

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

Vol. 8, No. 29

July 20, 1989

Pages 1097-1132

IN THIS ISSUE . . .

	Page
Attorney General	
Opinions No. 89-85 through 89-89	1098
Notice of Hearing on Proposed Administrative Regulations	1099
Department of Health and Environment	
Notice Concerning Proposed Air Quality Permit	1099
Notices Concerning Kansas Water Pollution Control Permits	1100
Employee Award Board	
Notice of Meeting	1101
Social and Rehabilitation Services	
Request for Proposals for Jail Alternatives for Juveniles	1101
State Emergency Response Commission	
Notice of Meeting	1101
State Grain Inspection Department	
Notice of Hearing on Proposed Administrative Regulations	1101
State Fair Board	
Notice of Meeting	1102
Department of Transportation	
Notice to Contractors	1102
Legislative Interim Committee Schedule	1103
Department on Aging	
Notice of Hearing on Proposed Administrative Regulations	1104
Notice to Bidders for State Purchases	1104
State Planning Council on Developmental Disabilities Services	
Notice of Meeting	1106
State Corporation Commission	
Notice of Motor Carrier Hearings	1106
Court of Appeals Docket	1108
Notice of Bond Redemption	
City of Dodge City	1115
Notice of Bond Sale	
City of Ellis	1115
U.S.D. 489, Ellis County	1118
Permanent Administrative Regulations	
Kansas Water Office	1121
Kansas Racing Commission	1123
Kansas Wildlife and Parks Commission	
Notice of Meeting and Hearing on Proposed Administrative Regulations	1127
Index to Administrative Regulations	1130

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-85

Constitution of the State of Kansas—Finance and Taxation—System of Taxation; Classification; Exemption. Terry D. Hamblin, Director of Property Valuation, Department of Revenue, Topeka, July 10, 1989.

The definitions of "merchant," "manufacturer" and "inventory" in K.S.A. 1988 Supp. 79-201m are drafted broadly enough to encompass coal and gas held by a public utility for resale or to use in generating electricity. Therefore, such property is eligible for a tax exemption as merchants' or manufacturers' inventory pursuant to article 11, section 1 of the Kansas Constitution. Cited herein: K.S.A. 1988 Supp. 79-201m; 79-213; K.S.A. 79-5a01 *et seq.*; K.S.A. 1988 Supp. 79-3602; K.S.A. 84-9-109; K.S.A. 79-1001 *et seq.* (repealed, L. 1988, ch. 375, § 9); Kan. Const., Art. 11, § 1. JLM

Opinion No. 89-86

Townships and Township Officers—General Provisions—Lease of Township Property to Non-governmental Entity. Ruth E. Graham, Counsel for Tecumseh Township, Topeka, July 10, 1989.

A township may not lease township property pursuant to K.S.A. 80-104 to a non-governmental entity if such use is not a public one. Cited herein: K.S.A. 80-101; 80-104; 80-105; 80-109. JLM

Opinion No. 89-87

Schools—Purchase of Insurance—Group Insurance; Distribution of Health Insurance Reserve Refunds. Senator Don Montgomery, 21st District, Sabetha, July 10, 1989.

A group health insurance divisible surplus fund results when yearly premiums exceed total claims, expenses, and reserves for the plan year. When the reserve is reduced to zero because it has been discontinued, the moneys

refunded are to be distributed according to the divisible surplus rider. MWS

Opinion No. 89-88

Taxation—Collection and Cancellation of Taxes—Time for Payment of Personal Property Taxes; Computation of Interest When County Treasurer Accepts Partial Payment of Delinquent Personal Property Taxes. Gene Porter, Barton County Attorney, Great Bend, July 10, 1989.

K.S.A. 1988 Supp. 79-2004a provides for the accrual of interest on delinquent personal property taxes. When a county treasurer accepts a partial payment of delinquent personal property taxes, future computations of interest should be based on the amount of delinquent taxes remaining unpaid after crediting the partial payment, rather than on the full amount of delinquent taxes originally owing. A different rule may apply if the delinquent taxes become a "judgment" under the operation of K.S.A. 1988 Supp. 79-2101. Cited herein: K.S.A. 1988 Supp. 79-2004a; 79-2101. TNM

Opinion No. 89-89

Intoxicating Liquors and Beverages—Certain Prohibited Acts and Penalties—Advertising and Display of Liquor; Restrictions; Outdoor Advertising After July 1, 1989. Representative Ben Foster, 85th District, Wichita, July 10, 1989.

In that K.S.A. 1988 Supp. 41-714 is penal in nature, its provisions must be strictly construed in favor of the individuals and entities subject to its restrictions. Thus, in our opinion, subsection (d) of this statute should be interpreted to authorize outdoor advertising of the price and brand name of alcoholic liquor beginning July 1, 1989. Cited herein: K.S.A. 1988 Supp. 41-714; K.S.A. 41-902; K.A.R. 14-8-1; 14-8-2. JLM

ROBERT T. STEPHAN
Attorney General

Doc. No. 008092

The *Kansas Register* (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.15 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

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

© Kansas Secretary of State 1989. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



Phone: (913) 296-3489

State of Kansas

ATTORNEY GENERAL

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9 a.m. Monday, August 21, in the Attorney General's conference room, Kansas Judicial Center, 301 W. 10th, Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed permanent and temporary regulations establishing standards for eligibility and accountability and application procedures for grants awarded from the crime victims assistance fund pursuant to 1989 House Bill No. 2200, § 29.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. Additionally, the period of time between publication of this notice and the public hearing constitutes a comment period for the purpose of receiving written public comments on the proposed regulations.

Written comments and requests for copies of the proposed regulations and the complete economic impact statement should be submitted to Julene L. Miller, Deputy Attorney General, Kansas Judicial Center, 301 W. 10th, Topeka 66612, before the time of hearing.

A summary of the proposed permanent and temporary regulations is as follows:

K.A.R. 16-7-1 defines the terms "grant funds," "crime victims assistance fund," "program period," and "victims' rights coordinator."

K.A.R. 16-7-2 sets forth application deadlines and circumstances in which deadlines are not observed.

K.A.R. 16-7-3 establishes required applicant information, including a needs assessment, budget information and specific program information.

K.A.R. 16-7-4 establishes the criteria for evaluating applications.

K.A.R. 16-7-5 specifies the procedure for notifying applicants of the grant decision.

K.A.R. 16-7-6 sets forth limitations on the amount of grant funds available to each applicant and match requirements.

K.A.R. 16-7-7 sets forth limitations on the use of grant funds.

K.A.R. 16-7-8 establishes ongoing reporting requirements for grant recipients.

K.A.R. 16-7-9 creates a recommendations committee to assist the Attorney General in determining eligibility of grant applicants.

It is anticipated that approximately \$300,000 a year will be available to help fund crime victims assistance programs. In that these proposed regulations allow for the funding of start-up programs and require a 25 percent match, local units of government, individuals and private businesses may be asked to provide the match money. The decision to do so, however, is voluntary; if a community feels a need for crime victims assistance services, it must assist in covering the costs involved. Beyond this, no negative economic impact on other state agencies, in-

dividuals, private business or the general public is anticipated.

ROBERT T. STEPHAN
Attorney General

Doc. No. 008075

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENTNOTICE CONCERNING PROPOSED
AIR QUALITY PERMIT

The Secretary of the Kansas Department of Health and Environment is proposing to issue an air quality permit to Henningsen Construction, Inc. of Atlantic, Iowa, for installation and operation of a drum-mix asphalt plant to be located at Bakers Quarry on Highway 16 east of Valley Falls. The permit would be issued in accordance with Kansas Administrative Regulation 28-19-14, permit required.

This plant is equipped with a particulate control device and a fabric filter, which can effectively control particulate emissions when operated according to the manufacturer's instructions. This plant has undergone performance tests that indicate that the plant can operate in compliance with applicable state pollution-control regulations when operating at a production rate that does not exceed the rate at which the performance tests were conducted.

Written materials related to this permit action, including the application, permit summary, draft permit, and summary of the emissions test are available for inspection through August 21 by contacting Eugene Sallee, Building 740, Forbes Field, Topeka 66620-0001, (913) 296-1575.

Kansas Statutes Annotated 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to issuance of the permit. The request must be in writing and addressed to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. If the secretary determines the request presents sufficient reason, a hearing will be conducted—the place, date and time of which will be announced in this publication. Requests for hearing and comments on the proposed permit must be submitted to the secretary on or before August 21.

STANLEY C. GRANT
Secretary of Health
and Environment

Doc. No. 008096

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for discharges to the waters of the United States and the state of Kansas for the applicant described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Panhandle Eastern Olpe 300 Line P.O. Box 1642 Houston, Texas 77251 Coffey County, Kansas	John Redmond Reservoir via Lebo Creek via Jordan Creek	Hydrostatic Test Discharge

Kansas Permit No. I-NE40-POO2 Fed. Permit No. KS-0086495
Description of Facility: This will be a one-time discharge. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to August 18 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-36) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. In response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health and Environment

Doc. No. 008089

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for the water pollution abatement facilities for the feedlot described below. The tentative determinations for permit content are based on preliminary staff review applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Black Diamond Custom Feeders, Inc. Route 1, P.O. Box 117 Herington, KS 67449	SW/4 Section 32 and N/2 Section 31, Township 15S, Range 6E, Morris County, Kansas	Neosho River Basin

Kansas Permit No. A-NEMR-COO1 Fed. Permit No. KS-0117218
Description of Facility: The feedlot has capacity for approximately 4,500 cattle with expansion planned for an additional 8,500 cattle and a contributing drainage area of approximately 74 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 32 acre-feet.

Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permit may be submitted to Cindy Moon, Agricultural Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Environmental Quality, Forbes Field, Topeka 66620. All comments received prior to August 18 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-89-20) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT
Secretary of Health and Environment

Doc. No. 008090

State of Kansas
**DEPARTMENT OF ADMINISTRATION
 EMPLOYEE AWARD BOARD**

NOTICE OF MEETING

The Employee Award Board will meet at 1 p.m. Friday, July 21, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

BEN BARRETT
 Chairperson

Doc. No. 008079

State of Kansas
SOCIAL AND REHABILITATION SERVICES

**REQUEST FOR PROPOSALS FOR
 JAIL ALTERNATIVES FOR JUVENILES**

The Advisory Commission on Juvenile Offender Programs and the Department of Social and Rehabilitation Services are seeking the development of juvenile jail alternatives to be funded from federal Juvenile Justice and Delinquency Prevention Formula Funds. Several projects will be funded in a range of \$5,000 to \$35,000 per project. Multi-county projects with demonstrated needs may be funded at a higher level.

This effort is to assist counties to meet the intent of the Governor's Proclamation, the requirements of the Federal Juvenile Justice and Delinquency Prevention action, and to establish conditions to reduce potential liability to counties.

The grants awarded as a result of this request for proposals will be funded from federal funds set aside for jail removal purposes and must demonstrate that the proposed services will result in the reduction of numbers of juveniles in adult jails.

The types of programs that can be funded under this RFP are as follows:

- A. Intake Services
- B. Training
- C. Planning
- D. Transportation
- E. Out-of-county non-jail placement costs
- F. Detention center operational costs

Any unit of government or private provider (supported by unit(s) of government) is eligible to apply for and receive funds.

The deadline for applications is 5 p.m. Friday, September 1. The full request for proposal and application kit are available from the Grants Unit, SRS Youth Services, Smith/Wilson Building, 300 S.W. Oakley, Topeka 66606, (913) 296-2017.

ROBERT C. BARNUM
 Commissioner, Youth Services

Doc. No. 008080

State of Kansas
**DEPARTMENT OF HEALTH
 AND ENVIRONMENT
 STATE EMERGENCY RESPONSE
 COMMISSION**

NOTICE OF MEETING

The State Emergency Response Commission will meet at 9 a.m. Tuesday, August 1, in the State Defense Building, 2800 S. Topeka Blvd., Topeka.

STANLEY C. GRANT
 Secretary of Health
 and Environment

Doc. No. 008086

State of Kansas
GRAIN INSPECTION DEPARTMENT

**NOTICE OF HEARING
 ON PROPOSED
 ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10 a.m. Monday, August 21, in the Kansas State Grain Inspection Department conference room, eighth floor, Jayhawk Tower, 7th and Jackson, Topeka, to consider the adoption of proposed changes in existing regulation 25-4-1 concerning fees. The changes consist of adding a fee for soybean protein and oil, as mandated by the Federal Grain Inspection Service, along with changing the wording from hopper car and box car to carlots.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written comments from all interested parties on the proposed addition of fees in the regulation. All interested parties may submit written comments prior to the hearing to the director of the Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Copies of the regulation and the economic impact statement may be received by writing to the director. This regulation is proposed for adoption on a permanent basis and is scheduled to become effective 45 days after publication in the *Kansas Register*.

T. D. WILSON
 Director

Doc. No. 008081

State of Kansas

STATE FAIR BOARD**NOTICE OF MEETING**

The State Fair Board will meet at 1 p.m. Sunday, July 23, in the administration office in Hutchinson. For further information contact Deana Novak at (316) 662-6611.

