

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 44

November 4, 1982

Pages 1159-1190

<i>IN THIS ISSUE . . .</i>	<i>Page</i>
<i>Notice of Publication Deadline</i>	1160
<i>Social and Rehabilitation Services</i>	
<i>Notice of Meeting</i>	1160
<i>State Fire Marshal</i>	
<i>Notice of Hearing on Proposed Administrative Regulations</i>	1160
<i>Secretary of State</i>	
<i>Usury Rate for November</i>	1161
<i>State Historical Society</i>	
<i>Notice of Meeting</i>	1161
<i>Department of Health and Environment</i>	
<i>Public Notice</i>	1161
<i>Docket of Administrative Hearings</i>	1161
<i>Legislative Interim Committee Schedule</i>	1162
<i>Attorney General's Opinion</i>	
<i>Opinions No. 82-221 through 82-233</i>	1163
<i>Notice to Bidders for State Purchases</i>	1165
<i>Temporary Administrative Regulations</i>	
<i>Kansas Real Estate Commission</i>	1166
<i>State Fire Marshal</i>	1167
<i>Department of Revenue</i>	1171
<i>Notices of Bond Sales</i>	
<i>U.S.D. No. 248</i>	1174
<i>City of Liberal</i>	1175
<i>City of Kansas City</i>	1176
<i>City of Derby</i>	1178
<i>City of Newton</i>	1179
<i>City of Wichita</i>	1181
<i>County of Johnson</i>	1183
<i>State Corporation Commission</i>	
<i>Notice of Hearing on Proposed Administrative Regulations</i>	1185
<i>Notice of Motor Carrier Hearings</i>	1186

NOTICE

The DEADLINE for NOTICES TO BE PUBLISHED in the NOVEMBER 18 KANSAS REGISTER will be 5:00 P.M. ON WEDNESDAY, NOVEMBER 10, because of the November 11 holiday for state offices.

State of Kansas

SOCIAL AND REHABILITATION SERVICES

NOTICE OF OPEN MEETING

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on November 9, 1982, at 9:00 a.m., in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

- Public hearing concerning certain administrative regulations to become effective on a temporary and/or permanent basis (December 1, 1982/May 1, 1983).
- Final suggestions regarding 1983 legislative proposals.
- Other items as appropriate.

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

ROBERT C. HARDER
Secretary

Doc. No. 000719

State of Kansas

STATE FIRE MARSHALNOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

The Office of the State Fire Marshal will hold a public hearing November 29, 1982 at 9:00 a.m. at the Shawnee County Health Department Building, 1615 W. 8th, Topeka, Kansas, for the purpose of receiving public comments on proposed changes to K.A.R. 22-11-1 and 22-11-2 and on newly proposed K.A.R. 22-11-7 and 22-11-8.

K.A.R. 22-11-1 relates to adult care homes and hospitals. The proposed changes will more clearly indicate the sections of the Life Safety Code to be applied to adult care homes and hospitals in Kansas.

K.A.R. 22-11-2 relates to existing adult care homes and hospitals. The proposed changes will more clearly indicate the sections of the Life Safety Code to be applied to these existing facilities.

K.A.R. 22-11-7 relates to adult care homes for the mentally retarded. The newly proposed regulation will indicate specifically the sections of the Life Safety Code to be applied to adult care homes for the mentally retarded with fifteen (15) beds or less.

K.A.R. 22-11-8 relates to one and two bed adult care homes and three and four bed boarding care adult care homes. The newly proposed regulation will specify life safety requirements to be met and will adopt by reference sections of the Life Safety Code, NFPA pamphlet #101, 1981 edition.

Interested parties may present their views in writing by sending them to the Office of the State Fire Marshal. Copies of the proposed changes and copies of the fiscal impact statements may be obtained from the Office of the State Fire Marshal, Mills Building, Suite 203, 109 W. 9th, Topeka, Kansas 66612.

EDWARD C. REDMON
State Fire Marshal

Doc. No. 000713

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 1981 Supp. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State; State Capitol; Topeka, Kansas 66612. One-year subscriptions are \$47.50; single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, Kansas.

ISSN No. 0744-2254.

Postmaster: Send change of address form to *Kansas Register*; Secretary of State; State Capitol; Topeka, Kansas 66612.

© Secretary of State of the State of Kansas 1982. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature, and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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



PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL 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 November 1, 1982 through November 30, 1982 shall be 14.941%.

