

KANSAS REGISTER



State of Kansas

**BILL GRAVES
Secretary of State**

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State of Kansas

Board of Mortuary Arts**Notice of Meeting**

The Kansas State Board of Mortuary Arts will meet Thursday, October 4, and Friday, October 5, in Topeka.

Thursday's meeting will begin at 9 a.m. in the board's office, Suite 2, 1200 S. Kansas Ave. Friday's meeting will begin with the administering of examinations at 9 a.m. in Room 108 of the Landon State Office Building, 900 S.W. Jackson.

Douglas "Mack" Smith
Executive Secretary

Doc. No. 009696

State of Kansas

Social and Rehabilitation Services**Request for Proposals**

Applications are being accepted for a grant of \$8,035 to be used for drug abuse prevention, treatment and/or education. Applicants must be current Community Services Block Grant awardees. The deadline for applications is October 22. For further details, contact Economic Opportunity Programs, 300 S.W. Oakley, Topeka 66606, (913) 296-1893.

Dennis R. Taylor
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 009692

State of Kansas

Social and Rehabilitation Services**Request for Proposals**

The Department of Social and Rehabilitation Services is accepting applications for the provision of targeted assistance services to refugees in Sedgwick and Wyandotte counties. Applications must be received in the SRS area office by September 14.

Instructions for completing an application are described in a "Request for Proposal" available on request from the SRS area office or from Phil Gutierrez, Department of Social and Rehabilitation Services, West Hall, 300 S.W. Oakley, Topeka 66606, (913) 296-6915.

Dennis R. Taylor
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 009694

State of Kansas

Kansas Apprenticeship Committee**Notice of Meeting**

The Kansas Apprenticeship Committee will meet from 10 a.m. to noon Friday, September 7, in the Center Classroom at 1309 Topeka Blvd., Topeka. The meeting agenda includes the following:

A. Program Standards

1. Larry's Auto Body (Lawrence)
(Automobile Body Repairer)
2. Associated Wholesale Grocers, Inc. JAC
(Kansas City) Maintenance Repairer/Industrial

The meeting is open to the public.

Ray D. Siehndel
Secretary of Human Resources

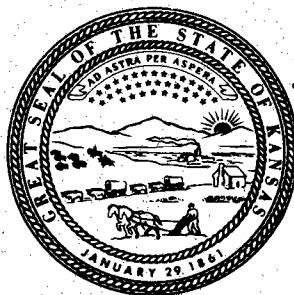
Doc. No. 009688

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(913) 296-2236



Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet during the Kansas State Fair, September 7-16, with the opening meeting to begin at 1 p.m. Friday, September 7, in the administration office on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (316) 662-6611.

Deana K. Novak
Administrative Officer

Doc. No. 009679

State of Kansas

Kansas Arts Commission

Notice of Acceptance of Applications for Professional Development Grants

The Kansas Arts Commission is accepting applications for professional development grants to be awarded during fiscal year 1991 to artists creating original works of art in any arts discipline or medium. Professional development grants are intended to encourage artists who are undertaking projects to advance their careers, but who need funding. Such projects may include mounting an exhibition, registering for specialized training, hiring musicians to record new original musical compositions, or hiring technical assistance.

To be eligible, an artist must have been a resident of Kansas since July 1, 1989, and should intend to remain a resident through June 30, 1991. The program is not open to individuals living out-of-state, to students pursuing undergraduate or graduate programs, or to interpretive artists who are not creating original work.

Professional development grants are awarded upon the availability of funds on a first come, first served basis. During fiscal year 1991, a total of \$5,000 is available. An applicant may request from \$100 to \$1,000 rounded to the nearest dollar. The applicant is required to match 50 percent of the projected budgeted costs in cash or a combination of cash and documented in-kind services.

Only one professional development grant application may be submitted per year by any individual. Applications for grants must be received no later than two months prior to the starting date of a project.

Recipients are required to complete the project by June 30, 1991. A final report form must be completed and submitted to the commission within 30 days of completion of the project.

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 104, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen
Executive Director

Doc. No. 009676

State of Kansas

Kansas Arts Commission

Notice of Task Force Meeting

The Community Development/Urban Task Force of the Kansas Arts Commission will meet from 1 to 4 p.m. Wednesday, September 19, in the second floor conference room of the Colony Square Office Building, 555 Poyntz, Manhattan.

This is one of several task forces established by the commission to continue research and assessment of needs in several key areas identified during the commission's long-range planning process. The task forces can propose ways in which the state arts agency can affect those needs through programs, services and funding.

Meetings of the Kansas Arts Commission, a state agency, and of its advisory panels and task forces are open to public observation.

Requests for information about this or other programs may be directed to the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen
Executive Director

Doc. No. 009703

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 W. 10th, Topeka.

Date	Committee	Time	Location
Sept. 7	Family Law	9:30 a.m.	Room 259
Sept. 14	Judicial Council	9:30 a.m.	Room 259
Sept. 20	Care & Treatment	9:30 a.m.	Attorney's Lounge, 2nd Floor
Sept. 20	Judicial Redistricting	9:30 a.m.	Room 259
Sept. 21	Probate Law	9:30 a.m.	Room 259
Sept. 21	Criminal Law	9:30 a.m.	Room 259
Sept. 21	PIK	9:30 a.m.	Attorney's Lounge, 2nd Floor
Sept. 28	Civil Code	9:30 a.m.	Room 259
Oct. 5	Family Law	9:30 a.m.	Room 259
Oct. 11	Judicial Redistricting	9:30 a.m.	Room 259
& 12			
Oct. 12	PIK	9:30 a.m.	Attorney's Lounge, 2nd Floor
Oct. 19	Probate Law	9:30 a.m.	Attorney's Lounge, 2nd Floor
Oct. 19	Criminal Law	9:30 a.m.	Room 259
Oct. 26	Civil Code	9:30 a.m.	Room 259

Justice Richard W. Holmes
Chairman

Doc. No. 009697

State of Kansas
University of Kansas

Notice to Bidders

Sealed bids for items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Friday, September 14, 1990

RFQ 91 0232

Flow cytometry system

Monday, September 17, 1990

RFQ 91 0231

Bench-top environmental rotary shaker and other laboratory equipment

Gene Puckett, L.C.P.M.
 Director of Purchasing

Doc. No. 009632

State of Kansas
Kansas Arts Commission

**Notice of Artist Fellowships
 in Literature Deadline**

The Kansas Arts Commission is currently accepting applications for three Kansas Artist Fellowships in Literature, to be awarded in 1991. One fellowship of \$5,000 each will be awarded in the categories of fiction, poetry, and play-writing. The fellowships will be presented to recognized Kansas literary artists who demonstrate exceptional talent and ability in the production of original works.

Fellowship applications must be received at the commission office no later than Monday, October 15. An individual may apply in only one category. Eligible individuals must have resided in Kansas since July 1, 1989, and must intend to remain as residents through June 30, 1991.

Fellowship recipients will be required to sign a notarized residency statement and to complete a final report form, to be submitted by July 30, 1991. There are no restrictions upon how the fellowship funds may be used by the recipients.

The application process is not open to individuals living out-of-state, to native Kansans residing outside the state, to full-time students pursuing graduate or undergraduate degrees, or to previous recipients of Kansas Artist Fellowships.

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen
 Executive Director

Doc. No. 009678

State of Kansas
State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 8:30 a.m. Monday, September 10, at the Best Western Red Coach Inn conference room, 1301 E. 1st, Newton. A copy of the agenda may be obtained by contacting Donna Meader, 109 S.W. 9th, Suite 500, Topeka 66612, (913) 296-3600.

Kenneth F. Kern
 Executive Director

Doc. No. 009630

State of Kansas
Kansas Arts Commission

Notice of Meeting

The Kansas Arts Commission will conduct a quarterly business meeting from 9 a.m. to 3 p.m. Friday, September 28, at the Prairie Museum of Art & History in Colby. The primary business item for the commissioners will be to review and act upon the recommendations of the advisory panels for the funding of grants from the Planning Education in the Arts in Kansas and Design Arts/Capital Aid programs during fiscal year 1991.

Also on the agenda is an update on the fiscal year 1991 budget and review of the proposed fiscal year 1992 budget; approval of the proposed membership of advisory panels for fiscal year 1992; approval of commission grant applications to the National Endowment for the Arts (NEA); reports on fiscal year 1991 programs; and action on grants to Kansas State University Extension for the Rural Arts Circuit Rider and to the Kansas Alliance for Arts Education and Accessible Arts, Inc., from the Arts in Schools Basic Education Grant program.

The commissioners will review the status of the NEA and pending action in Congress regarding the reauthorization and funding of the 25-year-old federal arts agency.

Funding for commission programs is provided through appropriations by the Kansas Legislature and grants from the NEA, a federal agency. The commissioners are scheduled to act upon applications to request federal funding for some commission programs.

The commission staff will provide updates on current programs and plans for fiscal year 1991 programs. Proposed guidelines for the fiscal year 1991 Rural Arts and Capital Aid/Design Arts programs will be presented for adoption by the commission.

Meetings of the Kansas Arts Commission, a state agency, are open to public observation. For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3714, (913) 296-3335.

Dorothy L. Ilgen
 Executive Director

Doc. No. 009677

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the item listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 for additional information.

Monday, September 17, 1990

#10052

Grain drill

William H. Sesler
Director of Purchasing

Doc. No. 009685

State of Kansas

Attorney General

Opinion No. 90-98

State Boards, Commissions and Authorities—State Board of Technical Professions—Architecture; Exemptions from Requirements for Licensure or Certification; Definitions. Representative Larry F. Turnquist, 69th District, Salina, August 17, 1990.

K.S.A. 74-7031 does not per se require the assistance of an architect when installing a door in a precast concrete building. Whether these circumstances require the assistance of an architect depends on a factual determination made by the fact-finding body from whom a building permit is sought. Cited herein: K.S.A. 74-7003; 74-7031; 74-7033. GE

Opinion No. 90-99

Minors—Kansas Juvenile Offenders Code—Right to an Attorney; Docket Fee and Expenses; Recovery of Attorney Fees by County from Parents of Juvenile. J. Michael Grear, Kiowa County Attorney, Greensburg, August 17, 1990.

K.S.A. 38-160 *et seq.*, the Kansas juvenile offenders code, permits a court to assess the expense of a court-appointed attorney against the parents of a juvenile charged under that code. However, such an assessment is discretionary and must be made by the court in accordance with due process and jurisdictional requirements, and should consider the financial resources of the parents. Cited herein: K.S.A. 38-1601; 38-1606; 38-1613; 38-1626. TMN

Opinion No. 90-100

Taxation—Motor Vehicles—Taxes Levied Annually for Registration Period; Due Date. Representative Michael R. O'Neal, 104th District, Hutchinson; Representative Arthur Douville, 20th District, Overland Park; Representative Eugene P. Amos, 18th District, Shawnee; Representative Nancy J. Brown, 27th District, Stanley, August 23, 1990.

The current practice under K.S.A. 79-5101 *et seq.* and K.A.R. 92-51-21 of taxing motor vehicles in such a way

as to cause taxpayers with surnames at the end of the alphabet to pay more in taxes than identically situated taxpayers with surnames at the beginning of the alphabet is violative of the equal protection clause of the United States Constitution. Cited herein: K.S.A. 1989 Supp. 8-134; K.S.A. 79-5103; 79-5104; 79-5105; 79-5107, as amended by L. 1990, ch. 34, § 5; K.A.R. 92-51-21; U.S. Const., Amend. XIV. JLM

Opinion No. 90-101

Monopolies and Unfair Trade—Fair Credit Reporting Act—Permissible Purposes of Reports; Legitimate Business Need. Mark A. Burghart, General Counsel, Department of Revenue, Topeka, August 28, 1990.

K.S.A. 50-703(c)(5) permits a consumer reporting agency to furnish a consumer report in circumstances involving a legitimate business need for the information in connection with a business transaction involving the consumer. A financial investigation into the assets of drug dealers by the criminal fraud unit of the Division of Alcoholic Beverage Control does not involve a consumer relationship or business transaction, thus, K.S.A. 50-703(c)(5) does not allow a consumer reporting agency to furnish a consumer report for that purpose. Cited herein: K.S.A. 50-701; 50-703; 50-707; 15 U.S.C.S. § 1681b. TMN

Opinion No. 90-102

Counties and County Officers—County Commissioners; Powers and Duties—Sale of County Property. Michael W. Ryan, Attorney for Clay County Hospital, Clay Center; John F. Bosch, Clay County Attorney, Clay Center, August 30, 1990.

While a county hospital board has many powers relating to the supervision, care and custody of hospital property, it does not have the power to sell hospital property. This power is vested in the county that retains title to all hospital real property. The board of county commissioners may sell real property, essentially on behalf of the hospital, and may allow the hospital to retain the proceeds of such a sale. Cited herein: K.S.A. 19-101; K.S.A. 1989 Supp. 19-211; K.S.A. 19-212; 19-4601; 19-4610; 19-4624. CN

Opinion No. 90-103

State Departments; Public Officers and Employees—State Engineering Services—State Policy; Negotiation of Contracts for Engineering Services. Leroy F. Fry, State Representative, 105th District, Little River, August 30, 1990.