DEANA K. NOVAK
Administrative Officer

Doc. No. 008082

State of Kansas

DEPARTMENT OF TRANSPORTATION**NOTICE TO CONTRACTORS**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. August 17, 1989, and then publicly opened:

DISTRICT ONE—Northeast

Doniphan—22 C-2646-01—Boeh Lane from U.S. southeast of Wathena, then west, 0.3 mile, grading and surfacing. (Federal Funds)

Johnson—46 K-3690-01—Light tower replacements in Johnson and Wyandotte counties, lighting. (Federal Funds)

Johnson—69-46 K-3726-01—U.S. 69, from the Miami-Johnson county line north to north of K-150, north and south bound lanes, 11.4 miles, overlay. (State Funds)

Johnson—635-46 K-2134-03—I-635 and I-35 interchange, grading, surfacing and bridge. (Federal Funds)

Lyon—35-56 K-3688-01—I-35, light tower at the I-35 and K-130 interchange, lighting. (Federal Funds)

Lyon—99-56 K-3826-01—K-99 bridges 48 and 51 over I-335 (Kansas Turnpike Authority), bridge painting. (State Funds)

Shawnee—24-89 K-3817-01—U.S. 24, from old U.S. 75 over U.S. 24, bridges 104 and 105, bridge painting. (State Funds)

Shawnee—89 U-1184-01—West 21st Street, Fairlawn to Hope in Topeka, 0.5 mile, grading and surfacing. (Federal Funds)

Wyandotte—70-105 K-3898-01—I-70 westbound (Lewis & Clark Viaduct) ramp at Fairfax, sign truss. (State Funds)

Wyandotte—105 C-2647-01—Woodend Road, 9th to I-435 in Edwardsville, 1.2 miles, grading and surfacing. (Federal Funds)

DISTRICT TWO—Northcentral

Geary—70-31 K-2611-03—I-70, from the Dickinson-Geary county line east to the east city limits of Grandview, 7.0 miles, signing. (Federal Funds)

Saline—85 C-2501-01 County road, 2.0 miles south of Magnolia Road at Old U.S. 81, then west, 1.1 mile, grading, surfacing and bridge. (Federal Funds)

DISTRICT THREE—Northwest

Norton—36-69 K-3758-01—U.S. 36, 0.3 mile east of the west city limits of Norton east to the Norton-Phillips county line, 14.6 miles, recycling. (State Funds)

Rooks—82 C-2655-01—County road, 8.5 miles west and 7.8 miles north of Stockton, then east, grading and bridge. (Federal Funds)

DISTRICT FOUR—Southeast

Woodson—75-104 K-3770-01—U.S. 75, from the junction of U.S. 54 north to the Woodson-Coffey county line, 11.0 miles, recycling. (State Funds)

DISTRICT FIVE—Southcentral

Sedgwick—235-87 K-3689-01—Light towers at I-235, K-96 and K-254, 0.1 mile, lighting. (Federal Funds)

DISTRICT SIX—Southwest

Clark—283-13 K-3804-01—U.S. 283, from the junction of U.S. 54 north to the Clark-Ford county line, 2.0 miles, recycling. (State Funds)

Finney—83-28 K-3800-01—U.S. 83, from the Haskell-Finney county line north 7.9 miles, overlay. (State Funds)

Ford—283-29 K-3381-01—U.S. 283, from the Clark-Ford county line north to the south city limits of Dodge City, 17.4 miles, recycling. (State Funds)

Ford—54-29 M-1544-01—Roadside park on the north side of U.S. 54 near Bloom, roadside improvement. (State Funds)

Haskell—56-41 M-1545-01—Roadside park northeast quadrant at the junction of U.S. 56 and U.S. 83, roadside improvement. (State Funds)

Ness—68 C-2102-01, County road, from the junction of K-96 at Beeler, 2.2 miles, grading. (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 because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

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

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 008095

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of July 24 through August 6:

Date	Room	Time	Committee	Agenda
July 24	521-S	10:00 a.m.	Special Committee on	Hearings on Proposal No. 42—Nursing
July 25	521-S	9:00 a.m.	Public Health and Welfare	Supply and Distribution.
July 25	K-State Union, Manhattan Room 212	10:00 a.m.	Special Committee on	25th: Proposal No. 6—Agricultural
July 26		9:00 a.m.	Agriculture and Livestock	Experiment Station. 26th: Proposal No. 2—Agricultural Value Added Processing Center.
July 27	Kansas City	10:00 a.m.	Commission on Access to	Agenda unavailable.
July 28	Kansas City	9:00 a.m.	Services for the Medically Indigent and Homeless	
July 28	529-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Overview of the programs of state agencies that promote the arts, culture, and historic preservation.
July 28	522-S	8:00 a.m.	Special Committee on Legislative, Judicial and Congressional Apportionment	Agenda not finalized.
July 31	519-S 519-S	10:00 a.m.	Special Committee on	31st: Briefings on Proposals No. 8, 9, 10 and 12. 1st: Hearings on Proposal No. 11— Taxation of Vending Machine Sales.
August 1		9:00 a.m.	Assessment and Taxation	
July 31	123-S 123-S	9:00 a.m.	Joint Committee on State	Agenda not finalized.
August 1		9:00 a.m.	Building Construction	
August 1	521-S 521-S	10:00 a.m.	Legislative Budget	1st: Proposal No. 38—State General Certificates of Participation and Lease- Purchase Agreements. State employer contributions for worker's compensation and unemployment compensation, staff report. 2nd: Kansas Lottery and Racing Commission finances, staff report.
August 2		9:00 a.m.	Committee	
August 3	123-S	9:00 a.m.	Federal and State Affairs/ Governmental Organization	Proposal No. 28—Pari-mutuel Wagering.
August 3	529-S 529-S	10:00 a.m.	Health Care Stabilization	Organizational meeting. Briefing and Health Care Stabilization Fund history and operation. Status of tort reform.
August 4		9:00 a.m.	Fund Oversight Committee	

EMIL LUTZ
Director of Legislative
Administrative Services

Doc. No. 008093

State of Kansas

DEPARTMENT ON AGING

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Thursday, August 24, in Room D on the second floor of the KNEA Building, 715 W. 10th, Topeka, to consider the adoption of proposed temporary administrative regulations of the Kansas Department on Aging. The regulations are relevant to the Senior Care Act programs and the Retired Senior Volunteer programs.

Written comments may be submitted prior to the hearing to the Secretary of Aging, Kansas Department on Aging, 915 S.W. Harrison, Docking State Office Building, Room 122-S, Topeka 66612-1500. All interested parties will be given a reasonable opportunity at the hearing to orally present their views 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 prior to and at the hearing will be considered by the Secretary of Aging as the basis for making any changes to the proposed regulations.

A summary of the regulation changes follows. Copies of the regulations and economic impact statements may be obtained by writing the Department on Aging at the address above.

The proposed regulations are the result of the Kansas Legislature placing RSVP in the budget of the Kansas Department on Aging. RSVP is funded only for volunteer expenses. There are no administrative costs or funds. The proposed regulations will result in a positive effect upon the recipients of the services.

K.A.R. 26-8-1 contains the definitions of the terms "activities of daily living," "instrumental activities of daily living," and "Senior Care Act."

K.A.R. 26-8-2 contains the limitations required for eligibility to receive services under the 1989 Senior Care Act.

K.A.R. 26-8-3 contains the Senior Care Act program requirement that the level of payments to providers shall be established through purchase of service contracts with the service providers.

K.A.R. 26-8-4 contains the Senior Care Act method for determination of the fee schedule and the methods for termination of services for nonpayment.

K.A.R. 26-8-5 contains the requirement that each service provider under the Senior Care Act shall comply with the reporting requirements under K.A.R. 26-3-6.

K.A.R. 26-8-6 contains the requirements for the level of local match under the Senior Care Act.

K.A.R. 26-8-7 contains the requirement under the Senior Care Act that preference for service provision shall be given to eligible persons with the greatest social and economic need with particular attention given to minority persons.

K.A.R. 26-8-8 contains the requirement that the maximum monthly dollar amount incurred for Senior Care

Act services provided to any consumer shall not exceed an amount determined by KDOA.

K.A.R. 26-8-9 contains the requirement that each Senior Care Act service provider shall use an instrument prescribed by KDOA to screen and assess applicants to determine eligibility for Senior Care Act services.

K.A.R. 26-8-10 contains the priority of services under the Senior Care Act that shall be available consistent with available appropriations.

K.A.R. 26-9-1 contains the definitions for "RSVP" and "Action."

K.A.R. 26-9-2 contains the reporting requirement that each RSVP grantee shall submit program and financial reports to KDOA to comply with federal requirements by the quarterly due date on forms prescribed by KDOA.

K.A.R. 26-9-3 contains the requirement that RSVP funds distributed by KDOA to the grantee shall only be used for expenses of volunteers and that the grantee shall request RSVP funds only on forms required by KDOA.

K.A.R. 26-9-4 contains the requirement that each RSVP grantee shall comply with the federal program and its requirements as referenced in the RSVP Operations Handbook and in the Action Agency for Volunteer Services Grants Management Handbook for Grantees.

ESTHER VALLADOLID WOLF
Secretary of Aging

Doc. No. 008088

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, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, July 31, 1989

#25964

University of Kansas, Housing Department—
UNIFORM, LINEN AND MOP RENTAL AND
LAUNDRY SERVICE FOR HOUSEKEEPING AND
FOOD SERVICE

#27288

University of Kansas Medical Center—CLINICAL
ANALYZER REAGENTS (Beckman Astra*)

#80243

University of Kansas—TRANSFORMER RETROFILL
#80301

University of Kansas Medical Center—HPLC
#80317

Kansas Highway Patrol—MOTORCYCLES

Tuesday, August 1, 1989

#A-4318(B)

Kansas State University—LANDSCAPE PLANTING,
Nichols Hall

#A-6079

Kansas State University—ROOF REPLACEMENT FOR EDWARDS HALL, FORD HALL, JARDINE BUILDING "M", L.W. DAVENPORT BUILDING, PITTMAN HALL

#A-6164

Pittsburg State University—ROOF REPLACEMENT—RUSS HALL ANNEX, BUILDING #38500-00010

#A-6183

Kansas State University—ROOF REPLACEMENT OF DESIGNATED AREAS FOR POWER PLANT

#27516

Statewide—SEPTEMBER (1989) MEAT PRODUCTS

#28050

Department of Administration, Personnel—EXERCISE EQUIPMENT

#28063

Statewide—MAINTENANCE FOR AS/400 SYSTEMS

#80279

University of Kansas Medical Center—PATIENT MONITORING EQUIPMENT

#80315

Department of Wildlife and Parks—FURNISH ALL LABOR AND MATERIALS TO CONSTRUCT ACCESS ROAD, PARKING AREA AND BOAT RAMP, Osage County

Wednesday, August 2, 1989

#27255

Department on Aging—PRINTING OF ADVOCATE NEWSLETTER

#28062

Wichita State University—DORM SIDE CHAIRS

#80264

University of Kansas Medical Center—COMPUTERIZED NON-INVASIVE VASCULAR DIAGNOSTIC SYSTEM

#80265

University of Kansas Medical Center—TRANSCRANIAL DOPPLER SYSTEM

#80272

University of Kansas Medical Center—STRETCHERS

#80275

University of Kansas Medical Center—INTRA-AORTIC BALLOON PUMP

#80276

University of Kansas Medical Center—DEFIBRILLATOR

#80277

University of Kansas Medical Center—SURGICAL LIGHT

#80278

University of Kansas Medical Center—OBSTETRICAL TABLE

#80306

Fort Hays State University—MAINFRAME SYSTEM PRINTER

Thursday, August 3, 1989

#A-6143

Emporia State University—BRIGHTON LECTURE HALL REROOF PROJECT

#27203

Kansas State University—CHEMICAL SEED TREATMENT

#80282

Various agencies—MOTOR VEHICLES

#80290

University of Kansas Medical Center—DICTATION EQUIPMENT

#80293

University of Kansas Medical Center—HEMATOLOGY ANALYZER SYSTEM

Friday, August 4, 1989

#27859

Kansas State University—FERTILIZER

#80303

University of Kansas Medical Center—LIQUID CHROMATOGRAPH

#80308

Kansas State University—STEAM VALVES AND ACCESSORIES

#80312

University of Kansas Medical Center—PLETHYSMOGRAPH

#80316

Kansas State University—MICROCOMPUTERS

Tuesday, August 8, 1989

#A-6180

University of Kansas—CHILLER REPLACEMENT AND ANIMAL ROOM AIR CONDITIONING, Haworth Hall

Wednesday, August 9, 1989

#27293

Statewide—PRINTING AND OFFSET DUPLICATING SUPPLIES

Thursday, August 10, 1989

#A-6244

Kansas Judicial Center—SPECIAL AIR CONDITIONING, ROOMS 373 AND 380

REQUEST FOR PROPOSALS

Thursday, August 3, 1989

#28061

WORKERS' COMPENSATION EXCLUSIVE CARE PROVIDER FOR THE DEPARTMENT OF ADMINISTRATION, DIVISION OF PERSONNEL SERVICES

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 008091

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 conduct its quarterly business meeting at 9 a.m. Thursday, July 27, in the French Quarters Room of the Holiday Inn, 6th and Fairlawn, Topeka.