In testimony whereof: I hereto set my hand and cause to be affixed by official seal. Done at the City of Topeka, this 29th day of October A.D. 1982.

JACK H. BRIER
Secretary of State

Doc. No. 000725

State of Kansas

STATE HISTORICAL SOCIETY

NOTICE OF MEETING

The Kansas Historic Sites Board of Review will meet at 10:00 a.m., Saturday, November 20, 1982, in the second floor conference room of the Memorial Building, 10th and Jackson, Topeka, and will evaluate the following properties which have been proposed for nomination to the National Register of Historic Places and/or the Register of Historic Kansas Places:

Thematic nomination of 11 Marsh arch bridges:

- Elgin Cedar Creek Bridge, Chautauqua county
- Brush Creek Bridge, Cherokee county
- Neosho River Bridge, Coffey county
- Clark's Creek Bridge, Geary county
- Valley Falls Cedar Creek Bridge, Jefferson county
- Mine Creek Bridge, Linn county
- Soden's Grove Bridge, Emporia
- Creamery Bridge, Miami county
- Pottawatomie Creek Bridge, Miami county
- Verdigris River Bridge, Montgomery county
- Blacksmith Creek Bridge, Shawnee county
- Chi Omega Sorority House, 1345 West Campus Road, Lawrence
- Sacred Heart Cathedral, 903-905 Central Avenue, Dodge City
- Cimarron Hotel, 203 North Main, Cimarron
- Wareham Complex (Hotel—418 Poyntz; Apartments—414 Poyntz; Theater—410 Poyntz; Ballroom and Garage—417 Humboldt; Gas Station—401 Humboldt), Manhattan
- North Topeka Avenue Historic District, 1065, 1103, 1108, 1109, and 1113 North Topeka Avenue, Wichita
- Carnegie Library, 13 North Osage Street, Caldwell

JOSEPH W. SNELL
Executive Director

Doc. No. 000707

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**

PUBLIC NOTICE

Certificate of Need applications from Ottawa Care Home, Inc., for a 120-bed intermediate care facility in Ottawa, Kansas; and Lawrence Memorial Hospital, Lawrence, Kansas, for a computed tomographic scanner, were filed by the Kansas Department of Health and Environment on October 25, 1982. The applications will be available for public examination at the Health Systems Agency of Northeast Kansas, 1195 S.W. Buchanan, Suite #101, Topeka, Kansas.

Certificate of Need applications from Kansas Medical Park, Inc., for an ambulatory surgery center in Great Bend, Kansas; and St. Francis Boys' Home, Salina, Kansas, for licensure as a psychiatric hospital, were filed by the Kansas Department of Health and Environment on October 25, 1982. The applications will be available for public examination at the Office of Health Planning, Building 321, Forbes Field, Topeka, Kansas.

JOSEPH F. HARKINS
Secretary

Doc. No. 000708

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**

DOCKET OF ADMINISTRATIVE HEARINGS

NOVEMBER 4, 1982—In the Matter of Licensure of a Child Care Facility Operated by Janet Kline, 10624 West 61st, Shawnee, Kansas 66203. Case No. 82-H-71. Bldg. 740, Forbes Field, Topeka, Kansas, Conference Room No. 1-C-8, 9:00 a.m.

NOVEMBER 16, 1982—In the Matter of the Issuance of a Water Pollution Control Permit to Mr. Lowell Sawyer, Route 2, McPherson, Kansas 67640, and the Question of Air Pollution Public Notice No. KS-AG-82-13 Issued September 1, 1982. Case No. 82-E-47. McPherson County Courthouse, McPherson, Kansas, 9:00 a.m.

This docket is issued on November 3rd, 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. 000714

