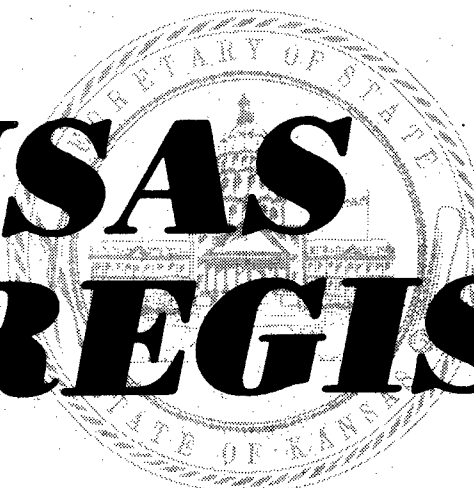


KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 40

October 7, 1982

Pages 1057-1074

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State of Kansas

LEGISLATURE INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of October 11 through October 22, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Oct. 11	519-S	10:00 A.M.	Special Committee on Judiciary	Hearings on Proposals 14—Lien Priority for Adjustable Rate Mortgages; Proposal 16—Agricultural Leases; and Proposal 38—Immunity of Counties and Cities in Disaster Emergencies.
Oct. 12	519-S	9:00 A.M.		
Oct. 11	531-N	10:00 A.M.	Special Committee on Public Health and Welfare	To be announced.
Oct. 12	531-N	9:00 A.M.		
Oct. 13	527-S	10:00 A.M.	Legislative Educational Planning Committee	Agenda unavailable.
Oct. 14	527-S	9:00 A.M.		
Oct. 14	529-S	10:00 A.M.	Special Committee on Labor and Industry	1st Day: Review of bill draft on Proposal 19—Worker's Compensation—Self Insurance Associations. 2nd Day: <i>Cancelled.</i>
Oct. 14	531-N	10:00 A.M.	Special Committee on State Health Insurance	1st Day—Testimony by parties interested in Proposal 29. 2nd Day—Committee discussion.
Oct. 15	531-N	9:00 A.M.		
Oct. 18	531-N	10:00 A.M.	Social and Rehabilitation Services Review Commission	To be announced.
Oct. 19	531-N	9:00 A.M.		
Oct. 21	10:00 A.M.—Academic Lecture Hall, Garden City Community College (21st)		Special Committee on Local Government	Hearings on Proposal 26—Coordination of State Water Programs.
Oct. 22	9:00 A.M.—Wheat Lands Convention Center, Garden City, Kansas (22nd)			

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 000650

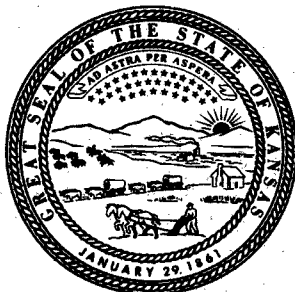
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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
Publications Director

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FULL NAME	COMPLETE MAILING ADDRESS	
None		
9. FOR COMPLETION BY NONPROFIT ORGANIZATIONS AUTHORIZED TO MAIL AT SPECIAL RATES (Section 411.3, DMM only) The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes (Check one)		
<input type="checkbox"/> (1) HAS NOT CHANGED DURING PRECEDING 12 MONTHS <input checked="" type="checkbox"/> (2) HAS CHANGED DURING PRECEDING 12 MONTHS (If changed, publisher must submit explanation of change with this statement.)		
10. EXTENT AND NATURE OF CIRCULATION	AVERAGE NO. COPIES EACH ISSUE DURING PRECEDING 12 MONTHS	ACTUAL NO. COPIES OF SINGLE ISSUE PUBLISHED NEAREST TO FILING DATE
A. TOTAL NO. COPIES (Not Press Run)	1,462	1,600
B. PAID CIRCULATION 1. SALES THROUGH DEALERS AND CARRIERS, STREET VENDORS AND COUNTER SALES	32	37
2. MAIL SUBSCRIPTION	800	1,009
C. TOTAL PAID CIRCULATION (Sum of 10B1 and 10B2)	832	1,046
D. FREE DISTRIBUTION BY MAIL, CARRIER OR OTHER MEANS SAMPLES, COMPLIMENTARY, AND OTHER FREE COPIES	454	477
E. TOTAL DISTRIBUTION (Sum of C and D)	1,286	1,523
F. COPIES NOT DISTRIBUTED 1. OFFICE USE, LEFT OVER, UNACCOUNTED, SPOILED AFTER PRINTING	176	77
2. RETURN FROM NEWS AGENTS		
G. TOTAL (Sum of E, F1 and 2 - should equal net press run shown in A)	1,462	1,600
11. I certify that the statements made by me above are correct and complete		
		SIGNATURE AND TITLE OF EDITOR, PUBLISHER, BUSINESS MANAGER, OR OWNER <i>Carol A. Bell, Publications Director</i> (Editor)

PS Form July 1981 3526

*Does not cover a full 12 months: publication began 1-7-82. (See instruction on reverse)

(Page 1)

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 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 October 1, 1982 through October 31, 1982 shall be 15.969%.

In testimony whereof: I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 30th day of September A.D. 1982.

JACK H. BRIER
Secretary of State

Doc. No. 000648

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the authority of the following foreign corporations to do business in the State of Kansas was forfeited on August 16, 1982 for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

Cancelled 8/16/82 for failure to file the 1/31/82 Annual report:

Foreign for Profit

ABS Data Systems Corporation, 547-25th Avenue North, St. Cloud, MN.

Blazer Financial Services, Inc. of Miami, 201 Alhambra Circle, P.O. Box 343781, Coral Gables, FL.

BO-J, Inc., One McIlroy Plaza, Suite 404, Fayetteville, AR.

Bombardier Corporation, 609 West Broadway, Idaho Falls, ID.

Bruin Corporation, 1300 Main St., Suite 1505, Houston, TX.

Clayton Brokerage Co., of St. Louis, Inc., Suite 300, 7701 Forsyth Blvd., St. Louis, MO.

C. R. Anthony Company, 701 N. Broadway, P.O. Box 25725, Oklahoma City, OK.

Dar Adams Enterprises, Inc., 8433 Quivira, Lenexa, KS.

Dayton Development Company, 777 Nicollet Mall, Minneapolis, MN.

EEl Energy Inc., 7777 West Lake Street, River Forest, IL.

Grouting Services, Inc., c/o W. M. Zumwalt, CPA, 717 Wright Bldg., Tulsa, OK.

Harzfeld's, Inc., 11th and Main Streets, Kansas City, MO.

James Edward Lott, D.D.S., M.S. Orthodontics, 4400 Broadway, Suite 405, Kansas City, MO.

John's Jeans, Inc., 1300 E. Arapaho, Richardson, TX.

Kelly-Hill Company, 406 W. 34th Street, Kansas City, MO.

Lochiel Exploration Inc., c/o Miles Thomas, 490 N. 31st St., Billings, MT.

May's Drug Stores, Inc., 4948 East 49th Street, Tulsa, OK.

Morgan Products, Inc., 9051 Mansfield Rd., Bldg. D, P.O. Box 8486, Shreveport, LA.

Oppenheimer Asset Management Corporation, 100 West Tenth Street, Wilmington, DE.

Shopping Centers, Inc., Tower 14, 21700 Northwestern, Southfield, MI.

Stewart's Fashions, Inc., 6915 East 39th St., So., Tulsa, OK.

Tiger Energy Co., 1624 Market, Ste. 311, Denver, CO.