JOHN KELLY
 Executive Director

Doc. No. 008094

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF MOTOR
CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated before the State Corporation Commission, Docking 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, Docking State Office Building, Topeka 66612, (913) 296-3808 or 296-3364.

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

Applications set for August 1, 1989

Application for Certificate of Convenience
and Necessity:

A-1 City Cab Shuttle) Docket No. 166,739 M
 Corporation)
 735 E. 22nd)
 Lawrence, KS 66046) MC ID No. 131223

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

Passengers and light hand baggage, in taxi cab service,

Between points and places in Washington, Marshall, Nemaha, Brown, Doniphan, Atchison, Clay, Riley, Pottawatomie, Jackson, Jefferson, Leavenworth, Wyandotte, Geary, Dickinson, Wabaunsee, Shawnee, Douglas, Johnson, Morris, Lyon, Osage, Franklin, Miami, Marion, Chase, Coffey, Anderson, Linn, Woodson, Allen and Bourbon 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 Abandonment of Certificate of
Convenience and Necessity:

Frank N. Bills, dba) Docket No. 137,411 M
 Frank Bills Trucking)
 P.O. Box 211)
 Severy, KS 67137) MC ID No. 104311

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

Application for Certificate of Convenience
and Necessity:

Erickson Transport) Docket No. 166,734 M
 Corporation)
 2255 N. Packer Road)
 Springfield, MO 65804) MC ID No. 100718

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

Liquid bulk commodities,

Between points and places in Kansas.

Application for Certificate of Convenience
and Necessity:

Les Hutchinson, dba) Docket No. 166,733 M
 Jayhawk Dealer Services)
 3323 Iowa, Lot 434)
 Lawrence, KS 66046) MC ID No. 135089

Applicant's Attorney: None

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

Between all points and places in Wyandotte, Leavenworth, Jefferson, Shawnee, Douglas, Johnson, Miami, Franklin and Osage counties, Kansas.

Also,

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

Application for Purchase of Stock Pursuant
to K.A.R. 82-4-27E:

IU Truckload, Inc.) Docket No. 147,582 M
 for Approval of Transfer of)
 Common Stock of)
 Ranger Transportation, Inc.)
 7960 Arlington Expressway)
 Jacksonville, FL 32216) MC ID No. 117430

TO:

Landstar System, Inc.
 No. 4 High Ridge Park
 P.O. Box 120052
 Stamford, CT 06904

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

Application for Certificate of Convenience and Necessity:

James A. Roat, dba) Docket No. 166,732 M
R & S Transportation)
P.O. Box 1641)
Great Bend, KS 67530) MC ID No. 134808

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 all points and places in Barton County, Kansas.

Also,

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

Application for Certificate of Convenience and Necessity:

Todd Shoemaker, dba) Docket No. 166,738 M
Bronco Oil Field Service)
Route 2, Box 1805)
Liberal, KS 67905) MC ID No. 134446

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

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

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

Speedway Transportation,) Docket No. 130,241 M
Inc.)
P.O. Box 647)
Holdrege, NE 68949) MC ID No. 100885

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

Livestock,

Between points and places in Smith, Phillips, Norton, Graham, Rooks, Osborne, Clay, Dickinson, Geary, Pratt, Riley, Morris, Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Hamilton, Kearny, Finney, Hodgeman, Pawnee, Stanton, Grant, Haskell, Gray, Ford, Edwards, Stafford, Kiowa, Morton, Stevens, Seward, Meade, Clark, Comanche and Barber counties, Kansas.

Also,

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

Application for Abandonment of Contract Carrier Permit:

Thode Trucking, Inc.) Docket No. 155,890 M
Box 2126)
Garden City, KS 67846) MC ID No. 128137

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

Application for Certificate of Convenience and Necessity:

Carolyn S. Weber, dba) Docket No. 166,736 M
Weber's Seeding)
4015 E. 56th)
Hutchinson, KS 67502) MC ID No. 133221

Applicant's Attorney: None

Lumber and steel,

Between all points and places in Sedgwick, Wyandotte, Ford and Edwards counties, Kansas.

Application for Certificate of Convenience and Necessity:

James S. Welsher, dba) Docket No. 166,735 M
Stuart Trucking Company)
1032 Cheyenne)
Kansas City, KS 66105) MC ID No. 132159

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

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

Between points and places in the Kansas counties of Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Douglas, Wyandotte, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee.

Also,

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

Application for Certificate of Convenience and Necessity:

Elton F. Zimmerman, dba) Docket No. 166,737 M
Sportsman Trucking)
115 E. 3rd)
Minneapolis, KS 67467) MC ID No. 134445

Applicant's Attorney: None

Grain, dry fertilizer, dry fertilizer ingredients (all non-hazardous materials), farm machinery and equipment, all farm products, hay, building and fencing materials and supplies, salt and livestock,

Between all points and places within the state of Kansas.

ALFONZO A. MAXWELL
Administrator
Transportation Division

Doc. No. 008086

State of Kansas

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

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

Kansas Court of Appeals
Division 1, Courtroom 300, Johnson County Courthouse
Olathe, Kansas

Before Elliott, P.J.; Theodore B. Ice, District Judge, assigned;
and Philip C. Vieux, District Judge, assigned.

Tuesday, August 1, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,977	Village Properties, Inc., and City of Olathe, Appellees, v. Board of County Commissioners of Johnson County, William E. Franklin, Johnna Lingle, Kent E. Crippin, Bruce R. Craig, Janet T. Leick, Donald J. Curry, William E. O'Brien, and Ruby M. Scott, Appellants.	Michael R. Lawless J. Patrick Flanigan Philip S. Harness Bernis G. Terry	Johnson
63,263	Victor Regnier, <i>et al.</i> , Appellants, v. City of Roeland Park, <i>et al.</i> Appellees.	Gregory J. Papas Stewart M. Stein Ronald S. Reuter Kevin C. Harris James F. Vano	Johnson
10:00 a.m.			
62,933	Russell Williams, Appellee, v. Jaekels-Rice Construction Company and Maryland Cas. Co., Appellees, and Kansas Workers' Compensation Fund, Appellant.	James Shetlar Mary Owensby Thompson J. Paul Maurin III	Johnson
62,663	Richard Huffman, Appellee, v. Proctor & Gamble, Appellant, and Kansas Workers' Compensation Fund.	James R. Shetlar J. Nick Badgerow Chris Miller	Wyandotte
1:00 p.m.			
62,609	Johnson County Bank, N.A., Appellant, v. Ronald A. Mather, <i>et al.</i> , Appellees.	Michaelle M. Suter Jeffrey A. Kincaid	Johnson
62,822 62,823 62,824	State of Kansas, Appellee, v. Larry R. Wassenberg, Appellant.	Steve Kraushaar Attorney General Jessica R. Kunen	Marshall

2:00 p.m.

63,304	Adam Lee Schwarzer by Dennis E. and Sharon E. Schwarzer, Appellee, v. Frank C. Maher and Robin Schuckman, Appellants.	Robert F. Duncan Larry R. Mears	Atchison
62,595	Robert Dorssom and Rosemary Dorssom, Appellants, v. State Bank of Lancaster and American National Bank of St. Joseph, Appellees.	Frank M. Rice Barry McCormick Larry R. Mears	Atchison

Wednesday, August 2, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,073 63,389	Wichita Sheet Metal Supply, Inc., Appellant, v. Dahlstrom & Ferrell Constr. Co. and U.S. Fidelity & Guar. Co., Appellees.	William M. Kehr Edward Stephens Jeffrey B. Rosen William A. Larson	Leavenworth
63,213	Donald S. Rowe and Sharon K. Rowe, Appellees, v. Debra I. Jones, Appellee, and National Union Fire Insurance Co., Appellant.	R. Owen Watchous Gerald W. Scott Craig C. Blumreich J. Donald Lysaught, Jr.	Franklin

Summary Calendar—No Oral Argument

62,037	State of Kansas, Appellee, v. Desmond Rene Tucker, Appellant.	Michael Grosko Attorney General Shannon S. Crane	Wyandotte
62,587	City of Kansas City, Appellee, v. Daniel R. Hedman, Appellant.	Bill Klapper Daniel R. Hedman, <i>pro se</i>	Wyandotte
62,960	Raymond Roberts, Appellant, v. State of Kansas, Appellee.	Rick Kittel Nick A. Tomasic Attorney General	Wyandotte
63,067	State of Kansas, Appellee, v. Charles E. Holloway, Appellant.	Debra A. Vermillion Attorney General John Ivan	Johnson
63,275	Martha Radillo, Appellant, v. Kuhlman Diecasting Co. and Royal Insurance Co., Appellees.	C. Albert Herdoiza Henri J. Watson Steven C. Alberg	Johnson

(continued)

Kansas Court of Appeals
 Court of Appeals Courtroom, 2nd Floor, Judicial Center
 Topeka, Kansas

Before Gernon, P.J.; Lewis, J.; and David F. Brewster,
 District Judge, assigned.

Tuesday, August 1, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,087	William Stewart, Appellant, v. Kansas Department of Administration and Morton Oeleke, Appellees.	Pantaleon Florez, Jr. Adele Ross Vine Billy E. Newman	Shawnee
63,090	Mary Rauth, Appellant, v. Robert C. Harder, Secretary of Kansas Department of Social and Rehabilitation Services, Appellee.	Alan V. Johnson Michael George	Shawnee
63,107	Johnathan R. Taylor, Appellant, v. Kansas Department of Revenue, Appellee.	Kenneth M. Carpenter James G. Keller	Shawnee
10:30 a.m.			
63,218	City of Tonganoxie, Appellee, v. John M. Jack, Appellant.	Michael Crow John M. Jack, <i>pro se</i>	Leavenworth
62,844	State of Kansas, Appellee, v. Bobby L. Jackson, Appellant.	Randy Hendershot Gene Olander Attorney General Charles D. Dedmon	Shawnee
1:30 p.m.			
63,490	Fidelity Savings Association of Kansas, Appellee, v. Kent A. Miller and Jean M. Miller, Appellants.	Larry Livingood Robert C. Johnson	Morris
63,164	GT, Inc., Appellant, v. Employment Security Board of Review, Appellee.	Donna J. Long James R. McEntire Marlin White	Clay
63,221	In the Matter of the Marriage of Brigitte U. Dill, Appellee, and Michael O. Dill, Appellant.	Alan Deines Walter P. Robertson	Dickinson

2:30 p.m.

63,365	City of Abilene, Appellee, v. Gregg M. Biggs, Appellant.	Ben J. Sexton Allen B. Angst	Dickinson
63,242	Lois Morales, Appellant, v. Kansas Board of Regents and Kansas State University, Appellees.	William E. Metcalf Dorothy Thompson	Shawnee

Wednesday, August 2, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,215	Terrella Akins, Appellant, v. Hallmark Cards, Inc., Royal Insurance Co., and/or Workers' Compensation Fund, Appellees.	E.J. Schumacher John D. Jurcyk Margaret W. Fabian Robert L. Kennedy Chris Cowger	Shawnee
63,230	Everett Lee Glenn, Appellant, v. Dale Fleming, Aetna Casualty and Surety Co., and Randall Weller, Appellees.	Jerry R. Palmer Donald A. McKinney Lee Turner Darrell Warta	Finney

Summary Calendar—No Oral Argument

63,045	State of Kansas, Appellee, v. Shirley Rae Blevins, Appellant.	Ellen Mitchell Mickey Mosier Attorney General Shannon Crane	Saline
63,245	State of Kansas, Appellee, v. Roger Burkey, Appellant.	Kenneth R. Smith Steven Opat Attorney General Jessica R. Kunen	Geary
63,246	State of Kansas, Appellee, v. Werner Buettner, Appellant.	Kenneth R. Smith Steven Opat Attorney General Charles D. Dedmon	Geary

(continued)

Kansas Court of Appeals
Courtroom A, Barton County Courthouse
Great Bend, Kansas

Before Larson, P.J.; Rees, J.; and Donald L. White,
District Judge, assigned.

Tuesday, August 1, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
63,367	Executive Financial Service, Inc., Appellant, v. James T. Johnson, <i>et al.</i> , Appellee.	Kirk D. Auston Don C. Staab	Barton
62,777	Kenneth Burkhardt by J. Byron Meeks, Cons., Appellant, v. Philsco Products Co., Inc., Appellee.	Phyllis F. Wendler Amy S. Lemley Nicholas S. Daily Thomas Berscheidt	Edwards
63,180	Lewis David Blevins, Appellant, v. City of Pratt, Greenlawn Cemetery, and Leslie Adams, Appellees.	Richard J. Rome Harry Bleeker David A. Lips	Pratt
10:30 a.m.			
63,312	Security State Bank of Scott City, Appellee, v. Jack L. Gorsuch, Margery V. Gorsuch, Century Auctioneers, Inc., and Jayhawk Holding Co., Appellants.	Keen Brantley Jack L. Gorsuch, <i>pro se</i> Margery V. Gorsuch, <i>pro se</i>	Wichita
63,207	Dale C. Betterton, M.D., Appellant, v. Michael Scott Swaim, Jamie L. Post, and Lance D. Lampe, Appellees.	John V. Black Bradley Post Curtis E. Campbell Jack E. Dalton John Osborn	Ford
1:30 p.m.			
63,104	Coastal Oil and Gas Corp., Appellant, v. Board of County Commissioners of Rawlins County, Robert O. Frick, Charles Unger, Henry Cahoj, and Audrey Dixson, Appellees.	Richard D. Greene Charles A. Peckham	Rawlins
62,669	Federal Land Bank of Wichita, v. George Steven Mills, Wanda F. Mills, Appellant, Farmers Home Administration, and Colorado State Bank.	Darrel E. Johnson Wayne R. Tate	Morton

2:30 p.m.