State of Kansas

LEGISLATURE
INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of November 8 through November 19, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Nov. 8	519-S	10:00 A.M.	Special Committee on Assessment and Taxation	Committee Discussion and Review of Bill Drafts and Draft Committee Reports.
Nov. 9	519-S	9:00 A.M.		
Nov. 8	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Review of Regulations Filed by Real Estate Commission, Dept. of Revenue, Dept. of Health and Environment, State Fire Marshal and the Financial Institutions Regulators; Review of Bill Drafts Requested to Date.
Nov. 9	123-S	9:00 A.M.		
Nov. 9	527-S	9:00 A.M.	Legislative Educational Planning Committee	9th: CANCELLED.
Nov. 10				10th: Review Committee Reports and Discuss Other Matters.
Nov. 10	531-N	9:30 A.M.	Special Committee on Hospital Laws	Hearings on District Hospital Bill Draft.
Nov. 15	519-S	10:00 A.M.	Special Committee on Judiciary	Committee Discussion on Proposals 12 and 38; Review of Proposed Committee Reports.
Nov. 16	519-S	9:00 A.M.		
Nov. 15	531-N Osawatomie State Hospital, Osawatomie, Kansas,	10:00 A.M.	Social and Rehabilitation Services Review Commission	Review of Regulations and Recommendations. Review of State Hospital Programs.
Nov. 16		9:00 A.M.		
Nov. 16	529-S	10:00 A.M.	Special Committee on State Health Insurance	Proposal 29—Committee Review of Final Report of Draft Bill.
Nov. 16	Student Union, Kansas City, Kansas Community College		Wyandotte County Legislative Delegation	Legislative Business.
Nov. 17	519-S	10:00 A.M.	Special Committee on Commercial and Financial Institutions	Final Summary Testimony on Proposal 7; Committee Discussion and Direction to Staff for Committee Report; Review Recent Federal Legislation.
Nov. 18	519-S	9:00 A.M.		
Nov. 17	531-N	10:00 A.M.	Special Committee on Hospital Laws	To Be Announced.
Nov. 18	531-N	9:00 A.M.		
Nov. 18	522-S	10:00 A.M.	Special Committee on Local Government	Committee Discussion of Proposals 24, 25, 26 and 35. Review of Bill Drafts and Final Reports.
Nov. 19	522-S	9:00 A.M.		

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

State of Kansas

ATTORNEY GENERAL**OPINION NO. 82-221**

Crimes and Punishments—Crimes Against the Public Morals—Illegal Bingo Operation. Alan F. Alderson, General Counsel, Kansas Department of Revenue, Topeka, October 21, 1982.

The provisions of K.S.A. 79-4701 *et seq.*, and amendments thereto, which provide for the licensing, regulation and taxing of bingo games conducted by certain *bona fide* nonprofit organizations, may not be enforced against Indians conducting bingo games upon Indian reservations within the territorial boundaries of the state of Kansas. However, other state gambling statutes, which restrict gambling activities other than games of bingo, may be enforced upon Indian reservations. Cited herein: K.S.A. 21-4302, 21-4303, 21-4303a, 21-4304, 79-4701, 79-4702, 79-4703, 79-4704, K.S.A. 1981 Supp. 79-4705, 79-4706, K.S.A. 79-4708, L. 1982, ch. 425, §§ 1-3, Kan. Const., Art. 15, §§ 3, 3a, 18 U.S.C. § 1162, 18 U.S.C. § 3243, 28 U.S.C. § 1360. TRH

OPINION NO. 82-222

Taxation—Sales of Liquor by Clubs—Local Alcoholic Liquor Fund; Use of Revenues for Special Alcohol Programs. Senator Jane Eldredge, Second District, Lawrence, October 21, 1982.

Pursuant to K.S.A. 1981 Supp. 79-41a04 (as amended by L. 1982, ch. 424, § 5), a county is entitled to receive certain moneys from the local alcoholic liquor fund, which fund is disbursed by the state after having been collected by private clubs located in the county. The moneys so distributed, which are to be credited to a special alcohol and drug programs fund, may be expended only for specified purposes set out by subsection (e) of the statute, as amended. As one of the listed purposes is "intervention in alcohol or drug abuse," such moneys may be distributed for programs that seek to deal with domestic violence, provided it can be shown that the individuals receiving the services are the victims of alcohol or drug abuse by themselves or others. Cited herein: K.S.A. 1981 Supp. 79-41a02, 79-41a03, K.S.A. 1981 Supp. 79-41a04 (as amended by L. 1982, ch. 424, § 5). JSS

OPINION NO. 82-223

Schools—Community Colleges—Change of Residence; Effect of Out-District Tuition Liability. Dr. Merle R. Bolton, Commissioner of Education, State Department of Education, Topeka, October 21, 1982.

K.S.A. 71-401 concerns only a person who is a resident of a county in which there is located the principal campus of the community college in which the person is enrolled, but who has not been a resident of that county for six months or more.