Weindel Enterprises, Inc., 1017 S. Duschesne, St. Charles, MO.

The Wiener Corporation, 5725 Powell St., P.O. Box 23607, New Orleans, LA.

Cancelled 8/16/82 for failure to correct and return annual report:

Foreign for Profit

Brenner Oldsmobile, Inc., 6736 State Ave., Kansas City, KS.

C. A. Norgren Co., 5400 S. Delaware Street, Littleton, CO.

Cole Harford Company, 110 W. 14th Avenue, N. Kansas City, MO.

Goellner-Wittwer, Inc., 4121 Mercier, Kansas City, MO.

H. F. Campbell Company, 9301 Michigan Ave., Detroit, MI.

Midwest Heating & Cooling Co., 13228 Holmes Road, Kansas City, MO.

Xenerex Corp., 7621 Inwood Road, Suite 333, Dallas, TX.

JACK H. BRIER
Secretary of State

BY: JOHN R. WINE, JR.
Chief Counsel

Deputy Assistant Secretary of State

Doc. No. 000636

**NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT #4**

OPEN MEETING NOTICE

The October meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for October 13, 1982 at the district office, 1175 South Range, Colby, Kansas. The meeting begins at 10:00 a.m. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 000644

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****PUBLIC NOTICE**

A Certificate of Need application by Pease and Smith Associates for an ambulatory surgery center in Hutchinson, Kansas, was denied on September 23, 1982, and will be effective on October 23, 1982, unless appealed to the District Court in Reno County.

Certificate of Need Applications by the Excepticon-Midwest, Inc. for a 96-bed psychiatric hospital in Overland Park, Kansas, and by the Community Psychiatric Centers for a 65-bed psychiatric hospital in Overland Park, Kansas, were denied on September 27, 1982, and will become effective on October 27, 1982 unless appealed to the District Court of Johnson County.

A Certificate of Need application from the Tierra Imaging Services, Inc. for a shared CT system, between Coffeyville and Pratt Hospitals was denied on September 23, 1982.

The Kansas Department of Health and Environment will reconsider its decision to deny the Certificate of Need application by the Tierra Imaging Services, Inc., during a hearing on October 18, 1982, at 1:00 p.m., at the Department's Hearing Room.

JOSEPH F. HARKINS
Secretary

Doc. No. 000649

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****DOCKET OF ADMINISTRATIVE HEARINGS**

October 7, 1982—In the Matter of the Violation by Chemical Waste Management of K.A.R. 28-31-8. Case No. 82E-33. Bldg. 740, Forbes Field, Topeka, Kansas, Hearing Room 1-C-1, 10:00 a.m.

October 11, 1982—In the Matter of the Denial of a One and Two-Bed Home License Application of Mildred Sester, 712 Ash, Wamego, Kansas 66547. Case No. 82-H-63. Bldg. 740, Forbes Field, Topeka, Kansas, Hearing Room 1-C-1, 9:00 a.m.

October 13 1982—In the Matter of the Violation of Open Burning Regulations by Haskell County Landfill, County Courthouse, Sublette, Kansas 67877. Case No. 82E-26. Bldg. 740, Forbes Field, Topeka, Kansas, Conference Room 1-C-8, 10:00 a.m.

October 15, 1982—In the Matter of the Licensure and Certification of Hollydale Care Home, 3501 Seward, Topeka, Kansas 66616. Case No. 82-H-70. Bldg. 740, Forbes Field, Topeka, Kansas, Hearing Room 1-C-1, 8:30 a.m.

October 18, 1982—In the Matter of an Unpermitted Solid Waste Disposal Site Operated by Coolidge Weaver, Kansas City, Kansas. Case Nos. 82E-38 and 82E-39. Bldg. 740, Forbes Field, To-

peka, Kansas, Conference Room No. 1-C-8, 9:00 a.m.

This docket is issued on October 1, 1982 and the administrative hearings are those scheduled as of this date. Other administrative hearings may be scheduled in this same time period and the above hearings may be rescheduled without further notification. Interested persons may call the Department at (913) 862-9360 ext. 585 to confirm the scheduling of a particular hearing.

JOSEPH F. HARKINS
Secretary

Doc. No. 000642

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****PUBLIC NOTICE**

Certificate of Need Applications from Ottawa Care Center, Inc. for an intermediate care facility and from Mobilscan, Inc., for a mobile CT scanning service were filed on September 27, 1982, by the Kansas Department of Health and Environment for initiation of the 90 day review cycle. These applications will be available for public examination at the Health Systems Agency of Northeast Kansas, 1195 S.W. Buchanan, Suite #101, Topeka, Kansas, and the Kansas Department of Health and Environment, Topeka, Kansas.

JOSEPH F. HARKINS
Secretary

Doc. No. 000640

State of Kansas**SOCIAL AND REHABILITATION SERVICES
KANSAS CITIZENS ADVISORY
COMMITTEE ON ALCOHOL
AND OTHER DRUG ABUSE****NOTICE OF QUARTERLY MEETING**

The quarterly meeting of the Kansas Citizens Advisory Committee on Alcohol and Other Drug Abuse will be October 15, 1982 in Topeka. The public meeting will begin at 8:30 a.m. in the Topeka Room of the Holiday Inn South, 3801 S. Topeka Avenue. Some of the items to be included on the agenda are: introduction of new members of the committee; status of Senate Bill 699; and reports from various state committees, including the Governor's Committee on Drinking and Driving.

LORNE A. PHILLIPS, Ph.D.
Commissioner
Alcohol and Drug Abuse Services

Doc. No. 000647

State of Kansas

FISH AND GAME COMMISSION**NOTICE OF HEARING ON
PROPOSED TEMPORARY AND PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Wednesday, October 27, 1982, commencing at 2:00 p.m., at Commission headquarters in Pratt, to consider the adoption of proposed temporary and permanent rules and regulations of the Fish and Game Commission.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Director of the Kansas Fish and Game Commission, Rt. 2, Box 54A, Pratt, Kansas 67124. Following the hearing, all written and oral comments submitted by interested parties will be considered by the Commission as the basis for making any changes to these proposed regulations.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing to the agency in Pratt.

K.A.R. 23-1-11 is an amendment simplifying the existing regulation governing the possession of pheasants for the purpose of transportation.

K.A.R. 23-1-12 establishes the 1983 spring turkey season.

K.A.R. 23-2-14 as amended will invalidate big game permits upon removal of the carcass tag from the permit. It establishes that non-residents are ineligible to apply for deer or antelope permits and that persons not meeting landowner qualifications are ineligible to apply for landowner deer or antelope permits.

K.A.R. 23-6-3 is being revoked to accommodate new regulation 23-6-7 relating to the same subject matter.

K.A.R. 23-6-7 as amended, will authorize the use by permit of sodium cyanide (M-44's) in approved animal damage control programs. Currently, such use is prohibited during any game bird hunting season which essentially eliminates M-44's as a damage control tool. The amendment will permit use of M-44's throughout the year under the direct supervision of the Kansas State University Extension Wildlife Damage Control Specialists. Permit duration for approved use of a poisonous gas will allow for longer time periods of control tool use. The present 30 day permit period places unnecessary demands on livestock producers. The regulation would require permittees to submit a report on control activities to the Commission.

K.A.R. 23-8-11 as amended will allow the agency greater management capability on wildlife areas. "No hunting zones" (refuges) are used on or within wildlife areas primarily to attract and hold waterfowl by providing feeding and resting areas free of harassment. The amended regulation will permit creation of no access refuges when necessary to afford such protection to wildlife.