62,850	State of Kansas, Appellee, v. Howard Burgardt, Appellant.	Libbie A. Moore Gene Porter Attorney General Lucille Marino	Barton
62,912	State of Kansas, Appellee, v. Eldon Shearer, Appellant.	R. Douglas Sebelius Attorney General Rick Kittel	Norton

Summary Calendar—No Oral Argument

63,426	In the Matter of the Marriage of Vicki Renee Jarvis (Robinson) and Terry Everett Robinson.	Edward C. Hageman Richard D. Coffelt	Ellis
--------	--	---	-------

**Kansas Court of Appeals
Courtroom 11-1, 11th Floor, Sedgwick County Courthouse
Wichita, Kansas**

**Before Larson, P.J.; Rees, J.; and Frederick Woleslagel,
District Judge Retired, assigned.**

Wednesday, August 2, 1989

9:00 a.m.

Case No.	Case Name	Attorneys	County
62,956	Ava Jo Hall, Appellee, v. Ronnie W. Canfield, Appellant.	Lois A. Lynn Ronnie W. Canfield, <i>pro se</i>	Sedgwick
63,075	Edwin Leroy Stimpson and Lillian Pauline Stimpson, Appellees, v. Hugh S. Maxwell, Appellant.	Kenneth M. Nohe Charles W. Harris	Sedgwick
63,182	Vern N. Haywood and Rhonda L. Haywood, Appellees, v. Orkin Exterminating Co., Inc., <i>et al.</i> , Appellants.	Jerry L. Berg Thomas D. Kitch Link Christin	Sedgwick

10:30 a.m.

62,914	Donna M. Stroud, Appellant, v. Saint Mary of the Plains College, Appellee.	William L. Fry Matthew C. Hesse Alan D. Herman Christopher A. McElgunn	Sedgwick
63,208	E. Dexter Galloway, Appellant, v. Kathleen Marie Siebrands, Appellee.	E. Dexter Galloway, <i>pro se</i> Patricia Macke Dick	Reno

(continued)

1:00 p.m.

62,986	Shawn M. Thomas, Appellee, v. Leaseland U.S.A., Appellant, and General Elections Credit Auto Lease, Inc.	Barry L. Arbuckle Ricky E. Bailey John F. McGee	Sedgwick
62,784	State of Kansas, Appellee, v. Louis J. Burleson, Appellant.	Michael Ward Attorney General Karen Mayberry	Butler

2:30 p.m.

62,589	State of Kansas, Appellee, v. Jimmy E. Bostic, Appellant.	Michael Ward Attorney General Shannon S. Crane	Butler
62,851	State of Kansas, Appellee, v. Rachel Chew Foncannon, Appellant.	Jim Pringle Attorney General Charles D. Dedmon	Sumner
63,132 SC	Francisco Cruz, Appellant, v. Change Manufacturing Co. and American Manufacturing Mutual Insurance Co., Appellees.	Steven M. Dickson Vaughn Burkholder	Sedgwick

Doc. No. 008078

LEWIS C. CARTER
Clerk of the Appellate Courts

(Published in the *Kansas Register*, July 20, 1989.)

NOTICE OF REDEMPTION
 City of Dodge City, Kansas
 Industrial Revenue Bonds
 Series 2 of 1979
 (Hyplains Dressed Beef)

Notice is hereby given to all bondholders that all bonds maturing after August 1, 1989, are called for redemption on August 1, 1989, at the price of 103 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. All bonds shall cease to accrue interest after August 1, 1989.

The bonds may be presented for payment along with an IRS Form W-9 verifying owner's Social Security number either in person or mailed to the following address: The Merchants National Bank of Topeka, Attn: Corporate Trust Department, P.O. Box 178, 800 Jackson, Topeka, KS 66601.

City of Dodge City, Kansas

Doc. No. 008074

(Published in the *Kansas Register*, July 20, 1989.)

NOTICE OF BOND SALE
 \$360,555
 General Obligation Bonds
 Street Series A, 1989
 of the City of Ellis
 Ellis County, State of Kansas
 (general obligation bonds payable from
 unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned, city clerk of the city of Ellis, Ellis County, Kansas, on behalf of the city council of said city at 911 Washington St., P.O. Box 50, Ellis, KS 67637, until 7:30 p.m. C.D.T. on Tuesday, August 8, 1989, for the purchase of \$360,555 principal amount of General Obligation Bonds, Street Series A, 1989, of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the city council immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The bonds will be dated August 1, 1989, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1990	\$30,555
1991	30,000
1992	30,000
1993	35,000
1994	35,000
1995	40,000
1996	40,000
1997	40,000
1998	40,000
1999	40,000

The bonds will bear interest from the date thereof, said rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semian-

nually on April 1 and October 1 in each year beginning on April 1, 1990.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the city and the Kansas Attorney General.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondowners.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on October 1, 1995, and thereafter, will be subject to redemption and payment prior to maturity on October 1, 1994, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, without premium, plus accrued interest to the redemption date.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Authority, Purpose and Security

The bonds are being issued, pursuant to K.S.A. 12-614 *et seq.*, for the purpose of paying the cost of certain street improvements. The bonds and the interest thereon will constitute general obligations of the city, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property, real and personal, within the territorial limits of the city.

(continued)

Condition of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate may exceed a rate equal to the index of treasury bonds published by the weekly *MuniWeek*, f/k/a *Credit Markets*, in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplement interest payments will be considered. Each bid must specify the total interest cost to the city during the term of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid—all certified by the bidder to be correct—and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must also specify the average annual net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$7,211.10 (2 percent of the principal amount of the bonds) payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. Good faith checks submitted by unsuccessful bidders will be returned. If a bid is accepted, said check or the proceeds thereof will be held by the city until the bidder has complied with all of the terms and conditions of this notice. If a bid is accepted but the city fails to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the city as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the city council will determine which bid, if any, will be accepted, and its determination is final. The city reserves the right to reject any and all bids and to waive any irregularities

in a submitted bid. Any bid received after 7:30 p.m. on the date of sale will be returned to the bidder unopened.

Bid Forms

All bids must be made on forms that may be procured from the city clerk or bond counsel. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the city's central office and must be received by the undersigned prior to 7:30 p.m. C.D.T. on Tuesday, August 8, 1989.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on or assigned to the bonds, but neither the failure to print such number on or assign such number to any bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 22, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be made at the expense of the successful bidder. The successful bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including 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 Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 10 a.m. C.D.T. on September 1, 1989. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 10 a.m. C.D.T. on September 1, 1989, a certificate acceptable to the city's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient

to establish the sale of a "substantial amount" of the bonds).

Official Statement

The city has prepared an informational statement dated July 20, 1989, copies of which may be obtained from the city clerk or from bond counsel. Upon the sale of the bonds, the city will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered at the successful bidder's expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable, tangible property within the city, for the year 1988, is as follows:

Equalized assessed valuation of taxable, tangible property including motor vehicles computed pursuant to K.S.A. 1988 Supp. 10-310, for computation of bond debt limitation.....	\$4,199,187
---	-------------

The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$826,555.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Opinion of Bond Counsel and Internal Revenue Code of 1986

In the opinion of bond counsel, assuming continued compliance by the city with the terms of the bond ordinance, under existing law, the interest on the bonds: (a) is excludable from gross income for federal income tax purposes, and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that with respect to corporations (as defined for federal income tax purposes), such interest is taken into account in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31, 1989) for the purpose of computing the alternative minimum tax imposed on such corporations. The opinion set forth in clause (a) above is subject to the condition that the city comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the bonds in order that interest thereon be excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements could cause the interest on the bonds to be included in federal gross income retroactive to the date of issuance of the bonds. The city has covenanted to comply with all such requirements.

The bonds are "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the code), a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds. The city does not intend to issue bonds in excess of \$10,000,000 during 1989.

Prospective purchasers of the bonds should be aware

that: (i) Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the bonds, except with respect to certain financial institutions (within the meaning of Section 265(b)(5) of the code); (ii) with respect to insurance companies subject to the tax imposed by Section 831 of the code, for taxable years beginning after December 31, 1986, Section 832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the bonds; (iii) for taxable years beginning after December 31, 1986, and before January 1, 1992, interest on the bonds earned by some corporations could be subject to the environmental tax imposed by Section 59A of the code; (iv) for taxable years beginning after December 31, 1986, interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Section 884 of the code; (v) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year if greater than 25 percent of the gross receipts of such Subchapter S corporation is passive investment income; and (vi) Section 86 of the code requires recipients of certain Social Security and certain railroad retirement benefits to take into account in determining gross income, receipts or accruals of interest on the bonds. These categories of bondowners should consult their own tax advisers as to the applicability of these consequences.

Bond counsel expresses no opinion regarding other federal tax consequences arising with respect to the bonds.

The bonds are exempt from intangible personal property taxes levied by Kansas counties, cities or townships. Interest on the bonds is excluded from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, any city employee, bond counsel, or any other source available to a prospective bidder.

Dated July 17, 1989.

The City of Ellis
Ellis County, Kansas
By Mary Jo Carpenter, Clerk
911 Washington
Ellis, KS 67637
(913) 726-4812

Doc. No. 008063

(Published in the *Kansas Register*, July 20, 1989.)**NOTICE OF BOND SALE****\$1,588,100****General Obligation School Building Bonds
Series 1989**

of

**Unified School District 489 (Hays)
Ellis County, State of Kansas****(general obligation bonds payable from
unlimited ad valorem taxes)****Sealed Bids**

Sealed bids will be received by the undersigned, clerk of the Board of Education of Unified School District 489, Ellis County, Kansas, on behalf of the Board of Education of the school district, at 323 W. 12th, Hays, KS 67601, until 7:30 p.m. C.D.T. on Monday, July 31, 1989, for the purchase of \$1,588,100 principal amount of General Obligation School Building Bonds, Series 1989, of the school district hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the Board of Education immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The bonds will be dated August 1, 1989, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1990	\$108,100
1991	160,000
1992	165,000
1993	165,000
1994	165,000
1995	165,000
1996	165,000
1997	165,000
1998	165,000
1999	165,000

The bonds will bear interest from the date thereof, said rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the school district and the Kansas Attorney General.

The school district will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the

bond registrar, will be the responsibility of the bondowners.

Redemption of Bonds Prior to Maturity

At the option of the school district, bonds maturing on November 1, 1995, and thereafter, will be subject to redemption and payment prior to maturity on November 1, 1994, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, without premium, plus accrued interest to the redemption date.

Whenever the school district is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the school district shall elect to call any bond for redemption and payment prior to the maturity thereof, the school district shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 72-6761 for the purpose of paying the cost of certain school building improvements. The bonds and the interest thereon will constitute general obligations of the school district, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property, real and personal, within the territorial limits of the school district.

Condition of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate may exceed a rate equal to the index of treasury bonds published by the weekly *MuniWeek*, f/k/a *Credit Markets*, in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplement interest payments will be considered. Each bid must specify the total interest cost to the school district during the term

of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the school district on the basis of such bid, all certified by the bidder to be correct, and the school district will be entitled to rely on the certificate of correctness of the bidder. Each bid must also specify the average annual net interest rate to the school district on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$31,762 (2 percent of the principal amount of the bonds) payable to the order of the school district to secure the school district from any loss resulting from the failure of the bidder to comply with the terms of the bid. Good faith checks submitted by unsuccessful bidders will be returned. If a bid is accepted, said check or the proceeds thereof will be held by the school district until the bidder has complied with all of the terms and conditions of this notice. If a bid is accepted but the school district fails to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the school district as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the school district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the school district. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the Board of Education will determine which bid, if any, will be accepted, and its determination is final. The school district reserves the right to reject any and all bids and to waive any irregularities in a submitted bid. Any bid received after 7:30 p.m. on the date of sale will be returned to the bidder unopened.

Bid Forms

All bids must be made on forms which may be procured from the clerk of the Board of Education or bond counsel. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned clerk of the Board of Education and marked "Proposal for General Obligation School Building Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the school district's central

office and must be received by the undersigned prior to 7:30 p.m. C.D.T. on Monday, July 31, 1989.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on or assigned to the bonds, but neither the failure to print such number on or assign such number to any bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the school district.

Delivery and Payment

The school district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 30, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be made at the expense of the successful bidder. The successful bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including 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 Federal Reserve funds, immediately subject to use by the school district. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the school district and bond registrar not later than 10 a.m. C.D.T. on August 25, 1989. In the absence of such information, the school district will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the school district by 10 a.m. C.D.T. on August 25, 1989, a certificate acceptable to the school district's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Official Statement

The school district has prepared an informational statement dated July 15, 1989, copies of which may be obtained from the clerk of the Board of Education or from bond counsel. Upon the sale of the bonds, the school district will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered at the successful bidder's expense.