A state agency may not utilize the state engineering services act as a mechanism to negotiate with firms for the performance of land survey work. However, if survey work is incidental to a project that requires engineering services, the act may be used. Cited herein: K.S.A. 74-7003; 75-3739; 75-5801; 75-5802; 75-5803. CN

Robert T. Stephan
Attorney General

Doc. No. 009702

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. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, September 17, 1990

A-5700

Kansas State Historical Society—Stabilization of Constitution Hall, Phase I (Building No. 28800-06073), Lecompton

27349

University of Kansas Medical Center—Snow removal service

27363

Statewide—Dietary pharmaceuticals

27496

University of Kansas—Snow removal service

85226

Department of Education—Plain paper photocopier

85233

Kansas State University—Grain bins

85234

University of Kansas—Fluorometric equipment

85267

University of Kansas—Boiler installation, GSP Hall

Tuesday, September 18, 1990

25742

Kansas Highway Patrol—Officer hats (new) and renovation service

26984

Kansas Correctional Industries—Toilet soap base

27427

Adjutant General's Department—Snow removal service

85238

Kansas State University—Data correlator

85239

Kansas State University—IC/MASS spec

85240

Kansas State University—Laser

85241

University of Kansas—X.25 packet assembler/disassembler

85250

Department of Transportation—Photographic film and chemistry

85280

Kansas State University—Rotating air ovens

85311

Kansas State University—Stage curtains

Wednesday, September 19, 1990

85259

Fort Hays State University—Dust collector

85260

Department of Transportation—Wood signposts

85275

Winfield Correctional Facility—Recreation equipment

Thursday, September 20, 1990

A-6550

Department of Administration—Statehouse interior renovation

27078

Statewide—Audible range magnetic tape

28315

State Board of Agriculture—Indirect cost allocation plan

85273

University of Kansas Medical Center—Operating room light

85276

Department of Administration, Division of Printing—Two-color duplicator

85282

University of Kansas Medical Center—Blood salvage and cell washing unit

85283

University of Kansas Medical Center—Animal isolation cubicles

85284

University of Kansas Medical Center—Defibrillators

85285

University of Kansas Medical Center—Patient monitoring equipment

85286

Department of Transportation—Bituminous mix, Shawnee County

Friday, September 21, 1990

28083

Various agencies—Cigarette tobacco

85268

University of Kansas—High-speed modems

Monday, September 24, 1990

27338

Department of Transportation—Vehicles

Thursday, September 27, 1990

A-6112(f)

Department of Corrections—Guard towers and site work package 5A, El Dorado

Tuesday, October 30, 1990

28106

University of Kansas—Aircraft Insurance

Nicholas B. Roach
Director of Purchases

Doc. No. 009689

**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. Monday, October 8, in the Holiday Inn Holidome, Brazilian Rooms A and B, 200 McDonald, Lawrence, to consider the adoption and revocation of several department regulations. If necessary, the public hearing will continue at 9 a.m. Tuesday, October 9, at the same location. A workshop meeting on upcoming business and future regulations will begin at 1:30 p.m. Monday, October 8, at the above location. If necessary, the workshop will continue following the conclusion of the public hearing. The public is also invited to attend the workshop.

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, Landon State Office Building, 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 and the proposed revocations. 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 and revocations.

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

K.A.R. 115-2-1. Amount of fees. This permanent regulation would be amended to establish a fee for additional deer and turkey game tags—\$10, nonresident landowner turkey permits—\$30, nonresident deer (doe—\$50, any deer—\$150, and buck only—\$150) permits, resident and nonresident commercial mussel permits—\$25 and \$200 respectively, commercial and associate guide permits—\$50 and \$25 respectively, and commercial fish bait permits—\$20. Live rabbit and hare trapping and dealer permits and fees, and resident and nonresident amphibian and reptile harvest and dealer permits and fees are removed, as the permits are no longer a valid issue of the department.

Economic Impact Summary: Implementation of game tags and nonresident deer permits will require additional regulatory (and perhaps statutory) effort, thus no immediate impact will be noted. The combined effect of the other fees will result in revenue to the department of an estimated \$47,950 and an equal expenditure by those choosing to purchase such permits. No impact on other state agencies is anticipated and the impact on the general public is expected to be insignificant. No impact will occur to department revenues as a result of discontinuing the several mentioned permits and associated fees as those permits are no longer a valid issue of the department.

K.A.R. 115-17-6. Commercial mussel permit; permit application and requirements, authority, reports, general

provisions and permit revocation. This proposed permanent regulation establishes a commercial mussel permit requirement for the harvest, sale, purchase for resale, or export of mussels. Record keeping and quarterly reporting is required. Authorities and restrictions under the permit are established.

Economic Impact Summary: This regulation basically continues the same requirements as currently is contained in K.A.R. 23-3-17, which is proposed for revocation. Quarterly instead of annual reporting is required, thus some additional expense may accrue to permittees for report preparation and submittal and to the department for administration of the permitting system.

K.A.R. 115-17-7. Commercial harvest of mussels; legal species, seasons, size restrictions, daily limits and possession limits. This proposed permanent regulation establishes the legal species, season for taking, size restrictions, daily limits and possession limits for the commercial taking of mussels. The minimum shell size limit is increased from 1³/₄ inches to 3 inches for all species of mussels, except all sizes of Asian clam may be harvested. The remaining provisions were previously established as conditions of permit issuance under K.A.R. 23-3-17, which is proposed for revocation.

Economic Impact Summary: The minimum size increase is expected to reduce the harvest of mussels by approximately 15 percent for permittees. No other impacts are anticipated.

K.A.R. 115-17-8. Commercial harvest of mussels; legal equipment, taking methods and general provisions. This proposed permanent regulation establishes the legal equipment, taking methods, and general provisions for the commercial harvest of mussels. It continues provisions that were previously established as conditions of permit issuance under K.A.R. 23-3-17, which is proposed for revocation.

Economic Impact Summary: The same basic conditions would exist, thus no economic impact is anticipated.

K.A.R. 115-17-9. Commercial harvest of mussels; open areas. This proposed permanent regulation establishes the areas of the state open for the commercial harvest of mussels. It continues the same open areas that were previously established as conditions of permit issuance under K.A.R. 23-3-17, which is proposed for revocation.

Economic Impact Summary: The same basic open areas would continue, thus no economic impact is anticipated.

K.A.R. 115-25-10. Deer; special firearms season, bag limits, permits and applications. This proposed exempt regulation would establish a special deer season in January and early February of 1991 in a several county area of southeast Kansas. A total of 3,000 general permits and unlimited hunt-on-your-own-land permits is recommended as is a bag limit of three antlerless deer.

Economic Impact Summary: Administrative costs of the season would be borne by the department. Issuance of all permits would result in revenue to the department of \$91,500. It is estimated that 1,000 hunt-on-your-own-land permits would be issued at \$10.50, resulting in revenue of \$10,500 to the department. Local businesses providing services to sportspersons would notice some benefit.

The following regulations are proposed for revocation:

(continued)

K.A.R. 23-3-17. Mussel fishing; license and regulation. This permanent regulation exists under the discontinued agency 23 number. Provisions of this regulation are contained in proposed regulations K.A.R. 115-17-6, 17-7, 17-8, and 17-9.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-3-18. Restrictions on possession and transportation. This permanent regulation exists under the discontinued agency 23 number and pertains only to the possession of fish, amphibians, reptiles and shellfish for sale, exchange or other commercial purposes. Provisions authorizing shellfish (mussels) to be possessed for the purposes of sale, purchase, resale or export are contained in proposed regulation K.A.R. 115-17-6. Similar authorities for commercial fishing exist in K.A.R. 23-3-16. A regulation to allow possession of amphibians and reptiles for commercial purposes is unnecessary because regulations to allow wild amphibians and reptiles to be harvested and sold does not exist.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 23-18-2. Hatchery stamp fee and stamp. This permanent regulation is proposed for revocation. It established hatchery fees for annual, 5-day, and 24-hour fishing licenses. Also established is a graduated hatchery fee schedule for lifetime fishing licenses. Sufficient funds have been generated to complete hatchery bond and interest payments, thus the hatchery fee is no longer needed.

Economic Impact Summary: The hatchery fee generated approximately \$860,000 annually from fishing license buyers. Revocation will result in an equal annual savings to those buyers. Projections indicated that 1990 would be the last year that the hatchery fee would be needed. Although further income to the department from the fee will not occur, the objective of the hatchery fee has been accomplished.

K.A.R. 23-20-1. Amphibians and reptiles; permit to commercially harvest. This permanent regulation is proposed for revocation. Commercial amphibian and reptile permits have not been issued since July 1, 1989. Regulations to authorize commercial harvest and sale of amphibians and reptiles were considered later in 1989 and were not approved. K.A.R. 23-20-1 is not needed as the activities authorized under that regulation have been publicly examined and discontinued.

Economic Impact Summary: Approximately 29 permits were involved with commercial amphibian and reptile harvest and sale. Permit activity has not occurred since July 1, 1989. Revocation of this regulation will not have an economic impact, as the impact occurred when the new regulations were considered, but rejected.

Ron Hopkins
Chairman

Doc. No. 009695

State of Kansas

Division of Services for the Blind Advisory Committee

Notice of Meeting

The Division of Services for the Blind Advisory Committee will meet at 10 a.m. Friday, September 28, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz
Director

Doc. No. 009693

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. September 20, 1990, and then publicly opened:

District Four—Southeast

Coffey—75-16 K-2613-01—U.S. 75, Rock Creek bridge 19, at Neosho Street, bridge replacement. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone 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. 009673

State of Kansas**Department of Transportation****Notice to Contractors and Materials Suppliers**

The Kansas Department of Transportation anticipates letting federal-aid construction contracts in the amount of \$185,000,000 for federal fiscal year 1991. There are approximately 100 certified businesses owned by disadvantaged individuals in the state of Kansas. Based on the projected dollar volume and the current availability of disadvantaged business, K.D.O.T. proposes a utilization goal of 10 percent for federal fiscal year 1991.

Public comments on this goal are requested and should be addressed to K.D.O.T. Office of Engineering Support, Attn: Sandra Greenwell, Docking State Office Building, Topeka 66612.

Horace B. Edwards
Secretary of Transportation

Doc. No. 009691

State of Kansas**Kansas Insurance Department****Notice of Hearing**

A formal hearing will be conducted at 10 a.m. Monday, September 17, in the office of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the redomestication of Great-West Life & Annuity Insurance Company, Lawrence, to Englewood, Colorado, should be approved in accordance with the provisions of Senate Bill No. 575, now codified at L. 1990, ch. 155.

All interested parties may attend and will be given the opportunity to hear the details of the proposed redomestication, to present either oral or written testimony in favor of or in opposition to the redomestication, and to ask any questions relative to the redomestication.

Fletcher Bell
Commissioner of Insurance

Doc. No. 009704

State of Kansas**Secretary of State****Executive Appointments**

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

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

The following appointments were filed August 26-31:

Justice of the Supreme Court

Bob L. Abbott, 3501 Randolph, Topeka 66611. Effective September 1, 1990. Term expires when a successor is elected and qualifies according to law. Succeeds Robert H. Miller, retired.

**District Judge, 29th Judicial District,
Position 7**

Carlos Murguia, 1344 S. 27th St., Kansas City 66106. Term expires when a successor is elected and qualifies according to law. Succeeds Wayne H. Phillips, deceased.

State Representative, 54th District

Ruth Fernstrom, 2860 S.W. Plass, Topeka 66611. Term expires when a successor is elected and qualifies according to law. Succeeds Bill Bunten, resigned.

State Representative, 110th District

Carol Dawson, 458 E. 3rd, Russell 67665. Term expires when a successor is elected and qualifies according to law. Succeeds R.D. Miller, resigned.

Johnson County Commissioner, 3rd District

Dan Hosfield, 9134 High Drive, Leawood 66206. Term expires when a successor is elected and qualifies according to law. Succeeds Kent Crippin.

McPherson County Commissioner, 1st District

Duane J. Patrick, Route 2, Lindsborg 67456. Term expires when a successor is elected and qualifies according to law. Succeeds John Magnuson.

Nemaha County Attorney

Steven P. Deiter, P.O. Box 283, Sabetha 66534. Term expires when a successor is elected and qualifies according to law. Succeeds William Halverson.

Corrections Ombudsman Board

Sen. Frank Gaines, No. 1 Belmont, Augusta 67010. Term expires August 31, 1994. Appointed by the President of the Senate.

Kansas Select Commission on Ethical Conduct

Dave Seaton, 2 East St., Winfield 67156. Appointed by the Speaker of the House.

Kansas Geographic Information System Policy Board

Russell Getter, 1320 Wagon Wheel Road, Lawrence 66044. Serves at the pleasure of the Governor. Succeeds Sherry Brown.