K.A.R. 23-18-1 is an amendment resulting in fee increases for a number of licenses and permits which are issued by the Commission. The purpose of the fee

changes is to provide additional revenue needed to offset increasing costs of funding agency programs.

K.A.R. 23-18-2 is a proposed new regulation to establish a hatchery stamp or punch and fee to accommodate the sale of revenue bonds authorized by 1982 H.B. 3131.

K.A.R. 23-20-1 is a new regulation establishing a permit to commercially harvest amphibians and reptiles.

K.A.R. 23-11-5 relates to numbering applications and permits for pleasure craft (vessels), and is being revoked to eliminate duplication and conflict with statutory requirements.

RON HOPKINS
Chairman

Doc. No. 000637

State of Kansas

COMMISSIONER OF INSURANCE**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Thursday, October 26, 1982 at 10:00 a.m. in the Kansas Insurance Department, 420 S.W. 9th Street, Topeka, Kansas to consider the adoption of proposed permanent regulations of the Insurance Department.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the full text of the regulations and the fiscal impact statement may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, Kansas 66612. The following is a summary of the regulations:

K.A.R. 40-1-1: This regulation has been amended in subsection (a) to reflect enactment of Senate Bill No. 570 by the 1982 Kansas Legislature which permits domestic insurance companies to purchase the principle residence of an employee who is being transferred.

The amendments to subsection (b) eliminate the prior approval requirement with respect to the purchase or sale of real estate by an officer, director or trustee. In lieu thereof an appraisal requirement is substituted.

K.A.R. 40-2-12: This regulation has been amended to require that replacement notices which are modified to make them appropriate for use with annuity contracts or contracts sold by direct mail must be filed with the commissioner for prior approval.

K.A.R. 40-4-23: This regulation has been amended to permit an accident and sickness premium to be referred to as "a deposit" if such is the case. In addition, a new prohibition has been added with re-

(continued)

spect to hospital indemnity policies that exclude benefits if confinement is in a government hospital.

K.A.R. 40-5-102: This regulation has been amended to eliminate the definition of "consumer credit insurance" since such definition is contained in K.S.A. 16a-4-103 as amended by the 1982 legislature.

K.A.R. 40-7-7: This regulation has been amended to reflect enactment of House Bill No. 2766 by the 1982 legislature.

K.A.R. 40-8-2: Amendments to this regulation eliminate a duplication of the prohibition contained in House Bill No. 2789 (1982) relative to the placement of risks with non-admitted insurers based on rate alone. Other changes in the regulation are editorial in nature for purposes of clarity and simplification.

K.A.R. 40-8-7: Amendments to this regulation have been adopted on a temporary basis to implement the change in the excess lines gross premium tax. This regulation will replace the temporary regulation and also omits those provisions contained in the temporary regulation that are necessary only for a limited period of time.

K.A.R. 40-8-8: This regulation is being revoked because the "notice" requirements are contained in Kansas statutes and the signature of the agent does not appear to serve a necessary purpose.

K.A.R. 40-8-11: Amendments to this regulation require the retention of evidence that persons insured by a non-admitted company were provided the information and consented to being placed with a non-admitted company in accordance with House Bill No. 2789 (1982). This portion of the regulation is now in effect on a temporary basis.

In addition, the proposed permanent regulation eliminates certain provisions that duplicate statutory requirements. It is to be emphasized that elimination of these provisions from the regulation does not change the information that must be maintained by excess lines agents.

FLETCHER BELL
Commissioner of Insurance

Doc. No. 000651

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES**

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, OCTOBER 18, 1982

#25337

All State Agencies in Greater Topeka Area—ELECTRIC TYPEWRITER MAINTENANCE SERVICE

#51514

University of Kansas Medical Center, Kansas City—WHEELCHAIRS

#51723

Kansas Highway Patrol, Topeka—VEHICLES

#51727

University of Kansas Medical Center, Kansas City—MATERIALS AND LABOR TO INSTALL SUSPENDED CEILING

#51728

Department of Transportation, Topeka—ELECTRONIC DISTANCE MEASURING INSTRUMENT

#51732

Department of Transportation—COMMUNICATIONS SERVICE MONITOR, for Topeka, Norton and Garden City, Kansas

#51734

Kansas State Penitentiary, Lansing—UNIFORM SHIRTS

#51740

Kansas State University, Manhattan—CORN HEAD, for Garden City Experiment Station, Garden City, Kansas

#51742

Kansas Fish and Game Commission, Pratt—ELECTROFISHING CONTROL UNIT

TUESDAY, OCTOBER 19, 1982

#51735

Kansas Correctional Institution for Women, Lansing—SPORT VAN

#51736

Kansas State Industrial Reformatory, Hutchinson—WATER CLOSETS

#51741

Department of Transportation, Salina—LOGGING TAPE RECORDER

#A-4520

Youth Center at Beloit—INSULATION ENERGY CONSERVATION, for Prairie Vista, Grandview, Sunshine and Staff Cottages

#A-4598

Department of Human Resources Topeka—ROOF REPLACEMENT OF JOB SERVICE CENTER, at Pittsburg, Kansas

WEDNESDAY, OCTOBER 20, 1982

#25341

Department of Transportation (Central Lab), Topeka—PREVENTIVE MAINTENANCE ON THE CHILLED WATER SYSTEM

#25344

University of Kansas, Lawrence—PEST CONTROL SERVICE (Housing)

#51342

Department of Administration (Division of Printing), Topeka—ROTARY NUMBERING ADAPTATION PRINTER

#51752

Kansas State University, Manhattan—CENTRIFUGE, at Fort Hays Experiment Station, Hays

#51753

University of Kansas Medical Center, Kansas City—INFUSION PUMPS

#51775

Department of Human Resources Topeka—PAPER SHREDDER

(continued)

#A-2931(d)

Kansas State University, Manhattan—POWER CENTER INSTALLATION, of Throckmorton Hall (Plant Science Bldg.)

#A-3559(e)

University of Kansas, Lawrence—REPLACE TILE ROOF, on Watson Library

THURSDAY, OCTOBER 21, 1982

#25322

Kansas State Agencies—COFFEE AND TEA

#51521

University of Kansas, Lawrence—FILM PROCESSOR

#51758

Department of Transportation, Hutchinson—INERTIAL BARRIERS, for Wichita, Kansas

#51759

Department of Revenue, Topeka—CONTINUOUS FORMS—"FUEL TAX RETURN" AND LETTER-HEAD

#51760

Department of Revenue, Topeka—CONTINUOUS FORMS 8½ x 3½ —100 TAG

#51765

Kansas Technical Institute, Salina—COMPACT SEDAN

#51766

Department of Administration (Division of Printing), Topeka—25% RAG-STATE SEAL-BOND

#51771

Kansas State University, Manhattan—BOXED BEEF ROUNDS

#51772

University of Kansas Medical Center, Kansas City—HOSPITAL FURNITURE

#51776

Kansas State University, Manhattan—TRACTOR AND ATTACHMENTS

#51783

Kansas Fish and Game Commission, Pratt—NEW OR USED BULLDOZER, in Bennington, Kansas