K.S.A. 71-401 creates an exception to the general rule that out-district tuition is not paid for a person enrolling in a community college whose current residence is in the county in which the principal campus of the community college is located. The statute evidences a

legislative intent that if a person enrolls in a community college located in the county of such person's residence, but such residence has not been established for at least six months prior to such enrollment, then the current residence of the person is to be ignored, and reference made to the former residence of the person for the purpose of determining whether out-district tuition is to be charged for said person. Cited herein: K.S.A. 1981 Supp. 71-301 (as amended by L. 1982, ch. 282, § 1), K.S.A. 71-304, 71-305, 71-401, 71-406. RJB

OPINION NO. 82-224

Taxation—Gross Earnings from Money, Notes and Other Evidence of Debt—Maximum Rate of Tax; Tax Situs. Rod Symmonds, Lyon County Attorney, Emporia, October 21, 1982.

The "new intangibles tax law," 1982 HB 3142 (L. 1982, ch. 63), effectively limits, to 3%, the rate that can be levied against the gross earnings derived from money, notes and other evidence of debt, because money, notes and other evidence of debt having a tax situs in any city do not have a tax situs in a township. Therefore, a gross earnings tax levied by a board of trustees of a township does not apply to earnings derived from money, notes and other evidence of debt owned by persons who reside within the corporate limits of any city located in such township. Cited herein: K.S.A. 68-518c, K.S.A. 1981 Supp. 79-3109 (now repealed), K.S.A. 79-3111 (now repealed), 79-3115 (now repealed), 80-907, 80-908, 80-932, 80-1413, 80-1503; L. 1982, ch. 63, § 1; L. 1982, ch. 407, § 1. RJB

OPINION NO. 82-225

Roads and Bridges—Vacating Road—Procedures; Effect of Failure to Follow. Leonard J. Dix, Rooks County Attorney, Stockton, October 21, 1982.

A board of county commissioners may, pursuant to K.S.A. 68-102, act on its own motion to vacate all or part of a county road. In addition to the notice required by K.S.A. 1981 Supp. 68-102a, further requirements established by K.S.A. 68-106 include a certified survey of the section to be vacated by the county surveyor, and an order approving the vacating by the commissioners. Failure to enter such an order leaves the initial notice without legal effect. Cited herein: K.S.A. 68-102, K.S.A. 1981 Supp. 68-102a, K.S.A. 68-104, 68-106. JSS

OPINION NO. 82-226

Crimes and Punishments—Identification and Detection of Crimes and Criminals—Records of Felony Offenses

Laws, Journals and Public Information—Records Open to Public—Records of Felony Offenses. Nick Tomasic, District Attorney, Wyandotte County, Kansas City, October 21, 1982.

K.S.A. 21-2501a(a) requires that law enforcement agencies maintain permanent records of specified crimes "on forms approved by the attorney general." Such forms, therefore, constitute the records which are

(continued)

required to be maintained, and all information required by these forms is included in such records. Unless such records contain information which is made confidential by law or by directive authorized by law, all information contained in such records is available for public inspection under the Public Records Act (K.S.A. 45-201 *et seq.*). If these records contain such confidential information, the law enforcement agency having custody of the records has a duty to make available for public inspection all disclosable portions of the records in a way which protects the confidentiality of the nondisclosable information. Cited herein: K.S.A. 21-2501a, 45-201. WRA

OPINION NO. 82-227

Consumer Credit Code—Consumer Loans—Finance Charge; Exemption of Adjustable Rate Loans From Maximum Finance Charge Limits. John A. O'Leary, Jr., State Bank Commissioner, Topeka, October 21, 1982.

Pursuant to authority granted by 1982 Senate Bill No. 559, after July 1, 1982 a supervised lender may make certain types of consumer loans in which the rate of interest may be periodically adjusted, regardless of the limits imposed by K.S.A. 16a-2-401, although such limits may be made applicable by agreement of the parties. While a lender could make adjustable rate loans prior to July 1, 1982, it was without the authority to exceed such interest ceilings in loans made prior to the new act. Additionally, such ceilings continue to apply to loans with adjustable rates which do not come under the scope of the new amendments, which cover only loans secured by an interest in land that is subordinate to a prior mortgage held by a different lender. Attorney General Opinion No. 82-128 is hereby modified to be consistent with this opinion. Cited herein: K.S.A. 16a-1-102, 16a-2-401 (as amended by L. 1982, ch. 94). JSS

OPINION NO. 82-228

Roads and Bridges—Establishment—Authority to Grant Easements Along Township Roads. R. Scott McQuin, Barber County Attorney, Medicine Lodge, October 21, 1982.