Kansas Public Disclosure Commission

Larry Winn, Jr., 8420 Roe Ave., Prairie Village 66207. Term expires January 1, 1991. Succeeds Robert F. Bennett. Appointed by the President of the Senate.

Bill Graves
Secretary of State

State of Kansas**Secretary of State****Usury Rate for September**

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of September 1, 1990, through September 30, 1990, is 11.75 percent.

Bill Graves
Secretary of State

Doc. No. 009700

State of Kansas**Secretary of State**

**Certificate of the State Board
of Canvassers
Primary Election, August 7, 1990**

We, the undersigned, constituting the State Board of Canvassers of the State of Kansas, do hereby certify that we have examined the certified abstract of votes on file in the office of the Secretary of State, as prescribed by law, and we find the statement given therein of the whole number of votes cast for the several candidates for the various National and State offices therein named is true and correct as shown by such abstract.

We further certify, that each of the following named persons is entitled to a place on the official ballot as the candidate of his or her respective party, for the respective offices, at the General Election to be held on November 6, 1990, by virtue of receiving the greatest number of votes cast at said Primary Election for the various offices.

United States Senator

Nancy Landon Kassebaum, Burdick, Republican
William R. Roy, Sr., Topeka, Democrat

**United States Representative
1st District**

Pat Roberts, Dodge City, Republican
James W. Parrish, Topeka, Democrat

**United States Representative
2nd District**

Scott Morgan, Lawrence, Republican
Jim Slattery, Topeka, Democrat

**United States Representative
3rd District**

Jan Meyers, Overland Park, Republican
Leroy Jones, Lenexa, Democrat

**United States Representative
4th District**

Roger M. Grund, Sr., Wichita, Republican
Dan Glickman, Wichita, Democrat

**United States Representative
5th District**

Dick Nichols, McPherson, Republican
George D. Wingert, Ottawa, Democrat

Governor—Lieutenant Governor

Mike Hayden, Atwood, Republican
Harland E. Priddle, Topeka, Republican
Joan Finney, Topeka, Democrat
James Francisco, Mulvane, Democrat

Secretary of State

Bill Graves, Salina, Republican
Ronald J. (R.J.) Dickens, Wichita, Democrat

Attorney General

Bob Stephan, Wichita, Republican
Bert Cantwell, Edwardsville, Democrat

Treasurer

Eric Rucker, Topeka, Republican
Sally Thompson, Topeka, Democrat

Commissioner of Insurance

Ronald L. (Ron) Todd, Lawrence, Republican
Paul Feleciano, Jr., Wichita, Democrat

State Representative**1st District**

Tim Shallenburger, Baxter Springs, Republican
David Gaines, Baxter Springs, Democrat

2nd District

Violet Pazzie, Girard, Republican
L.V. (Sam) Roper, Girard, Democrat

3rd District

Frank D. Villamaria, Pittsburg, Republican
Ed McKechnie, Pittsburg, Democrat

4th District

Kevin W. Lyon, Fort Scott, Republican
Gilbert Ernest Gregory, Fort Scott, Democrat

5th District

George Teagarden, LaCygne, Democrat

6th District

Marvin Wm. Barkis, Louisburg, Democrat

7th District

Bill Brady, Parsons, Democrat

8th District

Walt Chappell, Chanute, Republican
Richard R. Reinhardt, Erie, Democrat

9th District

Aldie Ensminger, Moran, Republican
Lloyd W. Houk, Moran, Democrat

10th District

Walker A. Hendrix, Ottawa, Republican
Bettie Sue Shumway, Ottawa, Democrat

11th District

Jim Russell, Coffeyville, Republican
Jim D. Garner, Coffeyville, Democrat

12th District

Cindy Empson, Independence, Republican
Raymond Stanley, Dearing, Democrat

13th District

Rochelle Beach Chronister, Neodesha, Republican
 Judy Haley, Buffalo, Democrat

14th District

Mark V. Parkinson, Olathe, Republican
 Michael R. Norlen, Olathe, Democrat

15th District

John M. Toplikar, Olathe, Republican
 Ruth Ann Hackler, Olathe, Democrat

16th District

Tim Carmody, Overland Park, Republican
 Robert B. Hennecke, Overland Park, Democrat

17th District

Lisa L. Benlon, Shawnee, Republican
 Linda J. Walls, Shawnee, Democrat

18th District

Eugene P. (Gene) Amos, Shawnee, Republican
 Mark J. Greene, Shawnee, Democrat

19th District

Phil Kline, Overland Park, Republican
 John E. White, Overland Park, Democrat

20th District

Arthur W. Douville, Overland Park, Republican
 Elaine S. Mann, Overland Park, Democrat

21st District

Barbara P. Allen, Prairie Village, Republican
 Dennis Schapker, Prairie Village, Democrat

22nd District

Britt Nichols, Prairie Village, Republican
 Carol H. Sader, Prairie Village, Democrat

23rd District

Irene B. French, Merriam, Republican
 Gary H. Blumenthal, Merriam, Democrat

24th District

Rex B. Hoy, Fairway, Republican
 Tom Thompson, Mission, Democrat

25th District

Al Lane, Mission Hills, Republican
 Lori J. Watts, Roeland Park, Democrat

26th District

Vincent K. Snowbarger, Olathe, Republican
 Ronald D. McVeigh, Olathe, Democrat

27th District

Nancy Brown, Stanley, Republican
 Norm Ledgin, Stilwell, Democrat

28th District

Kerry Patrick, Leawood, Republican
 Chris Cunyngnam, Leawood, Democrat

29th District

Robert (Bob) Vancrum, Overland Park, Republican
 Michelle K. Koven, Overland Park, Democrat

30th District

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

31st District

Bill Wisdom, Kansas City, Democrat

32nd District

Herman G. Dillon, Kansas City, Democrat

33rd District

Hank Turnbaugh, Kansas City, Republican
 Richard J. Dick Edlund, Kansas City, Democrat

34th District

David Haley, Kansas City, Republican
 Robert (Bob) Watson, Kansas City, Democrat

35th District

Sherman J. Jones, Kansas City, Democrat

36th District

William Lee Lindsey, Kansas City, Republican
 Mary Jane Johnson, Kansas City, Democrat

37th District

Zelma Sully, Kansas City, Republican
 Bill Reardon, Kansas City, Democrat

38th District

Chester Richards, Kansas City, Republican
 Tom Love, Kansas City, Democrat

39th District

James E. Lowther, Emporia, Republican
 Cynthia "Cindy" Lane, Emporia, Democrat

40th District

Al Ramirez, Bonner Springs, Republican
 George R. Ford, Bonner Springs, Democrat

41st District

Clyde D. Graeber, Leavenworth, Republican

42nd District

Martha Jenkins, Leavenworth, Republican
 Stevi Stephens, Tonganoxie, Democrat

43rd District

Tom Pyle, Eudora, Republican
 Judith K. Macy, DeSoto, Democrat

44th District

Sandy Praeger, Lawrence, Republican
 Barbara W. Ballard, Lawrence, Democrat

45th District

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

46th District

Sean D. Williams, Lawrence, Republican
 Betty Jo Charlton, Lawrence, Democrat

47th District

Joann Flower, Oskaloosa, Republican
 Bob Hazzard, Ozawkie, Democrat

48th District

John W. Bowman, Jr., Everest, Republican
 Joan E. Adam, Atchison, Democrat

(continued)

49th District

Jack B. Denton, Denton, Republican
Galen Weiland, Bendena, Democrat

50th District

Marvin E. Smith, Topeka, Republican
Nancy R. Artzer, Topeka, Democrat

51st District

Mike McCrite, Auburn, Republican
Joan Hamilton, Topeka, Democrat

52nd District

Jim W. Cates, Topeka, Republican
Vince Cook, Topeka, Democrat

53rd District

Cynthia C. "Cindy" Haynes, Topeka, Republican
Denise Everhart, Tecumseh, Democrat

54th District

Ruth Fernstrom, Topeka, Republican
Bill Roy, Jr., Topeka, Democrat

55th District

Max Halley, Topeka, Republican
Joan Wagon, Topeka, Democrat

56th District

Ray Stewart, Topeka, Republican
Kathleen Sebelius, Topeka, Democrat

57th District

Donald W. Rogers, Topeka, Republican
George Gomez, Topeka, Democrat

58th District

Q.B. Low, Topeka, Republican
Anthony Hensley, Topeka, Democrat

59th District

Elaine L. Wells, Carbondale, Republican
Karlen Christesen-Wellman, Osage City, Democrat

60th District

Jeff Freeman, Burlington, Republican
Ruth Boden, Lebo, Democrat

61st District

Don M. Rezac, Onaga, Democrat

62nd District

Kent Glasscock, Manhattan, Republican
Katha Connor Hurt, Manhattan, Democrat

63rd District

Jay Fankhauser, Bern, Republican
Bruce F. Larkin, Baileyville, Democrat

64th District

Steve Lloyd, Palmer, Republican
Dennis D. Campbell, Clay Center, Democrat

65th District

Alex Scott, Junction City, Republican
Tom Brungardt, Junction City, Democrat

66th District

Stan Hoerman, Manhattan, Republican
Sheila Hochhauser, Manhattan, Democrat

67th District

Dane B. Britton, Ellsworth, Republican
Allan White, Salina, Democrat

68th District

Sidney G. Hammond, Abilene, Republican
Steve Wiard, Council Grove, Democrat

69th District

Randall G. Holm, Salina, Republican
Larry F. Turnquist, Salina, Democrat

70th District

Duane A. Goossen, Goessel, Republican
Geneva Stacy, Hillsboro, Democrat

71st District

Nancy Macy, Salina, Republican
Eloise Lynch, Salina, Democrat

72nd District

Garry Boston, Newton, Republican
Ron Calbert, Newton, Democrat

73rd District

Dale M. Sprague, McPherson, Republican

74th District

Ellen Banman Samuelson, Newton, Republican
W.R. "Pete" Black, Halstead, Democrat

75th District

David R. Corbin, Towanda, Republican
Kenneth W. Green, El Dorado, Democrat

76th District

Rex Crowell, Longton, Republican
Mariellen Appleby, Sedan, Democrat

77th District

Kenneth R. King, Leon, Republican

78th District

Dorothy Higginbottom Flottman, Winfield,
Republican
Eva L. Kemp, Dexter, Democrat

79th District

Glenn I. Burns, Arkansas City, Republican
R. Rand Rock II, Arkansas City, Democrat

80th District

Robert H. Miller, Wellington, Republican
Jerry D. Slaughter, Belle Plaine, Democrat

81st District

Debara K. "Debbie" Schauf, Mulvane, Republican
Ann Cozine, Mulvane, Democrat

82nd District

Elizabeth Baker, Derby, Republican

83rd District

Jo Ann Pottorff, Wichita, Republican
Casey Johnston-McGee, Wichita, Democrat

84th District

Barbara Lawrence, Wichita, Republican
Elwyn Henry, Wichita, Democrat

85th District

Ben Foster, Wichita, Republican
Richard Lahti, Wichita, Democrat

86th District

Tammy Baker, Wichita, Republican
Henry Helgerson, Wichita, Democrat

87th District

Wanda Fuller, Wichita, Republican
Rosie R. Greenemeyer, Wichita, Democrat

88th District

Paul F. Rosell, Wichita, Republican
Gwen Welshimer, Wichita, Democrat

89th District

Theo Cribbs, Wichita, Democrat

90th District

Darlene Cornfield, Valley Center, Republican
Kenneth D. Francisco, Maize, Democrat

91st District

Steve Cisneros, Wichita, Republican
Tom Bishop, Wichita, Democrat

92nd District

Jim Fulbright, Wichita, Republican
Ken Grotewiel, Wichita, Democrat

93rd District

Todd Tiahart, Goddard, Republican
Rick Bowden, Goddard, Democrat

94th District

Georgia Walton Bradford, Wichita, Republican
Lewie Krueger, Wichita, Democrat

95th District

Tom Sawyer, Wichita, Democrat

96th District

George R. Dean, Wichita, Democrat

97th District

Darrel M. Webb, Wichita, Democrat

98th District

Connie D. Keimig, Wichita, Republican
Diane Gjerstad, Wichita, Democrat

99th District

Susan Wagle, Wichita, Republican
David Hawley, Andover, Democrat

100th District

Jack Sluiter, Wichita, Republican

101st District

Bradford L. Williams, Kingman, Republican
Robert E. Krehbiel, Pretty Prairie, Democrat

102nd District

Donna L. Whiteman, Hutchinson, Democrat

103rd District

Steve Showalter, Inman, Republican
Jesse "Jess" Harder, Buhler, Democrat

104th District

Michael R. (Mike) O'Neal, Hutchinson, Republican
Larry R. Tucker, Hutchinson, Democrat