#51784

Kansas State Penitentiary, Lansing—VANS

FRIDAY, OCTOBER 22, 1982

#51777

Department of Transportation, Topeka—AA/FLAME EMISSION SPECTROPHOTOMETER

#51788

Kansas Highway Patrol, Topeka—KITCHEN EQUIPMENT, in Salina

TUESDAY, OCTOBER 26, 1982

#51778

Osawatomie State Hospital, Osawatomie—LEASE OF FARMLAND

#51779

Osawatomie State Hospital, Osawatomie—LEASE OF LAND

#51781

Department of Social and Rehabilitation Services—GLASS FIBER, for Kansas Industries for the Blind, Kansas City, Kansas

#51785

Wichita State University, Wichita—CARPET AND INSTALLATION

TUESDAY, NOVEMBER 2, 1982

#25339

University of Kansas Medical Center, Kansas City—NITROUS OXIDE

#A-4448

Pittsburg State University, Pittsburg—KELCE CENTER REMODELING

WEDNESDAY, NOVEMBER 17, 1982

#25343

Various State Agencies—BOILER INSURANCE

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000643

State of Kansas

ATTORNEY GENERAL

OPINION NO. 82-212

Cities and Municipalities—Service Program For The Elderly—Use of Tax Levy. William D. Rustin, Sedgwick County Counselor, Wichita, September 27, 1982.

Revenues derived from a tax levy made pursuant to K.S.A. 1981 Supp. 12-1680 may be used only "for the purpose of creating or continuing a service program for the elderly." Cited herein: K.S.A. 1981 Supp. 12-1680, Kan. Const., Art. 11, § 5. BJS

OPINION NO. 82-213

Automobiles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Performance of Community Service Not Covered by Workmen's Compensation. Bryce B. Moore, Director, Division of Worker's Compensation, Department of Human Resources, Topeka, September 27, 1982.

As amended by L. 1982, ch. 144, § 5, K.S.A. 1981 Supp. 8-1567 provides that a person convicted of a violation of the offense of operating a motor vehicle while under the influence of alcohol may be required to perform public or community service work as an alternative to incarceration or payment of a fine. In performing such work, a person receives no compensation, but rather fulfills a condition of his or her sentence from the district or municipal court. Accordingly, such a person is not a workman, employee or worker, as those terms are defined by K.S.A. 44-508(B) of the Workmen's Compensation Act, and is therefore not covered by the terms of the Act. Cited herein: K.S.A. 1981 Supp. 8-1567 (as amended by L. 1982, ch. 144, § 5), K.S.A. 44-508, K.S.A. 1981 Supp. 75-6102. JSS

OPINION NO. 82-214

Taxation—Aggregate Tax Levy Limitation—Property Tax Appraisal Costs Excluded from Limitation. Senator James L. Francisco, Twenty-Sixth District, Mulvane, September 27, 1982.

(continued)

(Published in the KANSAS REGISTER, October 7, 1982.)

**CITY OF SHAWNEE
NOTICE OF BOND SALE
GENERAL OBLIGATION BONDS
SERIES, 1982-A
\$1,125,000.00**

(Payable From Unlimited Ad Valorem Taxes)

Sealed bids will be received in the Office of the City Clerk of the City of Shawnee, at the City Hall, 11110 Johnson Drive, Shawnee, Kansas, 66203, until 7:00 o'clock, p.m. central daylight time, on Tuesday, October 19, 1982, at which time said bids will be publicly opened, for the purchase of the following issues of bonds of Shawnee, Kansas. Each bid shall be for all of the bonds hereinafter described. All of said bonds will be negotiable coupon bonds each in the amount of \$5,000.00. Said bonds will be dated November 1st, 1982, and will mature as follows:

Bonds Numbered	Maturing November 1st	Principal Amount
1-22	1983	\$110,000.00
23-44	1984	110,000.00
45-66	1985	110,000.00
67-89	1986	115,000.00
90-112	1987	115,000.00
113-135	1988	115,000.00
136-158	1989	115,000.00
159-181	1990	115,000.00
182-203	1991	110,000.00
204-225	1992	110,000.00

Said bonds shall not be subject to call for prior payment.

One bid shall be submitted for the one series of bonds hereinbefore described. Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders subject to the following conditions: Not more than five different rates shall be specified and the same rate will apply to all bonds of the same maturity of all of said series. Each interest rate specified shall be in an even multiple of one-eighth of one percent, or one-tenth of one percent.

No bid of less than par and accrued interest will be considered. Each bid shall specify the total interest cost to the City during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, the net interest cost to the City, on the basis of such bid, and the average annual net interest rate on the basis of such bid. The net interest cost to the City shall be determined by subtracting the amount of the premium, if any, from the total interest cost to the City and shall be stated as a dollar amount in the bid. The City shall be entitled to rely on such dollar amount, as stated in the bid, as the basis of determining the lowest net interest cost bid. If there is any discrepancy between said net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the coupon rates specified in the bid shall be adjusted accordingly.

Interest on all of said bonds will be payable on May 1st, 1983, and semi-annually thereafter on May 1st, and November 1st, in each year. The first principal payment will be due on November 1st, 1983, and annually thereafter on said date. Both principal and interest on

(continued)

K.S.A. 19-436 prescribes that the costs incurred by each county in funding the county appraiser's office shall be exempt from the aggregate tax levy limitation of the county, unless a petition requesting a vote on the issue is timely filed with the county election officer. Moreover, this statute requires the publication, annually, of a notice prescribing that such costs shall be exempt from said limitation, unless a petition is filed. Therefore, the annual publication of such a notice is not a matter of discretion for a board of county commissioners. It is a requirement of state law. Cited herein: K.S.A. 19-436. RJB

OPINION NO. 82-215

State Departments; Public Officers, Employees—Kansas Tort Claims Act—Liability of a City for Volunteer Reserve Police Officers. Gregory O. Clark, Chief of Police, Ness City, September 27, 1982.

A city would be liable to reserve police officers for injuries sustained by them while on duty under the provisions of the Workmen's Compensation Act, and such liability cannot be waived. Because a city's reserve police officers are employees of the city for purposes of the Tort Claims Act, the negligent or wrongful conduct of a reserve police officer may subject the city to liability under that Act, unless such conduct is circumscribed by one of the exemptions from liability provided therein. Cited herein: K.S.A. 44-501, 44-505, 44-508, K.S.A. 1981 Supp. 75-6101, 75-6102 (as amended by L. 1982, ch. 374, § 1), 75-6103, 75-6104. BLH

OPINION NO. 82-216

Cities of the Third Class—Election, Appointment, Removal of Officers—Simultaneous Holding of City Council and Township Board Offices. Scott Corsair, Mayor, Bazine, September 27, 1982.

The common law doctrine of incompatibility of offices precludes one person from simultaneously holding the offices of city councilman in a city of the third class and a township officer in the township which contains such city. Attorney General Opinion No. 75-50 is withdrawn. Cited herein: K.S.A. 15-104, 25-1606, 80-1502, L. 1982, ch. 63. JSS

ROBERT T. STEPHAN
Attorney General

Doc. No. 000641

said bonds will be payable in lawful money of the United States of America at the office of the State Treasurer in the City of Topeka, Kansas.

The series of bonds hereinbefore described have been duly authorized as provided by law for the general statutory purposes of providing funds for the purposes of: General Improvements and Main Trafficway Improvements. All of said bonds will constitute general obligation of the City of Shawnee, Kansas, and are payable from ad valorem taxes which may be levied without limitation as to the rate or amount on all the taxable tangible property, real and personal within the territorial limits of the City of Shawnee.