(continued)

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable, tangible property within the school district, for the year 1988, is as follows:

Equalized assessed valuation of taxable, tangible property including motor vehicles computed pursuant to K.S.A. 1988 Supp. 10-310, for computation of bond debt limitation.....	\$93,494,499
---	--------------

At the present time, it is estimated that the 1989 assessed taxable, tangible valuation of the school district will be \$120,604,373, as a result of the state-wide reappraisal of property ordered by the Kansas Legislature. This is only an estimate and should not be relied upon by any bidder as to the valuation that will ultimately be certified by the county clerk of Ellis County, Kansas.

The total general obligation bonded indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$3,333,100.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the school district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Opinion of Bond Counsel and Internal Revenue Code of 1986

In the opinion of bond counsel, assuming continued compliance by the school district with the terms of the bond ordinance, under existing law, the interest on the bonds: (a) is excludable from gross income for federal income tax purposes, and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that with respect to corporations (as defined for federal income tax purposes), such interest is taken into account in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31, 1989) for the purpose of computing the alternative minimum tax imposed on such corporations. The opinion set forth in clause (a) above is subject to the condition that the school district comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the bonds in order that interest thereon be excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements could cause the interest on the bonds to be included in federal gross income retroactive to the date of issuance of the bonds. The school district has covenanted to comply with all such requirements.

The bonds are "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the code), a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds. The school district does not intend to issue bonds in excess of \$10,000,000 during 1989.

Prospective purchasers of the bonds should be aware that: (i) Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to pur-

chase or carry the bonds, except with respect to certain financial institutions (within the meaning of Section 265(b)(5) of the code); (ii) with respect to insurance companies subject to the tax imposed by Section 831 of the code, for taxable years beginning after December 31, 1986, Section 832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the bonds; (iii) for taxable years beginning after December 31, 1986, and before January 1, 1992, interest on the bonds earned by some corporations could be subject to the environmental tax imposed by Section 59A of the code; (iv) for taxable years beginning after December 31, 1986, interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Section 884 of the code; (v) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year if greater than 25 percent of the gross receipts of such Subchapter S corporation is passive investment income; and (vi) Section 86 of the code requires recipients of certain Social Security and certain railroad retirement benefits to take into account in determining gross income, receipts or accruals of interest on the bonds. These categories of bondowners should consult their own tax advisers as to the applicability of these consequences.

Bond counsel expresses no opinion regarding other federal tax consequences arising with respect to the bonds.

The bonds are exempt from intangible personal property taxes levied by Kansas counties, cities or townships. Interest on the bonds is excluded from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, any school district employee, bond counsel, or any other source available to a prospective bidder.

Dated July 11, 1989.

The Board of Education of U.S.D. 489
Ellis County, Kansas
By Marita Kohlasch, Clerk
Board of Education
323 W. 12th
Hays, KS 67601
(913) 625-7321

Doc. No. 008084

State of Kansas

KANSAS WATER OFFICE

PERMANENT ADMINISTRATIVE
REGULATIONS

Article 6.—WATER ASSURANCE PROGRAM

98-6-1. Definitions. (a) "Act" means the water assurance program act K.S.A. 82a-1330 *et seq.*, as amended.

(b) "Assurance reservoir" means any reservoir containing assurance storage.

(c) "Assurance storage" means that part of the conservation storage water supply capacity of any reservoir devoted to the storage water for the water assurance program.

(d) "Assurance water" means water stored in assurance storage of a reservoir under a water reservation right and provided as supplemental water to eligible water right holders.

(e) "Conservation storage water supply capacity" means the space in the reservoir which has been:

(1) purchased, contracted for purchase or otherwise acquired by the state; and

(2) designated for the storage of water for any beneficial purposes, other than flood control, and for sediment accumulation purposes.

(f) "Designated representative" means any person designated by the director to perform duties and functions on the director's behalf.

(g) "Director" means the director of the Kansas water office.

(h) "Discharge" means the volume of water per unit of time passing a cross-section of a river.

(i) "Eligible water right holder" means any entity holding a water right or permit, pursuant to K.S.A. 82a-701 *et seq.* and amendments thereto, to appropriate water from a stream or water from the alluvium of the stream, downstream from an assurance reservoir, for municipal or industrial purposes, as determined by the chief engineer pursuant to K.S.A. 1988 Supp. 82a-1333.

(j) "Member" means an eligible water right holder who, because of a determination of benefit by the chief engineer of the division of water resources, is required to participate in and is subject to the rules of a water assurance district. An eligible water right holder who withdraws water from the alluvium of a stream supplemented by an assurance reservoir shall be a member if the chief engineer determines there is significant benefit to the holder from supplementing the stream by assurance reservoir releases.

(k) "Operations agreement" means that document which has been agreed to by the Kansas water office and the water assurance district describing the terms by which the coordinated system of reservoir operations is to be managed.

(l) "Person" means any individual, corporation, partnership, joint venture, business trust or other business enterprise, or other legal entity, either public or private.

(m) "Target flow" means the discharge at specific points along a river designated within the operations agreement.

(n) "Water assurance contract" means a contract to provide for the development of a coordinated system of res-

ervoir operations designed to supplement natural flows, in order to meet demands of eligible water right holders during low flow periods, by release of water supply from state-owned or controlled conservation storage water supply capacity of the major reservoirs in the designated basin.

(o) "Water assurance district" means an organization of eligible water right holders established under K.S.A. 82a-1330 *et seq.*

(p) "Water purchase contract" means a contract for the sale of water from the conservation storage water supply capacity of a reservoir made pursuant to the state water plan storage act, K.S.A. 82a-1301 *et seq.*, as amended.

(q) "Yield" means the quantity of water which can be withdrawn from storage in a reservoir for a given period of time. (Authorized by K.S.A. 1988 Supp. 82a-1345(e); implementing K.S.A. 1988 Supp. 82a-1330 *et seq.*; effective Sept. 4, 1989.)

98-6-2. Contract authority. The director of the Kansas water office shall enter into water assurance contracts with water assurance districts. (Authorized by K.S.A. 1988 Supp. 82a-1345(e); implementing K.S.A. 1988 Supp. 82a-1330 *et seq.*; effective Sept. 4, 1989.)

98-6-3. Contract negotiation procedures. (a) Any water assurance district may request, in writing, to negotiate with the director for a water assurance contract. Each request shall include a copy of the district's certificate of incorporation filed with the secretary of state.

(b) The request shall be reviewed by the director and the district shall be notified by the director that the information provided is sufficient to begin negotiations for a water assurance contract. The notice shall be in writing and shall be provided within 30 days of receipt of the request.

(c) If the director finds the information provided by the assurance district is sufficient, the negotiations shall commence.

(d) Each person who has a water purchase contract or an application for a water purchase contract on file with the director, or a water assurance contract pertaining to storage in reservoirs in the designated basin, shall be notified in writing that negotiations with an assurance district have begun. The notice shall be mailed to each person's last known address. Each person so notified shall, within 20 days following notification by the director, file in writing a request to begin negotiations for a written contract, or forfeit their right to participate in this round of negotiations for a written contract for water purchase or for a water assurance contract.

(e) Water assurance contract negotiations shall be conducted by the director and the board members of the assurance district or their designated representatives.

(f) If the district and the director cannot agree on terms or language in the contract, the negotiations may be terminated by either party.

(g) A water assurance contract shall be approved by the director if the director finds that:

(1) the approval of the water assurance contract is in the best interest of the people of the state of Kansas;

(2) the water assurance contract refers to and incor-

(continued)

porates by reference an operations agreement which includes:

- (A) the rules of operation for designated assurance reservoirs to provide assurance water;
 - (B) quantities of water supply in designated assurance reservoirs;
 - (C) the quantities of water supply use by eligible members of the water assurance district;
 - (D) target flows along designated rivers and quantities of storage needed to help maintain these flows; and
 - (E) a provision to release water from storage from one or more reservoirs in order to dilute water from any reservoir which has become contaminated;
- (3) the state has filed or will file, if necessary, prior to initiation of the operations agreement, a water reservation right for storage of water in the reservoirs designated in the contract;
- (4) the state has signed or will sign, if necessary, an agreement with an agency or department of the United States of America for water supply storage space in reservoirs named in the operations agreement;
- (5) the water assurance contract includes a statement that the water assurance storage component of the major reservoirs in the designated basin are designated for the sole use and benefit of the water assurance district in accordance with the operations agreement;
- (6) the storage capacity being negotiated has been deducted from the total reservoir conservation storage water supply capacity, less that storage capacity set aside for sediment accumulation purposes, and the reservoir yield has been recalculated to assure that the remaining capacity satisfies any present and future water purchase contract;
- (7) before any member of the water assurance district receives benefits or water pursuant to a water assurance contract, that member has adopted a water conservation plan consistent with the guidelines for conservation plans and practices developed and maintained by the Kansas water office pursuant to K.S.A. 74-2608, as amended; and
- (8) the water assurance contract contains a provision which establishes procedures for allocating inflows in any reservoir in which a water assurance district has purchased storage.
- (h) Upon completion of negotiations, a proposed final water assurance contract shall be sent by the director to the water assurance district.
- (i) After receipt of the proposed final water assurance contract, the water assurance district shall, within 45 days:
- (1) indicate acceptance of the water assurance contract by signing and returning it to the director;
 - (2) return the unsigned water assurance contract to the director with written comments;
 - (3) request a meeting with the director to discuss the water assurance contract; or
 - (4) request an extension of time for consideration of the water assurance contract.
- (j) Upon final agreement and signing of a water assurance contract by the president and chairperson of the district board of directors, an original of the water assurance contract shall be filed with the following persons:
- (1) director, Kansas water office;
 - (2) president of the contracting water assurance district board of directors;

- (3) chief engineer, division of water resources;
- (4) Kansas secretary of state; and
- (5) district engineer of the U.S. army corps of engineers. (Authorized by K.S.A. 1988 Supp. 82a-1345(e); implementing K.S.A. 1988 Supp. 82a-1330 *et seq.*; effective Sept. 4, 1989.)

98-6-4. Calculation of charges. The charges to be paid by the district shall be determined by the director as provided in K.S.A. 1988 Supp. 82a-1345, which shall include:

(a) the amount necessary to cover the amortized capital costs to the state for acquisitions of assurance storage capacity from the federal government necessary to meet the requirements of the operations agreement shall be determined on an individual reservoir basis for reservoirs in the designated basin as follows:

(1) for that portion of conservation storage water supply capacity reallocated by the corps of engineers in Tuttle Creek, Pomona, Melvern, John Redmond, Marion, Council Grove and Elk City reservoirs purchased by the state prior to July 1, 1996, the following payment options are available:

(A) 100% of the costs to the state to acquire the space in one lump sum payment prior to commencement of operations under the operations agreement; or

(B) annual principal and interest payments on revenue bonds issued by the state as provided in K.S.A. 82a-1360 *et seq.*; or

(C) annual principal and interest payments on revenue bonds issued under the authority of the Kansas development finance authority.

(2) for that portion of conservation storage water supply capacity in Big Hill, Clinton, Council Grove, Elk City, Hillsdale, John Redmond, Marion, Milford and Perry reservoirs acquired by the state under contracts with the corps of engineers, the following payment options are available:

(A) one lump sum up-front payment for principal and interest paid, or due to be paid, including any interest which has accumulated through the date of commencement of operations of such storage space under the operations agreement; or

(B) annual principal and interest payments on revenue bonds issued by the state as provided in K.S.A. 82a-1360 *et seq.*; or

(C) annual principal and interest payments on revenue bonds issued under authority of the Kansas development finance authority; or

(D) equal annual installments for future use conservation water supply storage capacity called into service by the state under contracts with the corps of engineers, under the same cost repayment conditions available to the state under those contracts; and

(E) equal annual installments for a maximum of up to 10 years without additional interest for any equity the state may already have in such future use conservation water supply storage capacity;

(b) the amount necessary to cover 100% of the annual cost to the state for the actual operation, maintenance, major replacement and rehabilitation costs allocated to the assurance storage capacity necessary to meet the requirements of the operations agreement;

(c) the amount necessary to cover the annual costs to the state for administration and enforcement of laws and agreements associated with assuring the continuous operations of the water assurance district; and

(d) any additional charges agreed upon by both parties. (Authorized by K.S.A. 1988 Supp. 82a-1345(e); implementing K.S.A. 1988 Supp. 82a-1345(a); effective Sept. 4, 1989.)

JOSEPH F. HARKINS
Director

Doc. No. 008076

State of Kansas
KANSAS RACING COMMISSION

**PERMANENT ADMINISTRATIVE
REGULATIONS**

**Article 12.—KANSAS HORSE BREEDING
DEVELOPMENT FUND**

112-12-2. Kansas horse breeding development fund, stallion eligibility certificate. (a) Each person who intends to stand a stallion for service in Kansas shall file a written application for certification or renewal of certification with the official registering agency before February 1, of each year in which the stallion is to stand if:

(1) The stallion's foals will be registered as class A Kansas-bred horses; or

(2) the stallion's foals will be registered as class B Kansas-bred horses and the dam has not been certified as eligible to participate in the Kansas horse breeding development fund.