105th District

J.C. Long, Harper, Republican

106th District

Bill Bryant, Washington, Republican
Jan Barleen, Waterville, Democrat

107th District

Seth H. Dixon, Concordia, Republican
Kent Campbell, Miltonvale, Democrat

108th District

Lee Hamm, Pratt, Democrat

109th District

Keith Roe, Mankato, Republican

110th District

Carol Dawson, Russell, Republican
John R. Binder, Jr., Ellis, Democrat

111th District

Delbert L. Gross, Hays, Democrat

112th District

Bob J. Mead, Pawnee Rock, Republican
Joel B. Jackson, Great Bend, Democrat

113th District

Frank Buehler, Claflin, Republican
Jack Wempe, Little River, Democrat

114th District

Tim Gross, Larned, Republican
Melvin G. Minor, Stafford, Democrat

115th District

Melvin J. Neufeld, Ingalls, Republican
Ron Reinert, Dodge City, Democrat

116th District

Dale R. Northern, Dodge City, Republican
Don C. Smith, Dodge City, Democrat

117th District

Robin Jennison, Healy, Republican
Dorothy Olomon, Garden City, Democrat

118th District

Gayle Mollenkamp, Russell Springs, Republican
James Kohl, Ellis, Democrat

119th District

Leo Duane Vonada, Sylvan Grove, Republican
John D. McClure, Glen Elder, Democrat

120th District

Fred Gatlin, Atwood, Republican
William M. (Bill) Kirk, Clayton, Democrat

121st District

Don E. Crumbaker, Brewster, Republican

122nd District

Gary K. Hayzlett, Lakin, Republican

(continued)

* 123rd District

David J. Heinemann, Garden City, Republican
Mary E. Bourne, Garden City, Democrat

124th District

Eugene L. Shore, Johnson, Republican

125th District

Carl D. Holmes, Liberal, Republican

DISTRICT JUDGES

13th Judicial District, Division 1

John E. Sanders, Eureka, Republican

14th Judicial District, Division 1

Richard A. Medley, Coffeyville, Democrat

14th Judicial District, Division 2

Larry A. Markle, Coffeyville, Republican
David L. Thompson, Independence, Democrat

16th Judicial District, Division 1

Daniel L. Love, Dodge City, Democrat

18th Judicial District, Division 4

David W. Kennedy, Wichita, Republican

18th Judicial District, Division 5

Kay Royse, Wichita, Democrat

18th Judicial District, Division 7

David W. Dewey, Wichita, Republican
Stephen B. Plummer, Wichita, Democrat

18th Judicial District, Division 8

Tim Lahey, Wichita, Republican
Robert R. Arnold, Wichita, Democrat

18th Judicial District, Division 15

Paul Buchanan, Wichita, Republican
Thomas J. Weilert, Wichita, Democrat

18th Judicial District, Division 17

Christopher Randall, Wichita, Republican
Tom Malone, Wichita, Democrat

18th Judicial District, Division 18

James G. Beasley, Wichita, Republican

18th Judicial District, Division 19

Cristy W. Passman, Wichita, Republican
Robert D. Watson, Wichita, Democrat

19th Judicial District, Division 3

George E. Sybrant, Arkansas City, Republican

20th Judicial District, Division 1

Barry A. Bennington, St. John, Democrat

22nd Judicial District, Division 1

Keith W. Sprouse, Marysville, Republican

24th Judicial District

J. Byron Meeks, Kinsley, Republican

26th Judicial District, Division 1

Keaton G. Duckworth, Elkhart, Republican

27th Judicial District, Division 1

Victoria McKay Kumorowski, Hutchinson,
Republican

Richard J. Rome, Hutchinson, Democrat

27th Judicial District, Division 3

Steven R. Becker, Buhler, Republican

29th Judicial District, Division 3

Dean J. Smith, Kansas City, Democrat

29th Judicial District, Division 4

William Mahoney, Kansas City, Democrat

29th Judicial District, Division 5

J. Dexter Burdette, Kansas City, Democrat

29th Judicial District, Division 6

Cordell D. Meeks, Jr., Kansas City, Democrat

29th Judicial District, Division 10

Matthew G. Podrebarac, Kansas City, Democrat

29th Judicial District, Division 11

Bill D. Robinson, Jr., Kansas City, Democrat

29th Judicial District, Division 12

Philip L. Sieve, Kansas City, Democrat

29th Judicial District, Division 15

Michael G. Moroney, Kansas City, Democrat

DISTRICT MAGISTRATE JUDGES

17th Judicial District, Position 3

Wilda June Brown, Norton, Republican

22nd Judicial District, Position 3

James B. (Jim) O'Connor, Seneca, Democrat

23rd Judicial District, Position 1

Lawrence H. Litson, Gove, Republican

MEMBER, STATE BOARD OF EDUCATION

Board of Education, District 1

Mildred G. McMillon, Tonganoxie, Democrat

Board of Education, District 3

Paul D. Adams, Osage City, Republican

Board of Education, District 5

I.B. "Sonny" Rundell, Syracuse, Republican

Board of Education, District 7

Wanda Morrison, Hutchinson, Republican

Board of Education, District 9

Tim Emert, Independence, Republican

Board of Education, District 10
(unexpired term)

Gwen Nelson, Arkansas City, Republican
Dennis Vince Alvarez, Mulvane, Democrat

IN TESTIMONY WHEREOF, we have hereunto
subscribed our names this 24th day of August, A.D. 1990.

Mike Hayden
Governor

Bill Graves
Secretary of State

Robert T. Stephan
Attorney General

Doc. No. 009681

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 10 through September 23:

Date	Room	Time	Committee	Agenda
September 10 September 11	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review rules and regulations filed by the following agencies: Fire Marshal, Racing Commission, Wildlife and Parks, Health and Environment, and Commerce. The committee also will discuss local environmental planning grant "guidelines" with representatives of KDHE.
September 10 September 11	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	10th: a.m. - Proposal No. 7— Manufactured Housing Statutes. Review of proposed legislation and public hearings. p.m. - Proposal No. 5— Taxation of Oil and Gas Industry. Review of Kansas, Inc. study and public hearings. 11th: Proposal No. 3—Motor Vehicle Tax. Public hearing. Proposal No. 2—Sales Tax Base. Department of Revenue fiscal note update and staff review of sales tax transfers.
September 10 September 11	123-S 123-S	10:00 a.m. 10:00 a.m.	Kansas Select Commission on Ethical Conduct	10th: Public hearings on ethics and campaign finance. 11th: Public hearings continued.
September 13 September 14	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Economic Development	13th: Presentations on work force training, primarily on state-administered job training programs. Staff review of a BIDCO implementation plan. Possible committee discussion and recommendations on BIDCO's. 14th: Briefing and update by Dr. Charles Krider on a study on workforce training and progress report by Dr. Krider on a study of adult basic education.
September 17 September 18	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Local Government	17th: Proposal No. 22— Planning & Zoning, committee discussion. 18th: Hearings on Proposal No. 24—User Fees, and Proposal No. 26—County Special Assessments.
September 17 September 18	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Public Health & Welfare	17th: Proposal No. 33— Creation of a State Health Data System. 18th: Proposal No. 28—Medical Review Organization Regulation.

(continued)

September 17	Manhattan	10:00 a.m.	Special Committee on Ways and Means/Appropriations	17th: Public hearing on Proposal No. 38—KSU—Agricultural Extension Funding; Tour of selected KSU facilities.
September 18	Manhattan	9:00 a.m.		18th: Public hearing on Proposal No. 39—Regents System Issues.
September 17	531-N	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda not available.
September 18	531-N	9:00 a.m.		
September 20	531-N	10:00 a.m.	Legislative Educational Planning Committee	Agenda not available
September 21	531-N	9:00 a.m.		
September 20	514-S	10:00 a.m.	Joint Committee on Health Issues for the 1990's	Conferees on bioethics.
September 21	514-S	9:00 a.m.		

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 009699

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

Before Abbott, C.J.; Briscoe and Gernon, JJ.

Monday, September 10, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,914	Denise A. Blackburn, Appellant, v. Nina L. Blake, Appellee.	Clyde M. Burns George F. Farrell, Jr.	Douglas
65,165	Aristocrat Motor Co., Inc., Appellant, v. Bonheur Travel, Inc., <i>et al.</i> , Appellees.	Jan P. Helder, Jr. Edward L. Biquis	Johnson
10:30 a.m.			
64,919	In re Estate of Elsie A. Wager, deceased.	Donald G. Strole James L. Postma Lee Hornbaker Glenn D. Cogswell	Douglas
63,572	Dunkin' Donuts of America, Inc., and Third Dunkin' Donuts Realty, Inc., Appellants, v. Selok West, Inc., <i>et al.</i> , Appellees.	Michael W. Merriam James L. Grimes, Jr. Wayne Probasco Richard F. Hayse	Shawnee

1:30 p.m.

64,552	Ferril Heling, Appellee, v. Concrete Placement, Inc., <i>et al.</i> , Appellants.	Herbert R. Hess John E. Cowles Martin W. Bauer Terry Torline	McPherson
65,057	Felix M. and Janet M. Cruz, Appellants, v. Thurman W. Smith, Appellee.	Herbert P. Brackeen John Terry Moore	Sedgwick
64,883	Fern B. Sholtus, <i>et al.</i> , Appellees, v. Levi J. Trotter, <i>et al.</i> , Appellants.	Michelle V. Hostetler Charles A. O'Hara Michael D. Wilson	Sedgwick

Kansas Court of Appeals
Harold R. Fatzner Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Abbott, C.J.; Briscoe and Gernon, JJ.

Tuesday, September 11, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,216	Patrick T. Gouger, <i>et al.</i> , Appellees, v. Estate of James A. McQuiller, <i>et al.</i> , Appellant.	Barry W. McCormick Lewanna Bell-Lloyd Barry R. Grissom Michael K. Seck Octavio J. Viveros, Jr. Bryson R. Cloon	Johnson
64,717	James A. Criswell, Appellant, v. E. Denver Vold and Vold Morris Law Partnership, Appellee.	Stephen G. Dickerson James C. Morrow Dennis Clyde	Johnson

10:30 a.m.

Case No.	Case Name	Attorneys	County
64,416	Ryan C. Molen, Appellant, v. Kansas Department of Revenue, Appellee.	Mark C. Owens Thomas F. McGraw Brian Cox	Johnson
65,158	State of Kansas, Appellant, v. Donald J. Sorvisto, Appellee.	Thomas J. Bath, Jr. Attorney General Michael Bartee	Johnson

Summary Calendar—No Oral Argument

65,058	Barbara L. Burnett, Appellant, v. Day & Zimmerman, Inc., and Liberty Mutual Insurance Co., Appellees.	Timothy A. Short Richard C. Dearth	Labette
64,208	State of Kansas, Appellee, v. Ray L. Hinderliter, Appellant.	Rodney Symmonds Attorney General Steven R. Zinn	Lyon

(continued)

64,699	Willis Perry Tyus, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Gene M. Olander	Shawnee
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Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Davis, P.J.; Rees and Elliott, JJ.

Tuesday, September 11, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	County
64,587	State of Kansas, Appellee, v. Brent A. Peters, Appellant.	Debra A. Vermillion Attorney General James F. Vano	Johnson
64,995	The Hartford, Appellant, v. Donald F. Tanner, Appellee.	James E. Switzer Larry Ferree	Johnson
63,965	Bill Beck, Appellee, v. Ernie Holloway, Appellant.	Bill Beck, <i>pro se</i> J.R. Russell	Wyandotte

Summary Calendar—No Oral Argument

64,256	State of Kansas, Appellee, v. George Harris, Appellant.	Daniel Love Attorney General Jessica R. Kunen	Ford
64,503	In the Matter of the Marriage of Larry A. Parrish and Ronna J. Parrish.	John Shirley William A. Wright	Scott

Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Davis, P.J.; Brazil and Elliott, JJ.

Tuesday, September 11, 1990
1:30 p.m.

Case No.	Case Name	Attorneys	County
64,015	Lawrence Daly, Jr., Appellant, v. City of Fort Scott, Appellee.	David L. McLane Robert Farmer	Bourbon
64,560	R.L. McDaniel, <i>et al.</i> , Appellants, v. Federal Land Bank of Wichita, <i>et al.</i> , Appellees.	Dan E. Turner Phillip L. Turner Russell P. Wright James P. Milliken Ronald S. Shalz Joel R. Kriss	Sherman

2:30 p.m.

64,580	Jose Rojas, Appellant, v. State of Kansas, Appellee.	Steven R. Zinn Attorney General Debra Byrd Wagner	Sedgwick
64,175	State of Kansas, Appellee, v. Timothy Gailey, Appellant.	Debra Byrd Wagner Attorney General Lisa Nathanson	Sedgwick

Summary Calendar—No Oral Argument

64,826	John Tolman, Appellant, v. Mac Corp., and U.S. Fidelity & Guaranty Co., Appellees.	Davy C. Walker Dennis L. Horner	Wyandotte
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Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Rees, P.J.; Brazil and Elliott, JJ.

Wednesday, September 12, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,838	Jennifer R. Stephens, Appellant, v. Richard Lee Shaw, Appellee.	Laurence M. Jarvis John P. Bennett	Johnson
64,413	State of Kansas, Appellee, v. Garfield Davis, Appellant.	Terra D. Morehead Attorney General Jessica R. Kunen	Wyandotte

10:30 a.m.