It is anticipated CUSIP identification numbers will be printed on said bonds, but neither the failure to print such number on any bond or any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery thereof and payment for said bonds in accordance with the terms of the purchase contract. All expense in relation to the printing of CUSIP numbers on said bonds will be paid for by the City. The CUSIP Service Bureau Charge for the assignment of said numbers will be the responsibility of and must be paid for, by the purchaser.

Said bonds will be printed at the expense of the City of Shawnee, Kansas, and said bonds will be sold subject to the legal opinion of Gaar and Bell, Overland Park, Kansas, whose unqualified approving opinion will be furnished to the successful bidder. The cost of this legal opinion shall be paid by the City of Shawnee, Kansas. The successful bidder will be furnished with said opinion together with a certified transcript of proceedings evidencing the authorization and issuance of said bonds and the usual closing proofs which will include a certificate that there is no litigation pending or, to the knowledge of the signers thereof, threatened at the time of delivery of the issue affecting the validity of the bonds. Said bonds duly printed, executed, and registered will be delivered on or before November 15th, 1982 to any bank in the Kansas City Metropolitan area as the purchaser shall specify. Delivery at any other place shall be at the expense of the successful bidder. The purchaser will not be required to pay the expense of legal services rendered to the City in regard to said bonds.

Each bid shall be accompanied by a certified or cashier's check equal to two percent (2%) of the total par value of the bonds. In case any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the municipality as liquidated damages. The checks of the unsuccessful bidders will be returned promptly.

Bids shall be opened publicly and only at the time and place specified in this notice and the bonds will be sold to the best bidder; however, the City reserves the right to waive errors in the bid and any or all bids may be rejected. The assessed valuation of the City of Shawnee, Kansas, is \$84,032,204.00. The total outstanding bonded indebtedness of the City of Shawnee in bonds and notes as of the date on which the bonds being sold are dated, including the bonds submitted for bid is \$6,189,000.00. This amount includes tempo-

rary notes totaling \$2,303,000.00 of which \$1,053,000 will be retired using proceeds of this bond issue.

All bids must be made on forms which may be procured from the undersigned and no additions or deletions in said form shall be made. Proposals should be addressed to the City Clerk, City of Shawnee, City Hall, 11110 Johnson Drive, Shawnee, Kansas, 66203, and marked "Proposal for Purchase of Bonds".

Dated at Shawnee, Kansas, this 24th day of September, 1982.

BARBARA YARDLEY, City Clerk
Shawnee, Kansas

Doc. No. 000638

(Published in the KANSAS REGISTER, October 7, 1982.)

NOTICE OF BOND SALE
\$200,000
GENERAL OBLIGATION
SEWER SYSTEM BONDS
OF THE
CITY OF SOUTH HUTCHINSON, KANSAS

The CITY OF SOUTH HUTCHINSON, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 2 SOUTH MAIN, SOUTH HUTCHINSON, KANSAS, until 7:30 o'clock P.M., C.D.T., on
OCTOBER 19, 1982

for \$200,000 par value GENERAL OBLIGATION SEWER SYSTEM BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, and the Bonds will be dated November 1, 1982. The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$15,000.00	November 1, 1984
15,000.00	November 1, 1985
15,000.00	November 1, 1986
15,000.00	November 1, 1987
20,000.00	November 1, 1988
20,000.00	November 1, 1989
20,000.00	November 1, 1990
25,000.00	November 1, 1991
25,000.00	November 1, 1992
30,000.00	November 1, 1993

Interest on the Bonds will first be payable on MAY 1, 1984, and thereafter semiannually on the first days of NOVEMBER and MAY in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding five (5) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-

(continued)

eighth (1/8th) or one-twentieth (1/20th) of One per cent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two per cent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas Law; said rate being two per cent (2%) above the Bond Buyer's 20 Bond Index, published in the Weekly Bond Buyer on Monday, October 18, 1982, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at 2 SOUTH MAIN, SOUTH HUTCHINSON, KANSAS 67505, ATTENTION: FLORINE M. HOSKINSON, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two per cent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF SOUTH HUTCHINSON, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before DECEMBER 3, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSPI identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in connection with the printing of CUSIP numbers on the Bonds shall be paid for the City.

The Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The Bonds are being issued for the purpose of paying a part of the City's share of the costs of modifications to the City's Sewage Treatment Plant.

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

Assessed valuation figures for the City of South Hutchinson, Kansas for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$7,892,993.00
Tangible Valuation of Motor Vehicles	1,773,711.00
Tangible Valuation of Motor Vehicle Dealers' Inventory	-0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$9,666,704.00

The total bonded indebtedness of the City of South Hutchinson, Kansas, at the date hereof, including this \$200,000.00 proposed issue of Bonds, is in the amount of \$1,383,000.

DATED September 21, 1982

FLORINE M. HOSKINSON, City Clerk
City of South Hutchinson, Kansas

Doc. No. 000639

State of Kansas

OFFICE OF THE GOVERNOR

**EXECUTIVE ORDER No. 82-60
ESTABLISHING THE GOVERNOR'S TASK
FORCE ON HIGH
TECHNOLOGY DEVELOPMENT**

WHEREAS, in four years, Kansas has made significant progress in building a stronger program to promote economic growth; and

WHEREAS, the Kansas Department of Economic Development has expanded its programs in promoting Kansas, as evidenced by the improvement of our national ranking in independent studies of business climate to at least the top six of our sister states; and

WHEREAS, as a part of our ongoing efforts, the Department last spring began to study the potential for development of high technology industries in Kansas; and

WHEREAS, such industries have accounted for 75% of the nation's growth in manufacturing jobs from 1974 to 1980, and are expected to provide 75% of the industrial growth for the remainder of the century; and

WHEREAS, the Initial Study and Report by the Department is now complete; and

WHEREAS, among the recommendations contained in the Report is the establishment of a task force to review and expand on this study to develop a long-term strategy for the development of high technology industries in our State.

(continued)

NOW, THEREFORE, pursuant to the authority vested in me as Governor and chief executive of the State of Kansas, I hereby establish the Governor's Task Force on High Technology Development, who shall be appointed by the Governor. The Governor shall designate one of the members as Chairperson. The Task Force shall meet on call of the Chairperson. The Task Force shall have the charge to analyze the conclusions and recommendations of the Initial Study and in general to fully explore high technology development potential in Kansas.

Members of the Task Force shall serve with no compensation at the pleasure of the Governor. Staff support shall be provided by the Department of Economic Development, Universities under the jurisdiction of the State Board of Regents, and such other agencies as may be designated by the Governor. Expenses of the Task Force may be paid for by the individual organizations employing the members of the Task Force, or may be paid for by the Department of Economic Development, Universities under the jurisdiction of the State Board of Regents, or other agencies as may be designated by the Governor, only upon vouchers approved by the head of the particular State agency or designee and the Governor or his designee.

The Task Force shall report to the Governor its Study, Report and Recommendations.

This document shall be filed with the Secretary of State as Executive Order No. 82-60 and shall become effective immediately.

Dated October 1, 1982.

JOHN CARLIN
Governor

ATTEST: JACK H. BRIER
Secretary of State

Doc. No. 000652

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF APPLICATIONS FOR RAILROAD AGENCY TESTS

The Atchison, Topeka and Santa Fe Railway Company filed an application to proceed with a Service System Test and for an order authorizing and permitting it to discontinue the services of its Agent at its station of Moline, Kansas. The Commission will examine Docket 135,027-R on November 1, 1982, to determine if more than 50% of the consignees and consignors protested and/or of those protesting generated more than 50% of the total agency revenue. If the 50% basis, is exceeded in either category the matter will be set for hearing. If the protestants do not exceed the 50% basis, the Test Period will become effective November 16, 1982, AS MANDATED BY K.S.A. 66-112.

