus is designed to accommodate handicapped students, and an extensive program for the handicapped is available. ESU is also home to the Center for the Study of the Great Plains. The ESU Hornets are in the Central States Intercollegiate Conference.

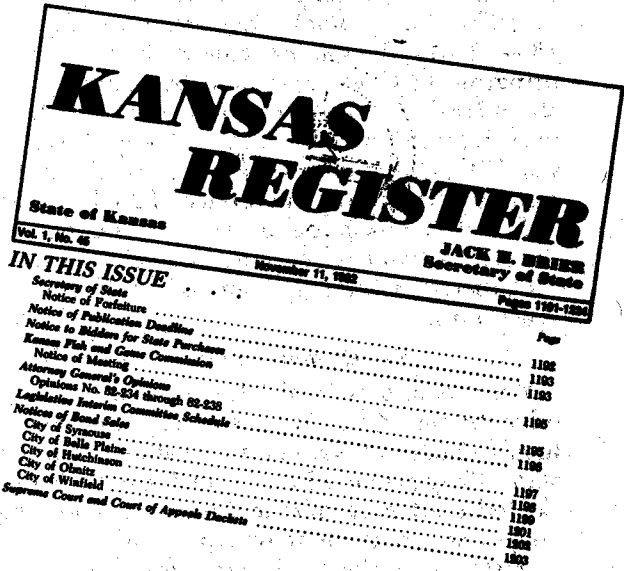
Fort Hays State University, Hays—FHSU was established in 1901 as the western branch of the State Normal School. It is on land which was once the Fort Hays Military Reservation and is the only state university in the western two-thirds of the state. It has an enrollment of about 5,400. The FHSU Tigers are members of the Central States Intercollegiate Conference. Fort Hays burst into national basketball prominence in the 1980s. The Tigers made their first appearance at the NAIA national basketball tournament in Kansas City, Mo., in 1981 and in 1983 they finished third in the nation. In 1984 and 1985, they won back-to-back national championships.

Pittsburg State University, Pittsburg—PSU was established in 1903 as the Auxiliary Manual Training Normal School, a branch of the Emporia Normal School. Enrollment is about 5,000. A unique part of the university is the School of Technology and Applied Science, which works toward improvement of various industries in Kansas. The school conducts seminars and workshops for industries and provides consultations on industrial safety. The Center for Business and Economic Development is another special program. PSU's athletic teams, the Gorillas, are members of the Central States Intercollegiate Conference.

Kansas Technical Institute, Salina—Opened in 1966, KTI offers two-year programs in solar energy technology, computer science technology and surveying technology, as well as more traditional fields of technical study. It has an enrollment of more than 600.

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