64,723	Raymond J. VanSkiver and Alma L. VanSkiver, Appellants, v. State of Kansas and Director of Taxation, Appellees.	Raymond J. VanSkiver, <i>pro se</i> James Bartle	Sedgwick
64,487	Robert E. Deever, Appellant, v. Kansas Department of Revenue, Appellee.	Douglas E. Wells Brian Cox	Shawnee

Summary Calendar—No Oral Argument

65,067	Shari Radke, Appellee, v. Winfield State Hospital, <i>et al.</i> , Appellants.	Randy S. Stalcup Richard L. Friedeman	Cowley
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(continued)

Kansas Court of Appeals
Supreme Court Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Davis, P.J.; Rees and Brazil, JJ

Wednesday, September 12, 1990

1:30 pm.

Case No.	Case Name	Attorneys	County
64,630	Roy F. Sack, Appellant, v. Kansas Department of Revenue, Appellee.	Ross Wichman Brian Cox	Russell
64,570	City of Salina, Appellee, v. Paul W. Schowengerdt, Appellant.	Gary Denning James L. Sweet	Saline

2:30 p.m.

64,613	In the Matter of the Marriage of Max L. Dibble and Ellen M. Dibble.	Lowell Hahn James L. Bush	Smith
64,797 SC	In the Interest of M.D.R.	Donald S. Smith Bruce Hedrick John C. Fritz Timothy J. Arehart	Johnson

Summary Calendar—No Oral Argument

64,412	State of Kansas, Appellee, v. Drew S. Winkfield, Appellant.	Rick Guinn Attorney General Joseph L. Dioszeghy	Johnson
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Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Before Lewis, P.J.; Larson and Rulon, JJ.

Tuesday, September 11, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,366	State of Kansas, Appellee, v. Donald Ray Woodberry, Appellant.	Nick A. Tomasic Attorney General Rick Kittel	Wyandotte
64,839	In the Matter of the Application of Board of Park Commissioners of the City of Wichita.	Joe Allen Lang John C. Roberts	Shawnee
64,641	State of Kansas, Appellee, v. Jeffrey J. Jones III, Appellant.	Debra Byrd Wagner Attorney General Rick Kittel	Sedgwick

Summary Calendar—No Oral Argument

64,548	State of Kansas, Appellee,	W. Scott Toth Attorney General	Johnson
	v.		
	James M. Guerra, Jr., Appellant.	Jessica R. Kunen	
64,470	Dennis Topham, Appellant,	Reid T. Nelson	Sedgwick
	v.		
	State of Kansas, Appellee.	Attorney General Debra Byrd Wagner	

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

Before Lewis, P.J.; Rulon, J.; and J. Dexter Burdette,
District Judge, assigned.

Tuesday, September 11, 1990

1:30 p.m.

Case No.	Case Name	Attorneys	County
64,674	State of Kansas, Appellee,	Thomas J. Bath, Jr. Attorney General	Johnson
	v.		
	Brett K. Pitts, Appellant.	Robert L. Morse	
64,659	Doug Morris, Appellant,	Benjamin C. Wood	Johnson
	v.		
	State of Kansas, Appellee.	Attorney General Paul J. Morrison	
63,945 SC	State of Kansas, Appellee,	Paul Morrison Tom Bath Attorney General	Johnson
	v.		
	John R. Williams, Appellant.	Carl E. Cornwell	

2:30 p.m.

64,385	State of Kansas, Appellee,	William Navis Attorney General	Republic
	v.		
	Douglas W. Cawley, Appellant,	Jessica R. Kunen	
64,908	I.A.F. Local 1596, <i>et al.</i> , Appellants,	John C. Frieden	Douglas
	v.		
	City of Lawrence, Appellee.	Roger K. Brown	

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

Before Lewis, P.J.; Larson, J.; and J. Dexter Burdette,
District Judge, assigned.

Wednesday, September 12, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,022	Mary Helen Francis, Appellee,	Fred L. Marrs	Sedgwick
	v.		
	Village Decorative and Richard Pennington, Appellants.	Payne H. Ratner, Jr. Nicholas S. Daily	

(continued)

64,490	Associated Factors, Inc., Appellee,	Mark Mellor Fred Voros	Sedgwick
	v.		
	Kansas Business Systems, Inc., Appellant.	Thomas J. Lasater	
64,566	Anibal M. Chavez, Appellant,	Davy C. Walker	Wyandotte
	v.		
	Griffin Wheel Co. and Kansas Workers Compensation Fund, Appellees.	James E. Martin Rex Henoch	

Summary Calendar—No Oral Argument

64,326	State of Kansas, Appellee,	Rebecca Brock Attorney General	Johnson
	v.		
	Michael W. Stewart, Appellant.	Thomas H. Johnson	
64,397	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Schina T. Gantt, Appellant.	Jessica R. Kunen	

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

Before Larson, P.J.; Rulon, J.; and J. Dexter Burdette,
District Judge, assigned.

Wednesday, September 12, 1990
1:30 p.m.

Case No.	Case Name	Attorneys	County
65,017	In the Matter of the Marriage of Sharon A. Gottlieb and Arvin C. Gottlieb.	T. Bradley Manson Alvin D. Shapiro William V. North Peter W. Brown	Johnson
64,145	In the Matter of the Adoption of Baby Girl DES.	David R. Morris Janet S. Ensign Andrea Rolingsmeier	Johnson
64,878	Randy L. Allen, Appellant, v. Universal Underwriters Insurance, Co., <i>et al.</i> , Appellees.	Kenneth G. Gale Craig W. West	Sedgwick

Summary Calendar—No Oral Argument

64,993	Thomas P. Lamb, Appellant, v. Elwaine Pomeroy, <i>et al.</i> , Appellees.	Thomas P. Lamb, <i>pro se</i> Attorney General	Leavenworth
64,287	State of Kansas, Appellee, v. Joseph P. Pacheco, Appellant.	Rebecca Brock Attorney General Steven R. Zinn	Johnson

Lewis C. Carter
Clerk of the Appellate Courts

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

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, tentative permits have been prepared for discharges to the waters of the United States and the State of Kansas for the applicants 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
Mayor and City Council c/o City Clerk City Hall, Box 67 Holyrood, KS 67450 Ellsworth County, Kansas	Plum Creek	Secondary wastewater treatment facility
Kansas Permit No: M-AR46-0001 Fed. Permit No. KS-0024601		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall, Main Street Maple Hill, KS 66507 Wabaunsee County, Kansas	Mill Creek via unnamed tributary	Secondary wastewater treatment facility
Kansas Permit No: M-KS39-0001 Fed. Permit No: KS-0046426		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall, Box 22 New Strawn, KS 66839 Coffey County, Kansas	Neosho River	Secondary wastewater treatment facility
Kansas Permit No: M-NE51-0001 Fed. Permit No: KS-0117030		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall, 207 E. Central Richmond, KS 66080 Franklin County, Kansas	Tributary to Middle Creek	Secondary wastewater treatment facility
Kansas Permit No: M-MC43-0001 Fed. Permit No: KS-0047422		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall Axtell, KS 66403 Marshall County, Kansas	Big Blue River via North Fork Black Vermillion River	Secondary wastewater treatment facility
Kansas Permit No: M-BB01-0001 Fed. Permit No: KS-0047228		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall Clyde, KS 66938 Cloud County, Kansas	Republican River	Secondary wastewater treatment facility
Kansas Permit No: M-LR07-0001 Fed. Permit No: KS-0022403		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall Everest, KS 67424 Brown County, Kansas	Grasshopper Creek	Secondary wastewater treatment facility
Kansas Permit No: M-KS18-0001 Fed. Permit No: KS-0027171		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk P.O. Box 248 Miltonvale, KS 67466 Cloud County, Kansas	Chapman Creek	Secondary wastewater treatment facility
Kansas Permit No: M-SH27-0001 Fed. Permit No: KS-0021911		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council c/o City Clerk City Hall, Main Street Haddam, KS 66944 Washington County, Kansas	Myer Creek to Mill Creek Little Blue River	Secondary wastewater treatment facility
Kansas Permit No: M-BB09-0001 Fed. Permit No: KS-0048518		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility.		

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, Forbes Field, Topeka 66620. All comments received prior to October 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-93/101) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health

(continued)

and Environment will issue the final determinations. 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, 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. 009701

(Published in the *Kansas Register*, September 6, 1990.)

**Notice of Redemption
Unified School District 382
Pratt County, Kansas (Pratt)
General Obligation School Improvement Bonds
Series 1981, Dated June 1, 1981**

Notice is hereby given that pursuant to Section 3 of the Resolution adopted by the Board of Education of Unified School District 382, Pratt County, Kansas (Pratt), on June 29, 1981, there will be redeemed on September 1, 1990, all outstanding General Obligation School Improvement Bonds, Series 1981, dated June 1, 1981, of said school district, which bonds bear serial numbers and maturity dates as follows:

Serial Numbers (Inclusive)	Maturity Dates
156 to 183	September 1, 1991
184 to 213	September 1, 1992
214 to 247	September 1, 1993
248 to 284	September 1, 1994
285 to 324	September 1, 1995
325 to 369	September 1, 1996
370 to 419	September 1, 1997
420 to 473	September 1, 1998
474 to 533	September 1, 1999
534 to 599	September 1, 2000
600 to 672	September 1, 2001

Said bonds will be redeemed at a redemption price equal to 101½ percent of the principal amount thereof, plus accrued interest thereon to the redemption date.

On September 1, 1990, all of the above said bonds will be due and payable at the principal office of the Kansas State Treasurer, Topeka, Kansas. All coupons maturing after March 1, 1990, must be attached and surrendered with the bonds. From and after September 1, 1990, interest on the bonds will cease to accrue.

Dated July 20, 1990.

Unified School District 382
Pratt County, Kansas (Pratt)
By Elrena M. Johnson, Clerk

Doc. No. 009698

**State of Kansas
State Corporation Commission**

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. unless otherwise noticed.

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for September 18, 1990

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

Acord Transportation, Inc.) Docket No. 172,852 M
P.O. Box 492)
Chandler, Oklahoma 74834) MC ID No. 103744

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

Livestock, construction and building materials, fencing materials, machinery, seeds, salt, hay, grain, feed, feed ingredients, dry fertilizer, dry fertilizer ingredients, liquid fertilizer solutions, liquid fertilizer ingredients, anhydrous ammonia, propane and liquid petroleum products (except crude oil),

Between all points and places in the state of Kansas.

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

Cherokee Distribution) Docket No. 172,858 M
Services, Inc.)
P.O. Box 9057)
Kansas City, MO 64168) MC ID No. 138505

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

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

Between points and places in Kansas.

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

Dale Epperson, dba) Docket No. 169,660 M
Epperson Trucking &)
Materials)
Route 2, Box 205) MC ID No. 108032
Miami, OK 74354)

TO:
Epperson Trucking, Inc.
Route 2, Box 205
Miami, OK 74354

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

Dry commodities in bulk (except hazardous materials and classes A and B explosives),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Hoffman Transportation, Inc.) Docket No. 172,859 M
Route 1, Box 79)

Arapahoe, NE 68922) MC ID No. 102351

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

Grain, grain products, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, salt and building and construction materials (restricted against the transportation of hazardous products),

Between all points and places in Kansas

Application for Certificate of Convenience and Necessity:

Ron C. Jacobsen) Docket No. 172,857 M
P.O. Box 182)

Franklin, NE 68939) MC ID No. 130630

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

Grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, building and construction materials and salt,

Between points in Kansas.

Application for Certificate of Convenience and Necessity:

Medicine River Enterprises,) Docket No. 172,853 M
Inc.)

P.O. Box 312)
Medicine Lodge, KS 67104) MC ID No. 138503

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

Oilfield equipment, materials, supplies and machinery, building materials and supplies,

Between points and places in the state of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Mid-State Trucking, Inc.) Docket No. 154,840 M
Route 1, Box 128)

Scandia, KS 66966) MC ID No. 127577

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 Certificate of Convenience and Necessity:

Howard L. Nutting, dba) Docket No. 172,854 M
Nutting Water Service)

P.O. Box 192)
Bogue, KS 67625) MC ID No. 138504

Applicant's Attorney: None

Fresh water,

Between all points and places in Kansas.

Salt water and crude oil, used in and for processing, treating, salvage and for lease road purposes,

Between all points and places in Decatur, Norton, Phillips, Smith, Sheridan, Graham, Rooks, Osborne, Gove, Trego, Ellis and Russell counties, Kansas.

Application for Certificate of Convenience and Necessity:

Darrel E. Orender, dba) Docket No. 172,856 M
Orender Truck Line)

Route 5, Box 160F)
Emporia, KS 66801) MC ID No. 1125448

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

Grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients, salt, building and construction materials, and materials and supplies used in the manufacture of such commodities, livestock, grain and grain products, restricted against the transportation of hazardous products,

Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Transarea, Inc.) Docket No. 170,576 M
1401 Fairfax, B105)

Kansas City, KS 66115) MC ID No. 136863

Applicant's Attorney: Tom Kretsinger, 20 E. Franklin, Liberty, MO 64068

General commodities in less than truckload lots (except classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

The Radium Cooperative Co.) Docket No. 172,855 M
Route 2, Box 149)

Radium, KS 67550) MC ID No. 115700

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

Hay, grain, dry feed, dry feed ingredients, dry fertilizer, seeds, salt, building and construction materials, fencing materials, iron and steel articles and machinery,

Between points and places in the state of Kansas.