The Union Pacific Railroad Company filed an application to proceed with a Service System Test and for an order authorizing and permitting it to extend the territory served by the Oakley, Kansas agency to include Colby, Spica, Mingo, Halford, Menlo, Hoxie, Sequin, Tasco, Studley, Morland, Hill City, Penokee, Bogue, Damar and Palco or a request-of-patron basis.

The Commission will examine Docket 95,262-R on November 16, 1982, to determine if more than 50% of the consignees and consignors protested and/or of those protesting generated more than 50% of the total agency revenue. If the 50% basis is exceeded in either category the matter will be set for hearing. If the protestants do not exceed the 50% basis, the Test Period will become effective December 1, 1982, AS MANDATED BY K.S.A. 66-112.

WILLIAM E. GREEN,
Administrator
Transportation Division

Doc. No. 000645

State of Kansas

STATE CORPORATION COMMISSION

NOTICE PERTAINING TO MOTOR CARRIER HEARINGS BEFORE THE

STATE CORPORATION COMMISSION

Applications set for hearing, are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, Kansas, commencing at 10:00 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, 4th Floor, State Office Building, Topeka, Kansas, 66612, or telephone (913) 296-3352 or 296-2110.

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

The Following Application is being renoticed for
October 19, 1982—TOPEKA, KANSAS

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

Matador Service, Inc.) Docket No. 23,157 M
P.O. Box 2256)
Wichita, KS 67201) Route No. 1516

Applicant's Attorney: Clyde N. Christey, 1010 Tyler,
Suite 110-L, Topeka, KS 66612

Anhydrous ammonia & liquid fertilizer solutions,
Between points in Reno County, KS, on the one
hand, & points & places in the State of KS, on the other
hand.

The Following Application is being RESCHEDULED from November 2, 1982 to October 29, 1982—
TOPEKA, KANSAS

Application to amend Contract Carrier Permit:

Charles E. Mayhood, dba) Docket No. 124,182 M
Little Bear Oil Company)
301 Main)
Neodesha, Kansas 66757) Permit No. C 27-413

(continued)

Applicant's Attorney: Laurel D. McClellan, 401 N. 6th,
P.O. Box 478, Fredonia, Kansas

Refined Petroleum Products,

From points and places in Kansas to points & places
in Kansas.

Contracting Party: Crescent Oil Company
709 N. 20th
Independence, Kansas 67301

The Following Application is being RESCHED-
ULED from November 2, 1982 to October 29, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

George J. Penning, dba) Docket No. 134,316 M
Penning Feed & Grain)
Rt. 2)
Rich Hill, Missouri 64779)

Applicant's Attorney: None
*Livestock, unmanufactured agricultural commodities;
& feed & feed ingredients,*
Between points and places in the State of Kansas.

The Following Application is being RESCHED-
ULED from November 9, 1982 to October 29, 1982—
TOPEKA, KANSAS

Application for Contract Carrier Permit:

American Delivery Service) Docket No. 134,363 M
Company)
1990 North California)
Blvd.)
Walnut Creek, California)
94596)

Applicant's Attorney: John E. Jandera, 641 Harrison,
P.O. Box 1979, Topeka, Kansas

*General Commodities (except those of unusual value,
classes A and B explosives, household goods as defined
by the Commission, commodities in bulk, and those
requiring special equipment),*

Between all points and places in the State of Kansas.

The Following Application is being RESCHED-
ULED from November 18, 1982 to October 29, 1982—
TOPEKA, KANSAS

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

Billman's Mobile Home) Docket No. 103,624 M
Service, Inc.)
Route #4)
Parsons, Kansas 67357) Route No. 11090

Applicant's Attorney: W. Boyd Evans, Suite 600, 120
Building, 120 South Market, Wichita, Kansas 67202
House Trailers, Mobile Homes and Modular Homes,

*Assembled and Unassembled, and Parts or portions
thereof;*

Between all points and places in Butler, Cowley,
Harvey, Sedgwick, Sumner, Lyon, Franklin, and Reno
Counties.

Also,

Between all points and places in Butler, Cowley,
Harvey, Sedgwick, Sumner, Lyon, Franklin, and Reno
Counties, on the one hand, and all points and places in
the State of Kansas, on the other hand.

The Following Application is being RESCHED-
ULED from November 18, 1982 to October 29, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

Otis C. Schaffer) Docket No. 134,503 M
1510 St. John)
Garden City, KS 67846)

Applicant's Attorney: None
*Livestock and un-manufactured agricultural commod-
ities:*

Between all points and places in the State of Kansas.

The Following Application is being RESCHED-
ULED from November 23, 1982 to October 29, 1982—
TOPEKA, KANSAS

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

Cooke Auto Salvage, Inc.) Docket No. 67,455 M
Route 1)
El Dorado, Kansas 67042) Route No. 6123

Applicant's Attorney: Clyde N. Christey, 1010 Tyler,
Suite 110-L, Topeka, KS 66612

Wrecked and Disabled Vehicles,

Between all points and places within and on that
area bounded on the south by the Oklahoma-Kansas
State Line; on the west by U.S. Hwy 81; on the north
by U.S. Hwy 50 and on the east by U.S. Hwy 75 and,

Also,

Between the above described territory on the one
hand and points and places within Lyon, Osage,
Douglas, Shawnee, Leavenworth, Wyandotte and
Sumner Counties, KS. on the other.

The Following Application is being RESCHED-
ULED from November 23, 1982 to October 29, 1982—
TOPEKA, KANSAS

*Application for Certificate of Convenience
and Necessity:*

Paul G. Abram, dba) Docket No. 134,505 M
Paul Abram Trucking and)
Abram Ready-Mix)
915 E. 8th)
Beloit, Kansas 67420)

(continued)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Fly Ash,

Between points and places in Pottawatomie County, Kansas on the one hand, and points and places in the State of Kansas on the other hand.

The Following Application is being RESCHEDULED from November 30, 1982 to October 29, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

VIA Express Delivery) Docket No. 122,490 M
Systems, Inc.)
7905 Madison)
P.O. Box 5444)
Kansas City, MO) Route No. 16229

Applicant's Attorney: John L. Richeson, Second & Main, P.O. Box 7, Ottawa, Kansas 66067

General Commodities, except those of unusual value, Class A & B explosives, household goods, commodities in bulk, commodities requiring special equipment, and commodities injurious to other lading, subject to the following restrictions:

1. No service shall be rendered in the transportation of any package or article weighing more than 70 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment;
2. No service shall be rendered in vehicles weighing in excess of 6,000 pounds gross weight.

Between points and places in Wyandotte, Johnson, Douglas, Shawnee, Jefferson, Leavenworth and Atchison Counties, Kansas.

The Following Application is being RESCHEDULED from November 30, 1982 to October 29, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Barney Messersmith, dba) Docket No. 129,578 M
& M)
423 Graham)
P.O. Box 833)
Emporia, Kansas 66801) Route No. 18332

Applicant's Attorney: John L. Richeson, Second & Main, P.O. Box 7, Ottawa, Kansas 66067

Food and related products,

Between all points and places in Kansas.