(b) The official registering agency may issue a certificate of eligibility if:

(1) The stallion is owned wholly or in part or leased by a Kansas resident as defined by article 112 of the Kansas administrative regulations; and

(2) the stallion was determined to be a Kansas-bred horse as provided in K.A.R. 112-12-12;

(3) the stallion is registered as a Kansas-bred horse; or

(4) the stallion is registered as a Kansas-domiciled horse.

(c) Each application or renewal application shall be completed on a form approved by the commission that shall include the following information:

(1) The name of the stallion;

(2) the name, address, zip code and tax identification number or social security number of each owner of the stallion;

(3) the location where the stallion will stand for service during the calendar year for which the application is made; and

(4) a statement that the stallion will stand for service solely within the state of Kansas and will not stand for service anywhere outside the state of Kansas during the calendar year for which the application is made.

(d) Each application for an initial certificate of eligibility shall be accompanied by the following applicable documentation:

(1) Evidence of the right of ownership, including bills of sale, contracts or other documents that demonstrate

proof of ownership and reflect each agreement about breeding rights, repurchase agreements and each other concession;

(2) the official Kansas-bred registration certificate as defined in K.A.R. 112-12-6 or the official Kansas-domiciled certificate as defined in K.A.R. 112-12-7; and

(3) the official breed certificate issued by the national breed association as defined by K.A.R. 112-7-6.

(e) Each stallion certified as required by the provisions of this regulation shall be available for inspection at all times by representatives of the official registering agency.

(f) The owner or agent shall immediately notify the official registering agency if a stallion certified as required by the provisions of this regulation leaves the state of Kansas during the year for which the stallion is certified in the Kansas-bred program.

(g) If a stallion certified by the official registering agency is sold or transferred, the transfer of ownership shall be executed on the back of the Kansas stallion eligibility certificate for the stallion, and the owner shall forward the endorsed certificate to the agency at which time the official registering agency shall revoke the eligibility certificate.

(h) Any foal from a mare bred to a certified stallion before revocation of an eligibility certificate as outlined in subsection (a) may be registered as a Kansas-bred horse under the provisions of K.A.R. 112-12-5.

(i) If the new owner is a Kansas resident as defined by article 112 of the Kansas administrative regulations and desires to certify the stallion for eligibility in the Kansas-bred program, the new owner shall within 30 days of the date of the sale submit an application for a stallion eligibility certificate accompanied by a copy of the proof of sale or other document and observe the requirements of article 112 of the Kansas administrative regulations. Certification under this subsection (i) shall be effective from the date of sale after complying with subsection (i).

(j) Each Kansas stallion eligibility certificate shall be available for inspection by the official registering agency at the premises where the stallion stands. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8829, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-3. Kansas horse breeding development fund, breeding report. (a) Each person who stands a Kansas-certified stallion for service shall maintain a complete breeding report of each mare bred to the stallion.

(b) Each breeding report shall consist of a duplicate of the breeding report form required by the national breed registry.

(c) Each owner or lessee or the owners' or lessees' agent of the stallion shall file the breeding report with the official registering agency on or before November 1 of each year in which the stallion is certified. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-4. Kansas horse breeding development fund, mare eligibility certificate. (a) Each person who intends

(continued)

to breed a mare in Kansas shall file a written application for certification or renewal of certification with the official registering agency before February 1 of each year in which the mare will be bred if:

(1) The mare's foals will be registered as class A Kansas-bred horses; or

(2) the mare's foals will be registered as class B Kansas-bred horses and the sire has not been certified as eligible to participate in the Kansas-bred program.

(b) The official registering agency may issue a certificate of eligibility if:

(1) The mare is owned wholly or in part or leased by a Kansas resident as defined by article 112 of the Kansas administrative regulations; and

(2) the mare was determined to be a Kansas-bred mare as required by K.A.R. 112-12-12;

(3) the mare is registered as a Kansas-bred horse; or

(4) the mare is registered as a Kansas-domiciled horse.

(c) Each application or renewal application shall be completed on a form approved by the commission and shall include the following information:

(1) The name of the mare; and

(2) the name, address, zip code, and tax identification number or social security number of each owner of the mare.

(d) Each application for an initial certification shall be accompanied by the following applicable documentation:

(1) Evidence of the right of ownership, including bills of sale, contracts or other documents that demonstrate proof of ownership and reflect each agreement about breeding rights, repurchase agreements and each other concession;

(2) the official Kansas-bred registration certificate as defined in K.A.R. 112-12-6 or the official Kansas-domiciled certificate as defined in K.A.R. 112-12-7; and

(3) the official breed registration certificate as defined by K.A.R. 112-7-6.

(e) Each mare certified as required by this regulation shall be available for inspection at all times by representatives of the official registering agency.

(f) If a mare certified with the official registering agency is sold or transferred, the transfer of ownership shall be executed on the back of the Kansas-mare eligibility certificate for the mare, and the owner shall forward the endorsed certificate to the agency at which time the official registering agency shall revoke the eligibility certificate.

(g) Any foal conceived by a mare certified by the official registering agency before revocation of the eligibility certificate as outlined in subsection (f) may be registered as a Kansas-bred horse under the provisions of K.A.R. 112-12-5.

(h) If the new owner is a Kansas resident as defined by article 112 of the Kansas administrative regulations and desires to certify the mare for eligibility in the Kansas-bred program, the new owner shall within 30 days of the date of the sale submit an application for a mare eligibility certificate accompanied by proof of sale and observe the requirements of article 112 of the Kansas administrative regulations. Certification under this subsection (h) shall be effective from the date of sale after complying with subsection (h).

(i) Before a mare's offspring may be eligible for registration in the Kansas-bred program, each owner of the mare or the owner's agent shall meet the following requirements.

(1) The owner shall complete and return a mare status report on a form approved by the commission to the official registering agency at least 30 days before the anticipated date of foaling.

(2) The mare shall be in the state of Kansas at least 30 days before foaling and remain in the state until the foal is dropped.

(3) The foal shall be domiciled in Kansas for the first six months of its life. (Authorized by K.S.A. 1987 Supp. 74-8804 as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8802, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-5. Classes of Kansas-bred horses: There shall be three classifications of Kansas-bred horses as follows:

(a) Class A foals shall be foals that:

(1) Are conceived and dropped in the state of Kansas;

(2) have a sire and a dam which were properly certified as eligible under K.A.R. 112-12-2 and K.A.R. 112-12-4;

(3) have a sire and dam registered with the official registering agency at the time of conception, at least one of which shall be Kansas bred;

(4) are owned, wholly or in part, or leased at the time of application for registration by a Kansas resident as defined by article 112 of the Kansas administrative regulations; and

(5) are domiciled in Kansas for the first six months of their lives.

(b) Class B foals shall be foals that:

(1) Have a sire or a dam which was properly certified as eligible under K.A.R. 112-12-2 and K.A.R. 112-12-4;

(2) have a sire or a dam registered as a Kansas-bred or Kansas-domiciled horse with the official registering agency;

(3) are dropped within the state of Kansas; and

(4) are domiciled in Kansas for the first six months of their lives.

(c) Class C foals shall be foals that are dropped by a mare in Kansas and domiciled in Kansas for the first six months of their lives. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8802, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-6. Kansas horse breeding development fund, registration of class A, class B, and class C Kansas horses.

(a) Each owner or agent who intends to register a foal as a class A, or class B, or class C Kansas-bred foal shall file a verified application for registration with the official registering agency within 30 days after the foal is dropped to avoid monetary penalty to be set by the commission.

(b) Each applicant shall completely answer all inquiries on the application form approved by the commission, including:

(1) The name of the dam and her Kansas registration status, if a class A or B foal;

(2) the name of the sire and his Kansas registration status, if a class A or B foal;

(3) the date the foal was dropped;
 (4) the color, sex and markings of the foal;
 (5) the name, address, zip code and tax identification number or social security number of each owner of the foal; and

(6) a statement verifying that the foal, if it is to be registered as a class A foal, is owned wholly or in part or leased by a Kansas resident as defined by article 112 of the Kansas administrative regulations.

(c) Each official breed registration certificate as defined in K.A.R. 112-7-6 shall be delivered to the official registering agency before the foal will be registered as a class A, class B or class C foal.

(d) Each foal shall remain domiciled within the state of Kansas for six consecutive months after it is dropped.

(e) If the foal meets all of the requirements for registration, the official registering agency shall affix its official seal, including the registration number for the foal, on the face of the official breed registration certificate as defined in K.A.R. 112-7-6 and return the certificate to the owner by certified mail within 30 days of the date of official registration.

(f) If the official breed registration certificate is lost, destroyed or replaced, each duplicate official breed registration certificate for the foal shall be submitted to the official registering agency for processing before the foal is valid for the Kansas-bred program.

(g) Each foal registered as required by this regulation shall be available at any time for inspection by representatives of the official registering agency.

(h) Within 24 hours of the death of a Kansas-bred horse, the owner shall notify the official registering agency of the death of the horse. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-7. Registration of Kansas-domiciled horses.

(a) Any owner or lessee of a horse that does not qualify as Kansas-bred as outlined by these regulations but that the official registering agency determines under guidelines approved by the Kansas racing commission ultimately may enhance the quality of Kansas-bred racing stock may obtain a Kansas-domiciled registration.

(b) Each Kansas-domiciled horse shall have been domiciled within Kansas before application for registration and shall remain within Kansas during the period of time the horse is registered as a Kansas-domiciled horse.

(c) Each owner or agent who intends to register a Kansas-domiciled horse shall:

(1) Provide verified answers to inquiries on an application approved by the commission;

(2) be a Kansas resident as defined by article 112 of the Kansas administrative regulations; and

(3) unless otherwise required within this regulation, comply with article 112 of the Kansas administrative regulations. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-8. Kansas-registered stallion awards. (a) Any

owner of a stallion may be eligible to participate in the Kansas-registered stallion awards if:

(1) Any foal of the Kansas-registered stallion is registered as a class A, class B, or class C Kansas-bred horse with the official registering agency; and

(2) the foal of the Kansas-registered stallion wins a race in Kansas that has been designated for the award.

(b) Each Kansas-registered stallion award shall be paid only to the stallion's owner of record at the time the class A, class B, or class C registered horse was conceived.

(c) The official registering agency shall solicit information from the various breed owners to aid it in recommending races, qualifications for races, amounts and types of awards.

(d) Races, qualifications for races, amounts and types of awards shall be designated by the Kansas racing commission. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8829, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-9. Kansas-registered mare awards. (a) Any owner of a mare may be eligible to participate in the Kansas-registered mare awards if:

(1) Any foal of the Kansas-registered mare is registered as a class A, class B, or class C Kansas-bred horse with the official registering agency; and

(2) the foal of the Kansas-registered mare wins a race in Kansas that has been designated for the award.

(b) Kansas-registered mare awards shall be paid only to the mare's owner of record at the time a Kansas class A, class B or class C registered horse was conceived, except that in the case of thoroughbreds, the owner of record shall be the owner of the mare at the time of foaling.

(c) The official registering agency shall solicit information from the various breed owners to aid it in recommending races, qualifications for races, amounts and types of awards.

(d) Races, qualifications for races, amounts and types of awards shall be designated by the Kansas racing commission. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8829, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-10. Kansas-bred or Kansas-owned races. (a) Each organization licensee shall hold at least one race limited to Kansas-bred or Kansas-owned horses on each racing day. Kansas-bred horses shall be preferred entries. Awards and monies shall be paid only to the owners of Kansas-bred horses. If the racing secretary determines there is an insufficient number of Kansas-bred or Kansas-owned horses entered or insufficient potential for competition among the horses entered, the racing secretary may cancel the Kansas-bred or Kansas-owned race.

(b) The organization licensee shall file with the commission and the official registering agency two official programs, an affidavit verifying that the registry regulations have been followed and other requested information, including:

(continued)

(1) The value of the purses offered by the organization licensee;

(2) the name and address of each owner who is to share in the total purses and awards and the amount in which each owner is to share; and

(3) any other information the commission or registry may require.

(c) Each program and affidavit shall be filed with the commission and the official registering agency within seven days after the date of the Kansas-bred or Kansas-owned race conducted by the organization licensee. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8812, 74-8813(e), as amended by L. 1988, Ch. 319, Sec. 1, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-11. Kansas horse breeding development fund, registration and certificate of eligibility fees. (a) Each owner or agent who registers a horse to participate in the Kansas horse breeding development fund or requests the issuance of an eligibility certificate shall pay a one-time registration and certificate of eligibility fee to the official registering agency upon initial application to the official registering agency.

(b) In following years, the owner or agent shall pay an annual administrative fee to the official registering agency for a certificate of eligibility on or before February 1 of any year in which the horse participates in the Kansas horse breeding development fund.

(c) Each schedule of registration and certificate of eligibility fees shall be delivered to the commission by the official registering agency no later than October 1 of each calendar year.