(continued)

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

Western Transportation, Inc.) Docket No. 169,119 M
708 N. Main)
Lamar, OK 81052) MC ID No. 136342

Applicant's Attorney: Joseph Weiler, 1610 S.W. Topeka
Blvd., P.O. Box 237, Topeka, KS 66612-1840

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

Between points and places in the state of Kansas.

Alfonzo A. Maxwell
Administrator
Transportation Division

Doc. No. 009690

State of Kansas

**Department of Health
and Environment**

**Permanent Administrative
Regulations**

Article 17.—DIVISION OF VITAL STATISTICS

28-17-1. Enforcement of uniform vital statistics act. Any violation of K.S.A. 65-2401 *et seq.*, rules and regulations shall be immediately reported to the state registrar who shall immediately report such cases to the county attorney, or the official acting in that capacity, for prosecution, as provided in K.S.A. 65-2434. (Authorized by K.S.A. 65-2402, 65-2406, as amended by L. 1990, Chap. 226; implementing K.S.A. 65-2434; effective Jan. 1, 1966; amended Oct. 22, 1990.)

28-17-3. (Authorized by K.S.A. 65-2431; effective Jan. 1, 1966; revoked Oct. 22, 1990.)

28-17-4. (Authorized by K.S.A. 65-2430; implementing K.S.A. 65-2430; effective Jan. 1, 1966; amended May 1, 1983; revoked Oct. 22, 1990.)

28-17-5. Compulsory registration of births. The physician, midwife or other legally authorized person in attendance at the birth, or if not attended, one of the parents, shall file a certificate of birth, properly and completely filled out, with the state registrar within five days after the date of birth. If the birth occurs in a licensed hospital or maternity home, the hospital or maternity home shall prepare a birth certificate for every child born therein, obtain the attending physician's signature thereon and forward it to the state registrar within five days after the date of birth. (Authorized by K.S.A. 65-2402 and implementing K.S.A. 65-2409, as amended by L. 1990, Chap. 226; effective Jan. 1, 1966; amended Oct. 22, 1990.)

28-17-7. (Authorized by K.S.A. 65-2402, implementing K.S.A. 65-2422, effective Jan. 1, 1966; amended May 1, 1986; amended May 1, 1987; revoked Oct. 22, 1990.)

28-17-12. Delayed birth certificate filing fee. Each application for a delayed birth certificate shall be accom-

panied by a fee in the amount of \$6.00 for the filing and registration of the delayed birth certificate. A certified copy may be issued in accordance with K.A.R. 28-17-6 and any amendments to that rule and regulation. (Authorized by and implementing K.S.A. 65-2420; effective Jan. 1, 1966; amended January 1, 1968; amended May 1, 1983; amended Oct. 22, 1990.)

28-17-15. State registrar to prepare blanks. All blanks and forms used in registering, recording and preserving the records shall be prescribed and printed by the department. Each local registration officer shall accept and use only blanks prepared and provided by the state registrar and shall issue out-of-state transit permits only when the proper blanks are used and are completely filled out. (Authorized by K.S.A. 65-2402; implementing K.S.A. 65-2415; effective Jan. 1, 1966; amended May 1, 1986; amended Oct. 22, 1990.)

28-17-19. Unattended births. Additional information for each unattended birth shall be submitted to the office of vital statistics for inclusion on the original birth certificate within 90 days of the date the birth certificate is filed with the office of vital statistics. If an unattended birth is not registered within six months of the date of birth, a delayed birth certificate shall be filed in accordance with K.S.A. 65-2419 and K.S.A. 65-2420, K.A.R. 28-17-8, K.A.R. 28-17-9, K.A.R. 28-17-10, K.A.R. 28-17-11 and K.A.R. 28-17-12. (Authorized by K.S.A. 65-2402; implementing K.S.A. 65-2410, as amended by L. 1990, Chap. 226; effective Jan. 1, 1966; amended May 1, 1987; amended Oct. 22, 1990.)

28-17-20. Corrections to certificates and records. (a) Amendments within 90 days.

(1) Within 90 days of receipt of an original vital record in the office of vital statistics, the following records in which an inaccuracy or incomplete item is apparent on the face of the certificate, may be changed to show the accurate and complete facts:

- (A) birth certificates;
- (B) any part of a death certificate other than the portion describing the cause of death;
- (C) stillbirth certificate; and
- (D) divorce records.

(2) Such changes shall be made by:

- (A) drawing a single line through the incorrect information;
- (B) inserting the correct information in the appropriate space; and
- (C) placing the date of the amendment and the word "amended" on the record.

(3) This process of amendment shall not be used more than one time for the same item.

(4) An amendment fee shall not be required for changes made within the first 90 days after receipt of the vital record in the office of vital statistics.

(b) Amendments after 90 days. After 90 days of receipt of the vital record in the office of vital statistics, amendments may be made only as follows:

(1) Certificates of birth.

(A) Birth certificate items may be amended upon the applicant's submission of at least two documents which consistently substantiate the item or items to be amended

and that are executed and dated at least five years prior to the request for the amendment or prior to the seventh birthday anniversary of the registrant, except that items (i) through (vii) shall be corrected only as provided.

(i) The items recording the registrant's sex may be amended if the amendment is substantiated with the applicant's affidavit that the sex was incorrectly recorded or with a medical certificate substantiating that a physiological or anatomical change occurred.

(ii) If the registrant is a minor, any request by the parents to change an item by adding the name of a parent, correcting the name of either parent or of the child, or changing the child's last name to that of either parent shall be made only pursuant to K.S.A. 38-1130 and amendments thereto.

(iii) Any registrant who is of legal age may amend the order of the registrant's given names if the amendment is substantiated with one document specified in paragraph (A) above.

(iv) A registrant who is of legal age may place one or two given names of the registrant on the record only if there is no given name on the original certificate and if the amendment is substantiated with one of the documents specified in paragraph (A) above.

(v) A registrant of legal age may correct a given name or names of the registrant if the amendment is substantiated with one document established prior to the seventh birthday anniversary of the registrant.

(vi) If the registrant is of legal age, the maiden name of the mother and given name of the father or mother of the registrant, may be changed if one of the required documents specified in paragraph (A) above is the marriage or birth certificate of that parent.

(vii) The birthdate on the certificate may only be changed if both required documents were executed and dated prior to the seventh birthday anniversary, and if the change is not consistent with the recorded filing date.

(B) Any item that has been previously amended shall not be changed under authority of this regulation.

(C) The sufficiency of affidavits and supporting evidence shall be determined by the state registrar.

(D) Requests for an amendment to a certificate of birth that do not require a court order shall be submitted by the parent or legal guardian of persons not of legal age, or by the person whose birth is recorded, if of legal age, and by none other. The person submitting such an application shall execute a notarized affidavit stating the true facts to be recorded.

(E) When amendments to a birth certificate are made after 90 days of the date the certificate was received by the office of vital statistics, the original certificate shall remain unchanged and placed in a sealed file to be opened only by court order. A new certificate shall be prepared and shall be marked "amended." The date of the amendment shall be recorded on the certificate. In the sections where the original certificate contained a signature, the amended certificate shall contain the typed name of the person who signed. The original certificate and any affidavit required shall be permanently filed by the office of vital statistics.

(2) Certificates of death—personal data.

(A) "Personal" data may be amended if the request is

made within the first six months after the filing of the original certificate.

(B) Requests for amendments to "personal" data may be made only by the funeral director or person acting as such who submitted the original certificate.

(C) When amendments to the "personal" data of a death certificate are made after 90 days of the date the certificate is received in the office of vital statistics, the original certificate shall remain on file unchanged and placed in a sealed file to be opened only by court order. A new certificate shall be prepared by the funeral director or person acting as such. The medical certification section shall again be completed and the required signatures shall be secured in all possible instances. The signatures may be typed if the required signatures are unattainable and a written statement of the reason therefore is attached to the certificate. The certificate shall not be accepted if the stated reason for the typed signature is inadequate. Upon acceptance by the office of vital statistics, the new certificate shall be marked "amended" and shall indicate the date of the amendment.

(c) Certificates of death—medical certification.

(1) An amendment may be made to the medical certification data at any time.

(2) Requests for amendments to the medical certification data may be made only by the attending physician who signed the medical certification on the original certificate, or by the coroner in whose jurisdiction the death occurred.

(3) When amendments to the medical certification section of the death certificate are made, the original certificate shall remain on file unchanged, and the written statement or affidavit of the certifying physician or coroner shall be appended to the certificate. However, a certifying physician or coroner may request the establishment of a new death certificate when erroneous data has been entered in the medical certification section. In such a case, the funeral director or person acting as such shall enter the personal data and refer the certificate to the certifying physician or coroner for the medical certification and signature. When all items have been completed, the new certificate shall be submitted to the office of vital statistics, and upon its acceptance, it shall be marked "amended" and shall indicate the date of the amendment. The original death record shall be placed in a sealed file only to be opened by court order. (Authorized by K.S.A. 65-2402 and implementing K.S.A. 65-2422c; effective Jan. 1, 1966; amended May 1, 1987; amended May 1, 1988; amended Oct. 22, 1990.)

Stanley C. Grant
Secretary of Secretary
Environment

Doc. No. 009687

State of Kansas

Grain Inspection Department

Permanent Administrative Regulations

Article 4.—FEES AND CHARGES

25-4-1. Fees. (a) Definitions.

(1) "Regular hours" means 7:00 a.m. to 4:30 p.m., Monday through Friday. Regular hours for samplers may be adjusted to the elevator's hours of operation not to exceed eight hours per day.

(2) "Overtime" means work performed during any hours other than the regular hours defined in paragraph (1) of this subsection.

(3) "Travel time" means time spent in roundtrip travel from portal to portal. If an employee performs inspections at several locations on one trip, travel time may be prorated.

(4) Holidays include New Year's Day, Memorial Day, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, and Martin Luther King Day.

(5) "Call in" and "call back" means any work performed for which the employee is called back to work after a regular work schedule.

(b) This revised schedule supersedes all other schedules issued by this agency. The following fees shall be charged for the services rendered by this department under the U.S. grain standards act (as amended):

Official Inspection, includes grading and sampling EXCEPT WHERE INDICATED (FGIS users' fees not included)

Carlot.....	\$14.00/per inspection or reinspection
Extra sample secured at time of original.....	5.50/per request
New sample only	7.00/per request
Truck or trailer	8.00/per inspection or reinspection
Extra sample secured at time of original.....	4.50/per request
Bin inspection	7.00/per bin, plus sampler regular hourly rate
Submitted sample inspection	6.00/per sample
DHV Count	3.50
Warehouseman sample-lot inspection	10.00/per sample
Chemical test (bleaching).....	1.00/per sample
Diverter-type (D/T) sample at points outside inspection point switching limits.....	10.00/plus sampler regular hourly rate, travel hourly rate and mileage
Barge inspection or reinspection	2.50/per 1,000 bushels or fraction thereof
All reinspection of above carriers based on file sample ..	7.00
Initial checktest, approval of country point diverter-type (D/T) samplers, and train elevator sampler.....	50.00/per D/T sampler plus regular hourly rate, travel time rate and mileage
Diverter-type (D/T) review checktest visits at country points.....	regular hourly rate plus mileage
Checktesting diverter-type (D/T) samplers at inspection points.....	regular hourly rate (1 hour minimum charge)
Protein, grains other than wheat.....	3.75
Oil, grains other than wheat	3.75

Wheat Protein, initial or reinspection	3.75
Factor-only determination, one factor.....	3.50
Factor-only determination, 2 or more factors, per factor (not to exceed full grade fee).....	2.50
Approved statements requested in addition to grade requirements	2.50
Special Services—Waxy Corn.....	8.00/per sample
Additional certificate.....	1.50
Stowage examination, carlot	3.00/per request
Stowage examination, barge	6.00/per request
Report grades by telephone	CALL COLLECT
Report grades by facsimile	FREE

(c) The following fees shall be charged for the services rendered by this department under the U.S. agricultural marketing act of 1946 (as amended):

Edible bean inspection (official warehouse lot).....	16.00/per certificate
Edible bean inspection (official car sample).....	16.00/per certificate
Edible bean inspection (official truck sample).....	11.00/per certificate
Edible bean inspection (submitted sample).....	8.00/per certificate
Edible bean inspection sampling fee, checkweighing, or checkloading.....	13.50/per certificate
Aflatoxin test (quick test).....	20.25/per request
Aflatoxin test (quantitative test)	20.25/per request
Aflatoxin sampling, carlot, extra sample secured at time of original	5.50/per request
Aflatoxin sampling, carlot, new sample secured after original	7.00/per request
Aflatoxin sampling, truck or trailer, extra sample secured at time of original.....	4.50/per request
Special Services—commodity checkweighing, sampling, or both.....	22.40/per hour

(d) Miscellaneous fees for services provided to the grain industry under the U.S. grain standards act (as amended).