Application set for October 29, 1982—
TOPEKA, KANSAS

Application for Extension of Certificate of Convenience and Necessity:

Transportation, Inc.) Docket No. 34,604 M
P.O. Box 362)
Ottawa, Kansas 66067) Route No. 3232

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, Kansas 66612

Fly Ash,

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

Applications set for November 2, 1982—
TOPEKA, KANSAS

Application for Transfer of Certificate of Convenience and Necessity:

Manhattan Transit, Inc.) Docket No. 109,272 M
217 McCall Rd.)
Manhattan, KS 66502) Route No. 12416

TO: Alvin Abbott & Sons, Inc.

217 McCall Rd.
Manhattan, KS 66502

Applicant's Attorney: Charles A. Briscoe, 3301 Van Buren, "White Lakes Area", Topeka, KS 66611

Passengers,

From the City of Wamego, KS, to the Goodyear Plant at Topeka, KS, through Belvue, St. Marys, Rossville & Silver Lake following the route of US Hwy 24 & return over the same route serving all intermediate points.

From the City of Holton, KS, to the Goodyear Plant at Topeka, KS, through Mayetta & Hoyt following the route of US Hwy 75 & return over the same route serving all intermediate points.

Persons,

Between St. Marys, KS & Ft. Riley, KS, through Wamego, St. George & Manhattan, following the route of US Hwy 24 to Manhattan, KS & continuing from Manhattan to Ft. Riley, KS, following the route of State Hwy 18.

By charter bus, under the name & style of "Goodyear Express".

From Wamego, KS & points within 50 miles thereof, to points in KS & return in charter party service.

Restricted as follows:

1. Provide no transportation except in school buses only equipped with bench type school bus seats, without air-conditioning or lavatories, with a capacity of 36 persons or less, excluding driver.
2. Against transportation of passenger luggage.
3. All types shall be accomplished without overnight lodging or overnight travel.

Persons and their baggage in charter party service,

Between points and places in Riley County, Kansas, and between Riley County, Kansas, on the one hand, and all points and places in the State of Kansas, on the other hand.

(continued)

Application for Certificate of Convenience and Necessity:

Oilfield Service) Docket No. 135,042 M
 Company, Inc. of)
 Winfield)
 Rt. 5, Box 75)
 Winfield, KS 67156)
 Applicant's Attorney: David C. All, Suite 3, Fifth Ave.
 Bld., Augusta, KS 67010

Oilfield equipment, machinery, pipe and other oilfield materials,

To, between and from all points over irregular routes in the following counties: Sumner, Cowley, Sedgwick, Butler, Elk, Chautauqua, Barton, Stafford, Pratt, Barber, Kingman, Harper, Reno, Rice, McPherson, Harvey, Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Crawford, Cherokee, Labette, Neosho, Allen, Woodson, Wilson, Montgomery, and Greenwood.

Transportation of fresh water for oilfield drilling purposes and salt water for disposal purposes,

To, from and between all points over irregular routes in the following counties: Sumner, Cowley, Butler and Chautauqua.

**Applications set for November 3, 1982—
 TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Guys Mobile Home) Docket No. 128,776 M
 Service)
 408 Oak St.)
 Box 267)
 Ogden, KS 66517) Route No. 18365
 Applicant's Attorney: William B. Barker, 641 Harrison
 St., P.O. Box 1979, Topeka, KS 66601

Mobile homes,

Between points in Kansas on and east of U.S. Highway 81, on the one hand, and on the other, all points and places in Kansas.

Application for Amendment to Contract Carrier Permit:

TLC Courier Corp.) Docket No. 123,891 M
 610 N. Seneca)
 Wichita, KS 67203) Permit No. C 2-4745
 Applicant's Attorney: Clyde N. Christey, 1010 Tyler
 Suite 110-L, Topeka, Kansas 66612

Telephone equipment, parts & component parts of telephone equipment & materials & supplies & items used in the installation & repair of telephone equipment. Restricted, however, to shipments weighing no more than 500 pounds,

Between Wichita, in Sedgwick County, KS, on the one hand & points & places in the State of KS, on the other hand.

Application for Certificate of Convenience and Necessity:

Lindsey Robison, dba) Docket No. 135,004 M
 Midwest Carpet Carriers)
 1219 A E. Division)
 Springfield, MO 65803)

Applicant's Attorney: William B. Barker, P.O. Box 1979, Topeka, KS 66601

Floor & wall coverings, & materials & supplies used in the installation & manufacture thereof,

Between Sedgwick, Wyandotte & Johnson Counties, KS, on the one hand, & on the other, points in KS.

Application for Certificate of Convenience and Necessity:

Estel Thode, dba) Docket No. 134,931 M
 Hutchinson Shuttle)
 111 E. 2nd)
 Hutchinson, KS 67501) Route No. 20074

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Suite 110-L, Topeka, Kansas 66612

Passengers & their baggage & general commodities having a gross weight per shipment of less than 75 pounds,

Between Hutchinson in Reno County, Wichita in Sedgwick County & Newton in Harvey County, KS over irregular routes.

Application for Extension of Certificate of Convenience and Necessity:

Dale A. Barnes, dba) Docket No. 124,842 M
 Dale Barnes Trucking)
 301 Bartlett Ave.)
 Clifton, KS 66937) Route No. 16784

Applicant's Attorney: Eugene W. Hiatt, 207 Casson Bldg., 6th & Topeka Blvd., Topeka, KS 66603-3294

All fertilizers, fertilizer ingredients in bulk, bag and tank; agricultural chemicals, seeds, all machinery and equipment used in handling, shipping and in the application and storage of all fertilizers; feed and feed ingredients in bulk, bag and tank

Between all points & places in the state of KS.

Application for Transfer of Certificate of Convenience and Necessity:

Char-Line Corporation) Docket No. 125,759 M
 11113 W. 17th)
 Wichita, KS 67212) Route No. 16981

TO:
 Clearwater Truck Co., Inc.
 9109 N.W. St.
 Valley Center, KS 67147

Applicant's Attorney: Brad T. Murphree, 814 Century Plaza Bldg., Wichita, Kansas 67202

Plastic articles & materials & supplies used in the manufacture of such items,

Between points & places in the State of KS.

Application for Transfer of Certificate of Convenience and Necessity:

Cletus Cary, dba) Docket No. 131,117 M
Omni Bus Service)
Wichita, KS) Route No. 19456

TO:
Omni Bus Service, Inc.
3419 Craig
Wichita, KS 67216

Applicant's Attorney: Brad T. Murphree, 814 Century Plaza Bldg., Wichita, KS 67202

Transportation of passengers in charter service only, together with the baggage of passengers,

To, from, & between all points within Sedgwick County, KS, on the one hand, & all points & places within the State of KS, on the other, & to, from, & between all points within Sedgwick County, KS.

Application for Transfer of Certificate of Convenience and Necessity:

Robertson Tank Service) Docket No. 56,556 M
P.O. Box 100)
Elkhart, KS 67950) Route No. 5195

TO:
Robertson Trucking, Inc.
P.O. Drawer 100
Elkhart, KS 67950

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Suite 110-L, Topeka, Kansas 66612

Anhydrous ammonia,

From the storage facilities of Chevron Chemical Company at or near Friend, KS to all points and places in KS.

Liquid fertilizer solutions,

From the storage facilities of Chevron Chemical Company at or near Friend, KS to points and places in KS.