(d) Each schedule of registration and certificate of eligibility fees shall be approved by the commission not later than November 1 of each calendar year. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-12. Registration of horses dropped before January 1, 1990. (a) Any horse dropped before January 1, 1990 may be registered as a Kansas-bred horse if it meets the following requirements:

(1) The horse is owned wholly or in part or leased by a resident of Kansas as defined by commission regulation;

(2) the horse was domiciled in Kansas before January 1, 1990; and

(3) the horse is registered with a national breed association.

(b) Each person who intends to register a horse as required by this regulation shall file an application for registration with the official registering agency on or before January 1, 1990.

(c) Each application shall be completed on a form approved by the commission that shall include the following information:

(1) The name of the horse;

(2) the date the horse was dropped;

(3) the color, sex and marking of the horse; and

(4) the name, address, zip code and tax identification number or social security number of each owner of the horse.

(d) Each application for registration shall be accompanied by the following documentation:

(1) Evidence of the rights of ownership, including bills of sale, contracts or other documents that demonstrate proof of ownership and reflect each agreement about breeding rights, repurchase agreements and each other concession; and

(2) the official breed registration certificate issued by the national breed association.

(e) Each horse registered under the requirements of this regulation shall be available at any time for inspection by representatives of the official registering agency. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8802, 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

112-12-13. Administration of the Kansas horse breeding development fund by the official registering agency. (a) The official registering agency shall deny the application for registration of a Kansas-bred or Kansas-domiciled horse or certificate of eligibility of a stallion or a mare if:

(1) Information has been omitted, altered or falsified within the application;

(2) documentation required by these regulations is not provided or is altered or falsified; or

(3) the mare, stallion, Kansas-domiciled horse, or Kansas-bred class A foal is not owned wholly or in part or leased by a Kansas resident as defined by article 112 of the Kansas administrative regulations or the horse is not properly leased by a Kansas resident.

(b) The official registering agency shall immediately revoke the eligibility certificate of any stallion if:

(1) The stallion stands for service outside the state of Kansas during the calendar year when the stallion is certified to stand for service in the state of Kansas; or

(2) the stallion is sold to another owner.

(c) The official registration agency shall immediately revoke the eligibility certificate of any mare that is sold to another owner.

(d) The official registering agency shall deny or revoke the registration of any class A or B foal if the owner of the foal's sire or dam fails to comply with any of the provisions of K.A.R. 112-12-2 or 112-12-4 except that revocation of an eligibility certificate as required by K.A.R. 112-12-2 (g) or K.A.R. 112-12-4 (f) shall not cause the revocation of the registration of a foal conceived before the date of the revocation of the eligibility certificate. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8830; effective T-112-2-23-89, Feb. 23, 1989; effective T-112-6-22-89, June 22, 1989; effective Sept. 4, 1989.)

JIMMY D. GRENZ
Executive Director

Doc. No. 008077

State of Kansas
WILDLIFE AND PARKS COMMISSION

**NOTICE OF MEETING AND
 HEARING ON PROPOSED
 ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 7 p.m. Friday, August 25, in the Court Yard Room of the Red Coach Inn, 3021 W. Highway 50, Emporia, to consider the adoption of several permanent and temporary regulations and the revocation of several permanent regulations of the department. If necessary, the public hearing will continue at 9 a.m. Saturday, August 26, at the same location.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending, or rejecting the proposed regulations.

The following is a brief summary of the proposed permanent and temporary regulations and permanent regulations proposed for revocation:

115-4-8. Big game; clothing requirements. This regulation will be considered as both a temporary and permanent regulation. The regulation provides for the wearing of orange clothing while hunting deer or elk in an area where a firearms season for deer or elk is occurring.

Economic Impact Summary: There will not be any economic impact. This regulation would continue the same requirements that were formerly required by statute.

115-4-10. Big game; shooting hours. This regulation will be considered as both a temporary and permanent regulation. Shooting hours during big game hunting seasons were established by statute as one-half hour before sunrise to sunset. This regulation would maintain the one-half hour before sunrise as the daily starting time. The daily closing time is proposed for extension to one-half hour after sunset.

Economic Impact Summary: There would be no fiscal impact on persons hunting big game nor on this department or other governmental agencies. Increased harvest may provide additional business opportunity for meat processors and taxidermists.

115-12-1. Game breeders; operational requirements. This permanent regulation addresses reporting requirements for game breeders as required by statute. It also provides for bill of sale issuance to persons purchasing wildlife from a game breeder.

Economic Impact Summary: Breeders were required to provide a report until about 1987 when reporting requirements were relaxed. Fiscal impact on game breeders will be minimal but will require preparation time. Department impact will be with preparation and distribution of report forms and handling of received reports.

115-15-1. Threatened and endangered species; general provisions. This permanent regulation continues the listings of threatened and endangered species as found in K.A.R. 23-17-1. Technical adjustments in common and scientific names are made. The black-capped vireo, *Vireo atricapillus*, Woodhouse, has been added to the endangered species list in response to that animal's federal listing.

Economic Impact Summary: There will be no impact as this regulation only replaces K.A.R. 23-17-1. Addition of the black-capped vireo is not anticipated to have any impact. There have been no sightings of the bird in Kansas for about 30 years.

115-15-2. Nongame species; general provisions. This permanent regulation continues the listings of species in need of conservation as found in K.A.R. 23-17-3. Technical adjustments in common and scientific names are made. There are no additions or deletions to the species list. Provisions for possessing specimens of listed species are included.

Economic Impact Summary: There will be no impact as this regulation only replaces K.A.R. 23-17-3.

115-15-3. Threatened and endangered wildlife; special permits. This proposed permanent regulation replaces K.A.R. 23-17-2. It specifies when special permits are required and establishes conditions for issuance.

Economic Impact Summary: There will be no impacts as this regulation continues the same permit conditions as provided for by K.A.R. 23-17-2.

115-17-3. Amphibian and reptile harvest; application, permit and requirements. This proposed permanent regulation incorporates provisions of K.A.R. 23-20-1. It establishes a harvest permit, application procedures and operational requirements for permit holders.

Economic Impact Summary: Approximately 20 of these permits have been issued annually at no charge due to lack of authority to establish a fee. It is assumed that a harvest permit fee will be established by separate regulation at a later date if K.A.R. 115-17-3 is adopted. It is estimated the total income of all permit holders combined has averaged \$8,000 to \$30,000 annually from permit activity. Adoption of the proposed regulation would provide for continuation of amphibian and reptile harvest and maintain income opportunities. Departmental costs would continue or increase slightly.

115-17-4. Amphibian and reptile dealers; application, permit and requirements. This proposed permanent regulation involves components of K.A.R. 23-20-1. It establishes a dealer permit, application procedures and operational requirements for permit holders.

Economic Impact Summary: Approximately nine of these permits have been issued annually at no charge due to lack of authority to establish a fee. It is assumed that a dealer permit fee will be established by separate regulation at a later date if K.A.R. 115-17-4 is adopted. It is estimated that the total income of all permit holders combined has averaged \$3,000 to \$19,000 annually from permit activity. Adoption of the proposed regulation would provide for continuation of the amphibian and reptile trade and maintain income opportunities. Departmental costs would continue or increase slightly.

(continued)

115-17-5. Rabbit and hare trapping; application, permit and requirements. This proposed permanent regulation addresses activities that were previously established by statute. It establishes a trapping permit, application procedures and operational requirements for permit holders. The proposed regulation also provides for a trapping season, establishes daily and possession limits, requires record submission, specifies time period for possession, and limits size of trapping area by permit.

Economic Impact Summary: Approximately 200 trapping permits have been issued annually at \$10 per permit. The proposed regulation does not address a permit fee. Additional restrictions proposed in this regulation may cause a reduction in the number of permits issued and may reduce the take of rabbits and hares per trapper. Rabbit and hare dealers may experience a reduction in animals available for purchase from trappers.

115-17-6. Rabbit and hare dealer; application, permit and requirements. This proposed permanent regulation addresses activities that were previously established by statute. It establishes a dealer permit, application procedures, and operational requirements for permit holders. The proposed regulation also provides for a purchasing and possession time frame, purchase restrictions, and report submission.

Economic Impact Summary: Recently, there have been four dealer permits issued annually at \$200 per permit. The proposed regulation does not address a permit fee. Additional restrictions proposed in this regulation may cause a reduction in the number of permits issued. The number of rabbits and hares available for purchase may be reduced due to restrictions placed on rabbit and hare trappers.

115-18-1. Wildlife rehabilitation permit; application, reporting and general provisions. This permanent regulation establishes application and reporting requirements. The regulation also establishes the effective period for permits, provides possession and transportation authority and references federal regulations pertaining to federally protected species.

Economic Impact Summary: The proposed regulation will continue what was previously done under general administrative authority, but without the regulatory coverage that is now required by statute. Approximately 130 permits are issued annually at no charge. Requirements as established in the proposed regulation are essentially unchanged from current procedures. No significant impacts are anticipated on permit holders or on the department.

115-18-2. Raptor propagation permit; application, reporting and general provisions. This permanent regulation establishes application and reporting requirements. The regulation also establishes that the permit shall be in letter form based on the federal permit application.

Economic Impact Summary: The proposed regulation will continue what was previously done under general administrative authority, but without the regulatory coverage. Regulatory attention is now required for a person to possess raptors. Only one permit was issued previously and at no cost. It is anticipated that only one or two such permits will be issued. Insignificant impact on the department would occur and no impact would occur for

permit holders as the regulation only continues what was previously accomplished administratively.

115-18-3. Scientific, educational, or exhibition permit; application, reporting and general provisions. This proposed permanent regulation addresses activities that were previously established by statute. It establishes permits, application procedures, and operational requirements including reporting, publication distribution and involvement by others under authority of the permit.

Economic Impact Summary: Approximately 200 of these permits are issued annually. This is not anticipated to change as requirements of the proposed regulation are essentially unchanged from the past procedures. The proposed regulation does not address permit fees. No additional impact is expected on persons obtaining a permit or on the department.

115-18-4. Handicapped persons vehicle permits for hunting; applications and requirements. This proposed permanent regulation addresses provisions that were previously covered by statute and by K.A.R. 23-14-1. It establishes the application procedure and provides for a second physician report, at department expense, if deemed necessary. The proposed regulation also provides for permit duration as specified on the permit, and authorizes another person to assist the handicapped person.

Economic Impact Summary: Approximately 360 permanent handicap permits have been issued at \$3 per permit. A similar number of non-permanent permits may be issued under this proposed regulation. Permit fee is not addressed in the proposed regulation. Only minimal impact is anticipated on the department and on qualified persons.

115-18-5. Handicapped persons special motor vehicle permits; applications and requirements. This proposed permanent regulation establishes the application process and requirements for handicapped persons to receive and use motor vehicle permits without cost. The permits provide access to state parks and other areas requiring a motor vehicle permit. The criteria is based on the Department of Transportation issuance of handicapped license plates and placards.

Economic Impact Summary: Approximately 500 motor vehicle permits are issued annually under K.A.R. 33-2-2. K.D.O.T. estimates that 30,000 to 40,000 handicapped tags have been issued. It is unknown how many are currently buying motor vehicle permits. The free permits will represent a cost savings to those choosing to obtain the free permit and an equal loss of revenue to the department. The amount could be substantial, but is unknown at this time.

115-18-7. Handicapped persons use of crossbows for deer or antelope hunting; application, permit and general provisions. This proposed permanent regulation will establish the application procedure and provides for a second physician report, at department expense, if deemed necessary. The proposed regulation also provides for statewide use of the permit, describes when the permit may be used, establishes legal crossbow equipment, and authorizes another person to assist the handicapped person.

Economic Impact Summary: The impact of this regulation is unknown at this time as the number of persons qualified to obtain the permit is unknown. The proposed

regulation does not address a permit fee. The number of such permits is anticipated to be small.

115-30-1. Display of identification number and decal. This proposed permanent regulation incorporates provisions previously covered under K.A.R. 23-11-1. There would be no change in vessel numbering except for sailboards. Sailboards would be identified by placing department provided decals to the top front portion of the sailboard.

Economic Impact Summary: Sailboards already require registration. The main impact will be ease of identification for sailboard owners, but would have no significant economic impact on the owners. There would be no impact on the department.

23-11-1. Display of number and decal. This permanent regulation is proposed for revocation. This regulation establishes the display of numbers and decal requirements for all vessels. The display of number and decal requirements for all vessels, except sailboards, prescribed in this regulation are proposed in K.A.R. 115-30-1. Sailboards would have only a decal display requirement under K.A.R. 115-30-1.

Economic Impact Summary: Revocation of this regulation would have no impact on all vessel owners except sailboard owners. Sailboard owners will benefit from the simplified process proposed under K.A.R. 115-30-1.

24-14-1. Disabled persons; permit to hunt from vehicle. This permanent regulation is proposed for revocation. It provides for issuance and conditions of the permit. These same provisions are included in proposed regulation K.A.R. 115-18-4.

Economic Impact Summary: Revocation of this regulation will have no impact. Persons currently holding a permit and persons who were eligible for a permit under K.A.R. 23-14-1 will still qualify under proposed regulation K.A.R. 115-18-4.