(1) The regular hourly rate shall be \$15.00. The number of regular hours shall be calculated in 1/4-hour increments.

(2) The overtime hourly rate shall be \$15.00 per hour. The number of overtime hours shall be calculated in 1/4-hour increments. For those inspections for which the fee is based on a per unit charge, the overtime hourly rate shall be applied in addition to that per unit fee. For those inspections for which fees are based on an hourly rate, the overtime hourly rate shall not be applied in addition to the regular hourly rate.

(3) The holiday hourly rate shall be \$15.00 per hour. The number of holiday hours shall be calculated in 1/4-hour increments. For those inspections for which fees are based on a per unit charge, the holiday hourly rate shall be applied in addition to that per unit fee. For inspections for which fees are based on an hourly rate, the holiday rate shall not be applied in addition to the regular hourly rate.

(4) If an employee is called in or called back, a minimum of two hours at the overtime hourly rate shall be charged.

(5) The travel time rate shall be \$15.00 per hour.

(6) Mileage expenses shall be charged at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto. If any

employee performs inspections at several locations on one trip, the mileage expenses may be prorated.

(e) Miscellaneous fees for services provided to the grain industry under the U.S. agricultural marketing act of 1946 (as amended).

(1) The regular hourly rate shall be \$22.40. The number of regular hours shall be calculated in 1/4-hour increments.

(2) The overtime hourly rate shall be \$22.40 per hour. The number of overtime hours shall be calculated in 1/4-hour increments.

(3) The holiday hourly rate shall be \$22.40 per hour. The number of holiday hours shall be calculated in 1/4-hour increments.

(4) If an employee is called in or called back, a minimum of two hours at the overtime hourly rate shall be charged.

(5) The travel time rate shall be \$22.40 per hour.

(6) Mileage expenses shall be charged at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto. If any employee performs inspections at several locations on one trip, the mileage expenses may be prorated.

(f) The following fees shall be charged for the services rendered by this department which are not under the U.S. grain standards act (as amended) or the U.S. agricultural marketing act of 1946 (as amended).

Weights

Carlot or direct transfer, per class I weight, 100% supervision (minimum of 2 cars weighed per hour or hourly charges apply on top of weighing charge).....	6.00/per certificate
Carlot or direct transfer per class I weight, 25% supervision.....	4.00/per certificate
Barges, in or out.....	2.25/per 1,000 bushels or fraction thereof
Truck or trailer.....	6.00
House transfers.....	1.50/per 1,000 bushels or fraction thereof
Weigh-up, annual.....	1.00/per 1,000 bushels or fraction thereof
In-weighing, sacked cars.....	regular hourly rate
Out-weighing, sacked cars, with count.....	regular hourly rate
Out-weighing, sacked cars, with count and weight each sack.....	regular hourly rate

Miscellaneous Services

DHV count.....	3.50
Charge for weigher, by special arrangement, per weigher.....	15.00/per hour

(Authorized by K.S.A. 1988 Supp. 34-103a, as amended by 1990 S.B. 504 and H.B. 2677; implementing K.S.A. 1988 Supp. 34-103a; effective Jan. 1, 1966; amended Jan. 1, 1967; amended, E-68-7, Feb. 20, 1968; amended Jan. 1, 1969; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended, E-71-26, June 18, 1971; amended Jan. 1, 1972; amended, E-72-8, Feb. 26, 1972; amended Jan. 1, 1973; amended, E-74-27, June 26, 1974; amended, E-74-61, Sept. 30, 1974; amended May 1, 1975; amended, E-78-10, March 24, 1977; modified, L. 1978, ch. 448, May 1, 1978; modified, L. 1980, ch. 345, May 1, 1980; amended May 1, 1981; amended May 1, 1982; amended, T-83-20, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-88-16, July 26,

1987; amended May 1, 1988; amended, T-25-6-13-88, June 13, 1988; amended Sept. 26, 1988; amended Oct. 16, 1989; amended Oct. 22, 1990.)

25-4.4. Fees and charges; warehouse division. (a) The annual fee for a public warehouse license shall be computed as follows, based on the capacity of the public warehouse:

Capacity in Bushels	Annual Fee
1 to 100,000.....	\$ 350.00
100,001 to 150,000.....	375.00
150,001 to 250,000.....	400.00
250,001 to 300,000.....	425.00
300,001 to 350,000.....	450.00
350,001 to 400,000.....	475.00
400,001 to 450,000.....	500.00
450,001 to 500,000.....	525.00
500,001 to 600,000.....	550.00
600,001 to 700,000.....	575.00
700,001 to 800,000.....	600.00
800,001 to 900,000.....	625.00
900,001 to 1,000,000.....	650.00
1,000,001 to 1,750,000.....	875.00
1,750,001 to 2,500,000.....	1,000.00
2,500,001 to 5,000,000.....	1,250.00
5,000,001 to 7,500,000.....	1,500.00
7,500,001 to 10,000,000.....	1,700.00
10,000,001 to 12,500,000.....	1,850.00
12,500,001 to 15,000,000.....	2,000.00
15,000,001 to 17,500,000.....	2,150.00
17,500,001 to 20,000,000.....	2,300.00
Over 20,000,000 bushels.....	250.00

for each 2,500,000 bushels or fraction thereof

(b) The charge for amending a warehouse license shall be \$75.00.

(c) The charges for each special or requested examination of a warehouse shall be:

(1) \$20.00 per hour for each examiner. A minimum of four hours shall be charged;

(2) subsistence expenses for each examiner;

(3) mileage expenses. Mileage expenses shall be charged, per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto.

(d) The license fee shall be the applicable amount shown in the fee schedule plus \$200 for each functional unit. (Authorized by and implementing K.S.A. 1989 Supp. 34-228, as amended by 1990 S.B. 504; effective, E-67-18, Sept. 13, 1967; effective Jan. 1, 1968; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-88-16, July 1, 1987; amended May 1, 1988; amended Oct. 22, 1990.)

T.D. Wilson
Director

Doc. No. 009683

State of Kansas

Department of Wildlife
and ParksPermanent Administrative
Regulations

Article 11.—BOATING REGULATIONS

23-11-3. (Authorized by and implementing K.S.A. 82a-804; effective Jan. 1, 1966; amended E-71-20, April 28, 1971; amended Jan. 1, 1972; amended May 1, 1985; revoked Oct. 22, 1990.)

23-11-4. (Authorized by K.S.A. 82a-804; effective Jan. 1, 1966; amended E-71-20, April 28, 1971; amended Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-6. (Authorized by K.S.A. 82a-814, K.S.A. 1973 Supp. 82a-804a; effective Jan. 1, 1966; amended, E-71-20, April 28, 1971; amended Jan. 1, 1972; amended Jan. 1, 1974; revoked Oct. 22, 1990.)

23-11-7. (Authorized by K.S.A. 82a-811, 82a-815, K.S.A. 1971 Supp. 82a-804a; effective Jan. 1, 1966; amended, E-71-20, April 28, 1971; amended Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-8. (Authorized by K.S.A. 1971 Supp. 82a-804a; effective E-71-20, April 28, 1971; effective Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-9. (Authorized by K.S.A. 1975 Supp. 82a-807(5); effective, E-76-16, March 27, 1975; effective May 1, 1976; revoked Oct. 22, 1990.)

23-11-12. (Authorized by K.S.A. 1971 Supp. 82a-804a; effective, E-71-20, April 28, 1971; effective Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-13. (Authorized by K.S.A. 82a-815, K.S.A. 1971 Supp. 82a-804a; effective, E-71-20, April 28, 1971; effective Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-16. (Authorized by K.S.A. 82a-811, 82a-815; effective, E-71-20, April 28, 1971; effective Jan. 1, 1972; revoked Oct. 22, 1990.)

23-11-17. (Authorized by K.S.A. 82a-810a; effective, E-71-20, April 28, 1971; effective Jan. 1, 1972; amended May 1, 1978; amended May 1, 1979; revoked Oct. 22, 1990.)

Article 30.—BOATING

115-30-2. Certificate-of-number and registration; application, temporary permits and expiration date. (a) Applications for a certificate-of-number and registration shall be available at designated department offices.

(b) Vendor agents shall be authorized to issue temporary and permanent certificates-of-number and registrations.

(c) Issue of a temporary registration shall be authorized when application for and issuance of a permanent certificate-of-number and registration is pending.

(d) The certificate-of-number and registration decals shall be valid for a period of time ending three years from the date of issue.

(e) An address change addendum issued by the department pursuant to K.S.A. 1989 Supp. 32-1111 to a certificate-of-number holder shall be a part of the certificate-of-number and shall be retained by the holder with the certificate-of-number.

(f) This regulation shall be effective January 1, 1991. (Authorized by and implementing K.S.A. 1989 Supp. 32-1111; effective Jan. 1, 1991.)

115-30-3. Personal flotation devices; requirements.

(a) "PFD" means any type I, II, III, or IV personal flotation device approved by the United States coast guard for use on recreational vessels.

(b) Each vessel less than 16 feet in length and all canoes and kayaks shall have at least one PFD on board for each individual in the vessel and at least one PFD on board for each individual being towed.

(c) Each vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one type I, II, or III PFD on board for each individual in the vessel and at least one type I, II or III PFD on board for each individual being towed.

(d) In addition to the provisions of subsection (c), each vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one type IV PFD on board.

(e) A type V personal flotation device may be used to satisfy requirements of subsections (b), (c), or (d) if:

(1) the device is United States coast guard approved;

(2) the device is labeled for the activity for which the recreational vessel is being used;

(3) the device is used in accordance with requirements on the label; and

(4) the device is used in accordance with the requirements in its owner's manual if the label refers to the manual.

(f) To meet the "readily accessible" requirement of K.S.A. 1989 Supp. 32-1119, each required PFD shall be in open view and shall not be stowed in locked or closed compartments or be inside plastic or other packaging material. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Oct. 22, 1990.)

115-30-4. Fire extinguishers; requirements. (a)

United States coast guard approved hand portable fire extinguishers of type B, size I or type B, size II or both shall be carried on board each motorboat as determined by the following classes:

(1) Class A: at least one type B, size I fire extinguisher shall be carried if any one or more of the following conditions exist:

(A) an inboard engine;

(B) closed compartments under thwarts and seats where portable fuel tanks may be stored;

(C) double bottom construction not sealed to the hull or not completely filled with flotation materials;

(D) closed compartments in which combustible or flammable materials are stored; or

(E) permanently installed fuel tanks. Fuel tanks that cannot be moved in case of fire or other emergency or if the weight of the fuel tank precludes movement of the tank by an individual on board shall be considered permanently installed.

(2) The provisions of subsection (1) shall not apply if

the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(3) Class 1: at least one type B, size I fire extinguisher shall be carried, except the provisions of this subsection shall not apply if the motorboat has a United States coast guard approved built-in or affixed fire extinguisher in the motor area.

(4) Class 2: at least two type B, size I fire extinguishers or one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least one type B, size I fire extinguisher.

(5) Class 3: at least three type B, size I fire extinguishers or one type B, size I fire extinguisher and one type B, size II fire extinguisher shall be carried, except each motorboat that has a United States coast guard approved built-in or affixed fire extinguisher in the motor area shall only be required to carry at least two type B, size I fire extinguishers or one type B, size II fire extinguisher.

(b) Each vessel, including each motorboat having an approved built-in or affixed fire extinguisher in the motor area, that has enclosed living spaces or galleys shall carry at least one United States coast guard approved type B, size I or type B, size II fire extinguisher in the living space or galley. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Jan. 1, 1991.)

115-30-5. Boating; capacity plate and operation. (a) A capacity plate, once installed on a vessel, shall not be removed, defaced, replaced, or altered.

(b) A vessel shall not be operated with a motor which exceeds the maximum horsepower of the motor as specified on the capacity plate or as computed under K.A.R. 115-30-6. (Authorized by and implementing K.S.A. 1989 Supp. 32-1126; effective Oct. 22, 1990.)

115-30-6. Boating; adoption by reference of certain code of federal regulations. (a) The following parts and sections of the federal rules and regulations promulgated by the United States coast guard are hereby incorporated by reference as the rules and regulations of the department. The incorporation by reference shall cover the parts and sections of title 33 as they exist on July 1, 1990 and the parts and sections of title 46 as they exist on October 1, 1989:

(1) Definitions: 33 C.F.R. section 183.3, except subsections (g) and (j).

(2) Applicability: 33 C.F.R. section 183.31.

(3) Maximum weight capacity: inboard and inboard-outdrive boats: 33 C.F.R. section 183.33.

(4) Maximum weight capacity: outboard boats: 33 C.F.R. section 183.35.

(5) Maximum weight capacity: boats rated for manual propulsion and boats rated for motors of two horsepower or less: 33 C.F.R. section 183.37.

(6) Persons capacity: inboard and inboard-outdrive boats: 33 C.F.R. section 183.39.