Also,
Between points and places in Finney County, KS.
Also,

Between points and places in Finney County, KS, on the one hand, and points and places in the State of Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

Gary Newman) Docket No. 98,595 M
Rt. 2, Box 136)
Hoxie, KS 67750) Route No. 10002

Applicant's Attorney: Clyde N. Christey, 1010 Tyler St., Suite 110-L, Topeka, KS 66612

Hay,

Between points and places in Rawlins, Thomas, Logan, Decatur, Sheridan, Gove, Norton, Graham, Trego, Sherman, Cheyenne and Wallace Counties, Kansas, and

Also,

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

**Applications set for November 4, 1982—
TOPEKA, KANSAS**

**Application for Local
Cartage Certificate:**

Carry Quik, Inc.) Docket No. 135,013 M
12923 W. 102 St.)
Lenexa, KS 66215)

Applicant's Attorney: Clyde N. Christey, 1010 Tyler Suite 110-L, Topeka, Kansas 66612

Commercial papers, documents, & written instruments (except coins, currency, & negotiable securities), as are used in the conduct & operation of banks & banking institutions & accounting & audit media, business records & microfilm.

Application for Extension of Certificate of Convenience and Necessity:

Sullivan Trucking Co., Inc.) Docket No. 99,765 M
P.O. Box 2164)
Ponca City, OK 74601) Route No. 10142

Applicant's Attorney: Clyde N. Christey, 1010 Tyler, Suite 110-L, Topeka, KS 66612

Petroleum coke,

Between McPherson in McPherson County and Coffeyville in Montgomery County, on the one hand, and points and places in Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

Boyd Messer Transfer, Inc.) Docket No. 36,976 M
P.O. Box 131)
Fulton, KS 66738) Route No. 3505

Applicant's Attorney: Eugene W. Hiatt, 207 Casson Bldg., 6th & Topeka Blvd., Topeka, KS 66603-3294

Liquid fertilizer, in bulk,

From all points and places in the state of Kansas, on the one hand, to Lyon, Osage, Douglas, Franklin, Miami, Coffey, Anderson, Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Labette and Cherokee counties in Kansas on the other hand.

(continued)

Application for Extension of Certificate of Convenience and Necessity:

B.O.W. Express, Inc.) Docket No. 18,438 M
 3163 Fairfax Trafficway)
 Kansas City, KS 66115) Route No. 884

Applicant's Attorney: John E. Jandera, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601

General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading, and commodities in bulk,

(1) Between Kansas City, KS & Kansas City, KS, serving all intermediate points & the off-route points in Miami, Linn, Anderson, Johnson, Wyandotte & Leavenworth Counties, KS,

From Kansas City, KS over U.S. Hwy 69 to its intersection with KS Hwy 52-31, then over KS Hwy 52-31 to its intersection with KS Hwy 7, then over KS Hwy 7 to its intersection with U.S. Hwy 169 to Kansas City, KS, & return over the same route.

(2) Between Osawatomie, KS & Garnett, KS serving all intermediate points,

From Osawatomie, KS over U.S. Hwy 169 to Garnett, KS, & return over the same route.

(3) The authority sought herein shall be tacked or joined with those routes & authority presently authorized in the captioned route & docket number.

Application for Certificate of Convenience and Necessity:

Rush Service Corporation) Docket No. 135,011 M
 RR 1, Box 126)
 Conway Springs, KS 67031)

Applicant's Attorney: Warner Moore, 1014 Century Plaza Bldg., Wichita, KS 67202

Oil field equipment, materials and supplies,

Between all points and places in Sumner, Cowley, Butler, Kingman, Harper, and Sedgwick County, Kansas, on the one hand, and all points and places within the state of Kansas on the other.

Also,

Between all points and places in Sumner, Cowley, Butler, Kingman, Harper, and Sedgwick County, Kansas.

Application for Certificate of Convenience and Necessity:

Lee Dejmal, dba) Docket No. 135,012 M
 Lee Dejmal Trucking)
 2826 S. Hoover)
 Wichita, KS 67215)

Applicant's Attorney: Warner Moore, 1014 Century Plaza Bldg., Wichita, KS 67202

Grain, feed, feed ingredients, fertilizer, rock, gravel, and salt,

Between all points and places in Sedgwick, Reno, Sumner, Kingman, Harvey, Republic, Cloud, Washington, and Jewell County, Kansas, on the one hand, and all points and places in the state of Kansas on the other hand.

Also,

Between all points and places in Sedgwick, Reno, Sumner, Kingman, Harvey, Republic, Cloud, Washington, and Jewell County, Kansas.

**Applications set for November 10, 1982—
 TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Home Oil & Gas) Docket No. 134,504 M
 Corporation, dba)
 Missouri Transports)
 915 Atchison)
 St. Joseph, MO 64503)

Applicant's Attorney: Tom B. Kretsinger, 20 East Franklin, P.O. Box 258, Liberty, MO 64068

Commodities in bulk,

Between all points in Kansas.

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

Gene E. Carter) Docket No. 120,540 M
 203 S. State)
 P.O. Box 223)
 Norton, KS 67654) Route No. 16141

Applicant's Attorney: None

Processed & unprocessed feed, grain, hay, steel buildings, seed, livestock, casing, tubing, sucker rods, pipe, oil field pumping units, roofing & buildings, & salt,

To, from & between all points & places in the state of KS.

Application for Extension to Certificate of Convenience and Necessity:

Robert L. & Wilma) Docket No. 127,206 M
 J. Laver, dba)
 Laver Trucking)
 Rt. 1)
 LaHarpe, KS 66751) Route No. 17886

Applicant's Attorney: Eugene W. Hiatt, 207 Casson Bldg., 6th & Topeka, Blvd., Topeka, Kansas 66603-3294

General commodities, except those of unusual value, Class A & B explosives, household goods, commodities in bulk, commodities requiring special equipment & commodities injurious to the other lading,

Between all points & places in the state of Kansas.

(continued)

*Application for Certificate of Convenience
and Necessity:*

McCarty Truck Line, Inc.) Docket No. 135,043 M
17th & Harris)
Trenton, MO 64683)

Applicant's Attorney: John Small, Suite 1120, First
National Bank Tower, 534 Kansas Ave., Topeka, KS
66603

General commodities,

(1) Between points in Doniphan, Atchison, Leavenworth, Johnson, Douglas, Shawnee and Jefferson Counties, KS, and

(2) Between points in Doniphan, Atchison, Leavenworth, Johnson, Douglas, Shawnee and Jefferson Counties, KS, on the one hand, and on the other, all points and places in KS.

*Application for Certificate of Convenience
and Necessity:*

Mid-Cities Motor Freight) Docket No. 134,508 M
Inc.)
P.O. Box 25,)
Stockyards Station)
St. Joseph, Missouri)

Applicant's Attorney: Tom B. Kretsinger, 20 East
Franklin, P.O. Box 258, Liberty, MO.

General commodities,

Between points in Kansas on and east of U.S. Hwy.
281.

*Application for Certificate of Convenience
and Necessity:*

Wayne Caudell, dba) Docket No. 135,044 M
Wayne Caudell Trucking)
P.O. Box 1957)
Woodward, OK 73802)

Applicant's Attorney: J. Gregory Swanson, 506 No.
Kansas Ave., P.O. Box 1829, Liberal, KS 67901

*Oilfield equipment, materials, supplies, pipe, tanks,
motors, tools and parts; and heavy and cumbersome
materials and machinery and all related oilfield
equipment (except commodities in bulk),*

To and between points in all counties in the State of
Kansas.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 000646

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