23-17-1. General regulations. This permanent regulation is proposed for revocation. It establishes the state threatened and endangered species list. This listing is included in proposed regulation K.A.R. 115-15-1.

Economic Impact Summary: Revocation of this regulation will have no impact as the same listing is included in proposed regulation K.A.R. 115-15-1.

23-17-2. Endangered and threatened wildlife; special permits. This permanent regulation is proposed for revocation. It defines terms, establishes criteria that trigger the permit requirements, provides procedures for permit issuance and provides for permit conditioning. Provisions of this regulation are incorporated into proposed regulation K.A.R. 115-15-3.

Economic Impact Summary: Revocation of this regulation will have no impact as provisions of the regulation would continue under proposed regulation K.A.R. 115-15-3.

23-17-3. General regulations. This permanent regulation is proposed for revocation. It establishes the state species in need of conservation list. This listing is included in proposed regulation K.A.R. 115-15-2.

Economic Impact Summary: Revocation of this regulation will have no impact as the same listing is included in proposed regulation K.A.R. 115-15-2.

23-20-1. Amphibian and reptiles; permits to commercially harvest. This permanent regulation is proposed for

revocation. It establishes conditions under which a permit is required, provides for application and issuance of permit and establishes reporting requirements. Provisions of this regulation are covered under proposed regulations K.A.R. 115-17-3 and K.A.R. 115-17-4.

Economic Impact Summary: Revocation of this regulation will have no impact as provisions of the regulation are incorporated into K.A.R. 115-17-3 and K.A.R. 115-17-4.

23-8-34. Wildlife areas; steel shot. This permanent regulation is proposed for revocation. It establishes steel shot only hunting on five waterfowl areas and steel shot hunting for waterfowl on all department lands open to waterfowl hunting.

Economic Impact Summary: Revocation of this regulation would have no impact as provisions of this regulation are included in K.A.R. 115-8-3.

Copies of the full text of the proposed regulations and the economic impact statements may be obtained by writing to the assistant secretary at the address above.

At the same meeting the commission will make recommendations for the 1989 duck and goose seasons based on proposed federal frameworks. Copies of the proposed seasons can be obtained at the meeting. All interested parties may submit written comments prior to the hearing to the chairman of the commission at the address above. All interested parties will be given a reasonable opportunity at the meeting to express their views orally in regard to the seasons. During the meeting, all written and oral comments submitted by interested parties will be considered by the commission as a basis for its recommendations.

RONALD HOPKINS
Chairman

Doc. No. 008087

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-16-30	New	V. 8, p. 423
91-19-1	Amended	V. 8, p. 101
91-19-2	Amended	V. 8, p. 101
91-19-6	Amended	V. 8, p. 102
91-31-1	Amended	V. 8, p. 102
91-31-2	Amended	V. 8, p. 102
91-31-7	Amended	V. 8, p. 103
91-31-12a	Amended	V. 8, p. 104
91-31-13	Amended	V. 8, p. 104
91-31-14	New	V. 8, p. 105
91-31-14a	Amended	V. 8, p. 105
91-33-1	Amended	V. 8, p. 105
91-33-5	Amended	V. 8, p. 106
91-34-1	Amended	V. 8, p. 106
91-34-2	Amended	V. 8, p. 106
91-34-3	Amended	V. 8, p. 107

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751

AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-49-4	Amended	V. 8, p. 654
100-49-4	Amended	V. 8, p. 1069

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906
102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-4-1	New	V. 8, p. 204
102-4-1	New	V. 8, p. 335
102-4-3		
through		
102-4-11	New	V. 8, p. 205-209
102-4-3		
through		
102-4-11	New	V. 8, p. 335-339

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-10-1	Amended	V. 8, p. 1070

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874
109-2-5		
through		
109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877

109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1		
through		
109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-3-1		
through		
110-3-11	New	V. 8, p. 28-30

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8	New	V. 8, p. 376
111-2-9	New	V. 8, p. 587
111-2-10	New	V. 8, p. 587
111-2-11	New	V. 8, p. 751
111-2-12	Amended	V. 8, p. 800
111-3-1	Amended	V. 7, p. 1061
111-3-3	Revoked	V. 7, p. 1062
111-3-4	Revoked	V. 7, p. 1062
111-3-7	Revoked	V. 7, p. 1714
111-3-9	Amended	V. 8, p. 1085
111-3-10		
through		
111-3-31	New	V. 7, p. 201-206
111-3-10	Revoked	V. 7, p. 1062
111-3-11	Amended	V. 8, p. 299
111-3-12	New	V. 8, p. 587
111-3-13	Amended	V. 7, p. 1062
111-3-14	Amended	V. 8, p. 587
111-3-14a	Amended	V. 8, p. 1085
111-3-16	Amended	V. 7, p. 1309
111-3-17	Revoked	V. 7, p. 1714
111-3-19		
through		
111-3-22	Amended	V. 7, p. 1309, 1310
111-3-20	Amended	V. 8, p. 1085
111-3-21	Amended	V. 7, p. 1606
111-3-22	Amended	V. 8, p. 1085
111-3-22a	New	V. 8, p. 589
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-30	Revoked	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-16	Revoked	V. 8, p. 209
111-4-19	Revoked	V. 7, p. 206
111-4-22		
through		
111-4-40	Revoked	V. 7, p. 206, 207
111-4-41	Revoked	V. 7, p. 1435
111-4-42	Revoked	V. 7, p. 1435
111-4-43	Revoked	V. 7, p. 207
111-4-44	Revoked	V. 7, p. 1435
111-4-46		
through		
111-4-64	Revoked	V. 7, p. 207

111-4-66		
through		
111-4-77	New	V. 7, p. 207-209
111-4-66	Amended	V. 8, p. 1086
111-4-67	Amended	V. 8, p. 590
111-4-68	Amended	V. 7, p. 931
111-4-69	Amended	V. 7, p. 931
111-4-70	Amended	V. 8, p. 134
111-4-71	Amended	V. 8, p. 590
111-4-71a	Amended	V. 7, p. 1435
111-4-71b	New	V. 8, p. 333
111-4-72	Amended	V. 8, p. 134
111-4-73	Amended	V. 8, p. 590
111-4-73a	Revoked	V. 8, p. 134
111-4-74	Amended	V. 7, p. 931
111-4-75	Amended	V. 8, p. 752
111-4-77a	Amended	V. 8, p. 590
111-4-77b	New	V. 8, p. 590
111-4-78		
through		
111-4-82	Revoked	V. 8, p. 13
111-4-82a	Revoked	V. 8, p. 13
111-4-83		
through		
111-4-87	Revoked	V. 8, p. 13
111-4-88		
through		
111-4-91	Revoked	V. 8, p. 210
111-4-92		
through		
111-4-95	Revoked	V. 8, p. 299
111-4-96		
through		
111-4-114	New	V. 7, p. 1606-1610
111-4-99a	New	V. 7, p. 1807
111-4-99b	New	V. 7, p. 1807
111-4-115		
through		
111-4-118	New	V. 7, p. 1946, 1947
111-4-118a	New	V. 8, p. 13
111-4-119		
through		
111-4-125	New	V. 8, p. 135, 136
111-4-126		
through		
111-4-129	New	V. 8, p. 376, 377
111-4-130		
through		
111-4-137	New	V. 8, p. 591, 592
111-4-137	Amended	V. 8, p. 1086
111-4-138		
through		
111-4-152	New	V. 8, p. 654-656
111-4-153		
through		
111-4-160	New	V. 8, p. 970, 971
111-4-161		
through		
111-4-176	New	V. 8, p. 936-938
111-4-177		
through		
111-4-180	New	V. 8, p. 1086, 1087
111-5-1		
through		
111-5-23	New	V. 7, p. 209-213
111-5-9		
through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
111-5-20	Revoked	V. 8, p. 212
111-5-21	New	V. 8, p. 299
111-6-1		
through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 8, p. 212
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-16	Revoked	V. 8, p. 212
111-6-17	New	V. 7, p. 1191
111-7-1		
through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-4	Amended	V. 7, p. 1610

(continued)

111-7-5 Amended V. 7, p. 1610
 111-7-11 New V. 7, p. 1224
 111-7-12 through
 111-7-32 New V. 7, p. 1194-1196
 111-7-12 through
 111-7-27 Revoked V. 7, p. 1436, 1437
 111-7-28 Amended V. 8, p. 938
 111-7-32a New V. 7, p. 1196
 111-7-32b Amended V. 8, p. 333
 111-7-33 through
 111-7-43 New V. 7, p. 1197, 1198
 111-7-33 Revoked V. 7, p. 1437
 111-7-33a New V. 8, p. 300
 111-7-34a Amended V. 8, p. 592
 111-7-37a Amended V. 8, p. 938
 111-7-43 Revoked V. 8, p. 212
 111-8-1 New V. 7, p. 1633
 111-8-2 New V. 7, p. 1633
 111-8-3 Amended V. 8, p. 752
 111-8-4 New V. 7, p. 1714
 111-8-4a New V. 7, p. 1995
 111-8-5 through
 111-8-13 New V. 7, p. 1634
 111-9-1 through
 111-9-12 New V. 7, p. 1714-1716
 111-9-13 through
 111-9-18 New V. 8, p. 300, 301

111-10-1 through
 111-10-9 New V. 8, p. 136-138
 111-10-7 Amended V. 8, p. 301

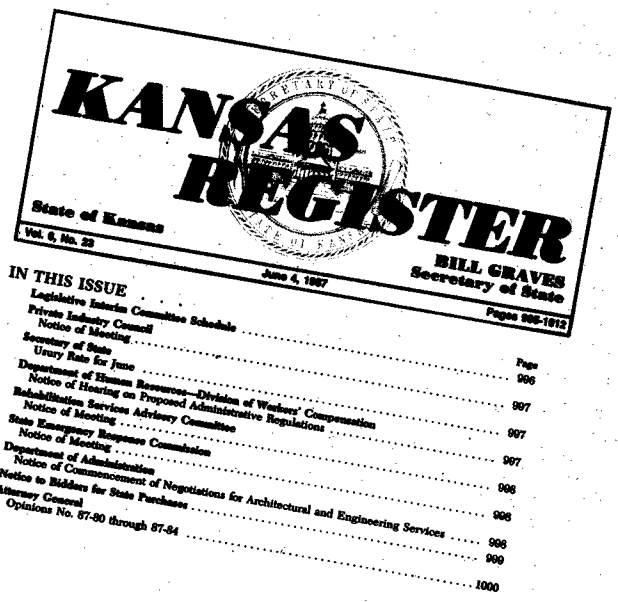
AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1 through		
112-4-14	New	V. 8, p. 255-257
112-4-15	New	V. 8, p. 596
112-4-15	New	V. 8, p. 724
112-4-16	New	V. 8, p. 258
112-4-17	New	V. 8, p. 258
112-4-18	New	V. 8, p. 258
112-4-19	New	V. 8, p. 596
112-4-19	New	V. 8, p. 724
112-4-20	New	V. 8, p. 258
112-4-22	New	V. 8, p. 596
112-4-22	New	V. 8, p. 725
112-5-1 through		
112-5-9	New	V. 8, p. 258-260
112-6-1 through		
112-6-8	New	V. 8, p. 261-263
112-7-2 through		
112-7-22	New	V. 8, p. 593, 594
112-7-2 through		
112-7-22	New	V. 8, p. 641-648
112-8-2 through		
112-8-12	New	V. 8, p. 263-267

112-8-3 New V. 8, p. 596
 112-8-3 New V. 8, p. 725
 112-8-9 New V. 8, p. 596
 112-8-9 New V. 8, p. 725
 112-9-2 through
 112-9-38 New V. 8, p. 596-598
 112-9-2 through
 112-9-38 New V. 8, p. 726-737
 112-10-2 through
 112-10-12 New V. 8, p. 598
 112-10-2 through
 112-10-12 New V. 8, p. 737-740
 112-11-1 through
 112-11-19 New V. 8, p. 594, 595
 112-11-1 through
 112-11-19 New V. 8, p. 648-653
 112-11-20 New V. 8, p. 904
 112-11-21 New V. 8, p. 595
 112-11-21 New V. 8, p. 653
 112-12-2 through
 112-12-13 New V. 8, p. 595, 596
 112-12-2 through
 112-12-13 New V. 8, p. 1007
 112-13-2 New V. 8, p. 596
 112-13-2 New V. 8, p. 267
 112-13-3 New V. 8, p. 598
 112-13-3 New V. 8, p. 740

NOW AVAILABLE . . .

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



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

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

Order your binders today!

***Kansas Register* binders . . . \$16.00 each includes shipping and handling.**

CLIP AND MAIL

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

Price: \$16.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

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

Mail order, with payment, to: *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

KANSAS REGISTER
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594

Second Class
postage paid
at
Topeka, Kansas

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

_____ One-year subscriptions @ \$60.00 ea.
(Kansas residents must include
\$3.15 state and local sales tax)

Total Enclosed _____
(Make checks payable to Kansas Register)

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

Zip code must be included

This space for Register office
use only, please

Code _____ Rec. No. _____
Expires _____ Entered By _____

Mail order, with payment, to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594

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

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

Indicate change or correction of name or
address here:

Mail to: Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594