(7) Persons capacity: outboard boats: 33 C.F.R. section 183.41.

(8) Persons capacity: boats rated for manual propulsion and boats rated for motors of 2 horsepower or less: 33 C.F.R. section 183.43.

(9) Applicability: 33 C.F.R. section 183.51.

(10) Horsepower capacity: 33 C.F.R. section 183.53.

(11) Requirements: 46 C.F.R. section 25.35-1.

(12) Tanks and engine spaces: 46 C.F.R. section 25.40-1. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119 and K.S.A. 1989 Supp. 32-1126; effective Oct. 22, 1990.)

115-30-7. Boating; pilot rules. (a) Each vessel shall keep to the right of the channel if safe and practicable.

(b) When two vessels are approaching each other head-on or nearly so, each shall pass the other on their own left side at a speed and distance so that the wake of each will not endanger the other.

(c) When one vessel passes another traveling in the same direction, the passing vessel shall pass when it is safe to do so and at a speed and distance to not endanger the overtaken vessel. The overtaken vessel shall maintain its course and speed until the passing vessel has safely passed.

(d) When two vessels are approaching each other in a crossing situation where risk of collision is involved, the vessel on the right shall maintain its course and speed. The vessel on the left shall direct its course to the right to cross the stern of the other vessel, or stop and reverse if necessary to avoid collision.

(e) Any vessel propelled by machinery shall keep clear of any vessel under sail or being propelled by oars or paddles and shall maintain a speed and distance so that the wake will not endanger any vessel under sail or being propelled by oars or paddles. (Authorized by and implementing K.S.A. 1989 Supp. 32-1119; effective Oct. 22, 1990.)

115-30-8. Boating; accident reports. (a) Any accident report required under K.S.A. 1989 Supp. 32-1177 shall be filed on forms supplied by the department.

(b) Each accident report shall be filed within five days from the time of the accident, except the accident report shall be filed within 48 hours from the time of the accident if:

(1) a death occurs as a result of the accident;

(2) an injury occurs that requires medical treatment beyond first aid treatment; or

(3) an individual disappears from a vessel.

(c) Any individual with knowledge of the accident, including the reporting officer, may file the required accident report if the operator is unable to file due to injury or death. (Authorized by K.S.A. 1989 Supp. 32-1177; implementing K.S.A. 1989 Supp. 32-1119; effective Oct. 22, 1990.)

Robert L. Meinen
Secretary of Wildlife
and Parks

Doc. No. 009684

State of Kansas

Kansas Racing Commission

Permanent Administrative
RegulationsArticle 15.—AWARD OF
RESEARCH GRANTS

112-15-1. Definitions. (a) "Animal health officer" means the individual employed by the commission pursuant to K.S.A. 1989 Supp. 74-8806.

(b) "Commission" means the Kansas racing commission appointed by the governor pursuant to K.S.A. 1989 Supp. 74-8803.

(c) "Executive director" means the individual appointed by the governor pursuant to K.S.A. 1989 Supp. 74-8805.

(d) "Kansas greyhound breeding development fund" means the fund created by K.S.A. 1989 Supp. 74-8831.

(e) "Kansas horse breeding development fund" means the fund created by K.S.A. 1989 Supp. 74-8829.

(f) "Official registering agency" means:

(1) for horses, the agency designated by the commission pursuant to K.S.A. 1989 Supp. 74-8830 (b) and (c);

(2) for greyhounds, the agency designated by the commission pursuant to K.S.A. 1989 Supp. 74-8832 (b) and (c).

(g) "Program period" means the period for which each program is funded with monies from the Kansas horse breeding development fund or the Kansas greyhound breeding development fund, normally 12 months (one fiscal year) unless special consideration is requested and approved. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-2. Application deadlines. (a) Applications for grants during the fiscal year ending June 30, 1991 shall be submitted to the executive director on or before November 1, 1990. Applicants demonstrating need to the satisfaction of the grant committee may be granted emergency funding before the November 1 deadline.

(b) Beginning with the fiscal year July 1, 1991 through June 30, 1992, each grant application shall be submitted to the executive director no later than 60 days before the beginning of each fiscal year.

(c) Applications for receipt of unobligated grant monies remaining in the Kansas horse breeding development fund or the Kansas greyhound breeding development fund after the initial annual grant pursuant to subsections (a) or (b) may be submitted at any time.

(d) The commission shall solicit grant proposals from interested applicants during the fiscal year ending June 30, 1991 by publishing notice of the application deadlines and procedures in the Kansas register on or before September 1, 1990. Beginning with the fiscal year July 1, 1991 through June 30, 1992, the commission shall solicit grant proposals from interested applicants by publishing notice of the application deadlines and procedures in the Kansas register on or before March 1 of each fiscal year. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-3. Application requirements. (a) Each grant application shall include:

- (1) a summary cover page;
- (2) a program narrative;
- (3) a budget summary;
- (4) a budget narrative;
- (5) certified assurances;
- (6) an audit schedule; and
- (7) a designation of the applicant's EEO contact.

(b) Each summary cover page shall provide quick reference to important elements of the grant application.

(c) Each program narrative shall address:

- (1) needs assessment and documentation;
- (2) program expectations;
- (3) program methodology;
- (4) program monitoring and evaluations;
- (5) audit concerns; and
- (6) staffing patterns.

(d) Each grant application shall relate to research conducted within the State of Kansas:

(1) for horses, through institutions of higher education under the state board of regents; and

(2) for greyhounds, preferably through institutions of higher education under the state board of regents or in association with such institutions. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-4. Application review. (a) Each grant application shall be evaluated using the following criteria:

(1) the proposal's compliance with K.S.A. 1989 Supp. 74-8829(b)(5) or K.S.A. 1989 Supp. 74-8831(b)(2);

(2) the quality of the needs assessment and documentation in terms of proposed benefits to the horse and greyhound racing industries in Kansas;

(3) the record of successful implementation of research results in the breed industries by this or similar programs;

(4) the degree of breed industry support for the program;

(5) the adequacy of budget information;

(6) the efficacy of evaluative components, both programmatic and fiscal;

(7) any receipt of other financial assistance; and

(8) any other criteria stated by the commission in the notice published pursuant to K.A.R. 112-15-2(d).

(b) The executive director may require an applicant to be present during the application review process to provide necessary clarification of the application. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-5. Notification of decision. (a) Each applicant applying for grant funds before the fiscal year ending June 30, 1991 shall be notified in writing of the grant decision on or before December 1, 1990, except each applicant applying for grant funds pursuant to the emergency provisions of subsection (a) of K.A.R. 112-15-2 or pursuant to subsection (c) of K.A.R. 112-15-2 shall be notified not later than 15 days after the date on which the application is reviewed.

(b) Beginning with the fiscal year July 1, 1991 through June 30, 1992, each applicant shall be notified in writing of the grant decision not later than 30 days after the date on which the application is reviewed, except applicants

applying for grant funds pursuant to subsection (c) of K.A.R. 112-15-2 shall be notified not later than 15 days after the date on which the application is reviewed. (Authorized by K.S.A. 1989, Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-6. Reporting requirements. (a) Each grant recipient shall submit to the executive director:

(1) quarterly expenditure reports providing fiscal information on expenditures during the previous three-month period; and

(2) a program narrative report providing a narrative description of program activities during the program period.

(b) Each grant recipient shall submit a quarterly expenditure report within 30 days after the close of each calendar quarter, on March 31, June 30, September 30 and December 31.

(c) Each grant recipient shall submit a program narrative report within 30 days after the close of the fiscal year.

(d) Each grant recipient shall submit to the executive director a sound research paper summarizing the research program and the results within 90 days after the close of the program period. Each research paper shall be prepared in a form suitable for publication.

(e) Each grant recipient shall submit to the executive director, at least 30 days before actual need, cash draw down reports to request advancement of approved grant funds.

(f) Each grant recipient shall maintain program receipts for a period of three years after the close of the program period. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

112-15-7. Grant committees. (a) One committee of five persons, designated by the executive director, may assist the commission in determining research awards from the Kansas horse breeding development fund. The grant committee shall have a membership as follows:

- (1) One representative of the horse industry;
- (2) one representative of the official registering agency;
- (3) one representative identified by the commission;
- (4) the animal health officer; and
- (5) the executive director, who shall chair the committee.

(b) One committee of five persons, designated by the executive director, may assist the commission in determining research awards from the Kansas greyhound breeding development fund. The grant committee shall have a membership as follows:

- (1) One representative of the greyhound industry;
- (2) one representative of the official registering agency;
- (3) one representative identified by the commission;
- (4) the animal health officer; and
- (5) the executive director, who shall chair the committee. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8829 and 74-8831; effective Oct. 22, 1990.)

Daniel P. Hamer, Sr.
Acting Executive Director

State of Kansas

Department of Administration

Temporary Administrative Regulations

Article 16.—TRAVEL REIMBURSEMENT

1-16-18. Subsistence allowance; rates. (a) General provisions.

(1) Except as otherwise specifically provided by law, subsistence allowances for in-state and out-of-state travel shall be paid on the basis of a quarter-day rate for meal expenses and the actual cost of lodging expenses incurred within the lodging expense limits set forth in this regulation. The subsistence rates for meal expenses shall be paid on a per diem basis at the appropriate rate for any fraction of a quarter-day in which the official travel begins and for each full quarter-day thereafter. For purposes of this regulation, a day shall commence at 12:01 a.m. No quarter-day allowance shall be paid for any fractional quarter-day in which the traveler returns to the traveler's official station or domicile. As used in this regulation, "international travel" means travel outside the fifty states and the District of Columbia.

(2) Reimbursement for lodging shall be made on the basis of actual single-rate lodging expenses incurred, including taxes, and shall be supported by the original official receipt of the lodging place or other suitable evidential matter. Reimbursement for lodging expenses shall be limited to the lodging place's lowest available rate for normal single occupancy on the day or days the lodging expense was incurred.

(3) Subject to the approval of the secretary of administration, the director of accounts and reports may designate any city in a state bordering or near Kansas as a "border city." All meals allowances and lodging expense limitations shall be at the appropriate in-state rate for travel by state personnel to a border city.

(b) Meals allowance. The quarter-day meals allowance shall be:

(1) In-state	\$4.50
(2) Out-of-state	\$5.00
(3) Designated high cost geographic area—out-of-state	\$6.00
(4) Borough of Manhattan and the District of Columbia	\$8.50
(5) International Travel	\$8.50

The provisions of paragraph (4) and (5) shall take effect on and after May 1, 1990.

An exception to the quarter-day meal allowance for international travel may be made at the option of each agency, by claiming actual expenses subject to a daily limitation of \$66 for meals.

(c) Lodging expense limitations. The lodging expense limitations shall be:

In-state, exclusive of designated high cost geographic areas	\$ 44.00*
In-state, designated high cost geographic area	\$ 55.00

(continued)

Out-of-state, exclusive of designated high cost geographic areas	\$ 66.00
Out-of-state, designated high cost geographic area	\$ 94.00
Borough of Manhattan and the District of Columbia	\$108.00
International Travel	actual

Specific exceptions to the dollar limitation on lodging expenses may be made pursuant to provisions in K.S.A. 75-3207a and amendments thereto.

(d) If the cost of meals is included within the cost of registration fees or other fees and charges paid by the agency or supplied without cost by another party, the meal expenses shall be reduced as follows:

(1) In-State Travel:	Amount
For each breakfast provided	\$ 4.00
For each lunch provided	\$ 5.00
For each dinner provided	\$ 9.00
(2) Out-of State Travel:	
For each breakfast provided	\$ 4.50
For each lunch provided	\$ 5.50
For each dinner provided	\$10.00
(3) Travel to High Cost Geographic Areas:	

For each breakfast provided	\$ 5.50
For each lunch provided	\$ 6.50
For each dinner provided	\$12.00
(4) Travel to Borough of Manhattan, the District of Columbia and International Travel:	
For each breakfast provided	\$ 8.00
For each lunch provided	\$ 9.00
For each dinner provided	\$17.00

The provisions of paragraph (3) and (4) shall take effect on and after May 1, 1990. (Authorized by and implementing K.S.A. 75-3207a; effective, E-80-10, July 11, 1979; effective May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-87-26, Oct. 1, 1986; amended May 1, 1987; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended July 1, 1990; amended, T-1-8-14-90, May 1, 1990.)

Shelby Smith
Secretary of Administration

Doc. No. 009645

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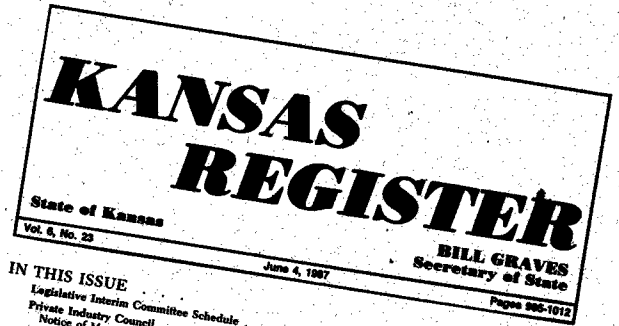
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