The board of county commissioners is empowered by statute to lay out all public roads in a county, even if the road is termed a township road for purposes of maintenance. If the land underlying a township road was taken by eminent domain, the county acquires only an easement for road purposes, leaving the authority to grant additional easements vested in the owners of the land abutting the road, *i.e.* the fee holders of the servient estate. Such rights are limited, however, in that any conveyance by the fee holders may not interfere with public use of the road. Cited herein: K.S.A. 12-809, 19-212, 68-106, 68-114, 68-115, 68-502, 68-518c, 68-526. JSS

OPINION NO. 82-229

Counties and County Officers—Economic Development Programs—Use of Funds. Trudy Jacobsen, Chairman, Seward County Economic Development Advisory Committee, Liberal, October 26, 1982.

K.S.A. 19-4103 authorizes expenditure of county moneys for programs related to economic development. The only constraints in this regard are that such expenditures have a demonstrable and rational relation to programs of economic development and that they satisfy the public purpose doctrine. Cited herein: K.S.A. 19-4101, 19-4102, 19-4103. RVE

OPINION NO. 82-230

Taxation—Intangibles Tax—Petition to Repeal Senator Norma L. Daniels, Thirty-First District, Topeka, October 26, 1982.

A petition, prepared and filed under the supposed authority of K.S.A. 1981 Supp. 79-3109(b), which was filed after March 5, 1982, is legally ineffective, since the Kansas Supreme Court, on said date, declared that subsection of law unconstitutional.

Also, to be valid, a petition authorized under section 1 of 1982 House Bill No. 3142 must comply with the requirements of K.S.A. 25-3601 *et seq.* Cited herein: K.S.A. 25-3601, 25-3602, K.S.A. 79-3108 (now repealed), K.S.A. 1981 Supp. 79-3109 (now repealed); L. 1982, ch. 63; L. 1982, ch. 407. RJB

OPINION NO. 82-231

Cities and Municipalities—City Manager Plan—Governing Board Under Commission-Manager Plan. Perry Warren, Goodland City Attorney, Goodland, October 26, 1982.

Where the commission-manager form of city government has been adopted by a city of the second class having a population of 8,000 or less:

(1) a mayor is not elected, but the chairman of the city commission assumes the title of mayor;

(2) a primary election is conducted, if required by the provisions of K.S.A. 25-2108a (as amended by L. 1982, ch. 157, § 5), according to the procedures prescribed by K.S.A. 25-2101 *et seq.*;

(3) the term of office of commissioners first elected to two years, and thereafter commissioners are elected for four-year terms;

(4) the commissioner assuming the title of mayor serves as the official head of the city on formal occasions, performs the legislative duties of a commissioner, and signs all ordinances of the city;

(5) city commissioners do not have titles, except as the board organizes itself for business; and

(6) the nomination and election of commissioners is governed by the election laws applicable to city primary and general elections.

Cited herein: K.S.A. 12-1005c, 12-1006, 12-1007, 12-1014, 12-1017, K.S.A. 1981 Supp. 12-1018, K.S.A. 12-1020, 12-3003, 14-1204, K.S.A. 1981 Supp. 14-1806, K.S.A. 25-2101, 25-2108a, L. 1982, ch. 157, § 5. TRH

OPINION NO. 82-232

Contracts and Promises—Investment Certificate Guaranty Fund Act—Board of Directors; Composition of. Donald O. Phelps, Consumer Credit Commissioner, Topeka, October 26, 1982.

As provided by K.S.A. 16-6a02, the Kansas invest-

(continued)

ment certificate guaranty corporation is governed by a board of directors. Subsection (c) of the statute requires the corporate by-laws to provide that the "initial" board of directors contain four classes of members. These classes, of equal number, represent large, medium and small companies, as well as the general public. In the absence of any statutory provision allowing these classes to be abolished, thus depriving one or more of them of board representation, the provisions of the statute apply to both the initial and subsequent boards of directors. Cited herein: K.S.A. 16-6a02, 16-6a03, 16-6a05, 16-6a07. JSS

OPINION NO. 82-233

Automobiles and Other Vehicles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Assessment For Alcohol and Drug Safety Action Program

Cities and Municipalities—Municipal Court Procedure—Prohibition of Assessment of Costs. Steven R. Zieber, Prosecuting Attorney, Olathe, October 26, 1982.

Section 10 of L. 1982, ch. 144 establishes a state alcohol and drug safety action program, which is funded through an \$85 assessment against any person who is convicted of, pleads *nolo contendere* to, or participates in, a diversion program stemming from a violation of K.S.A. 1981 Supp. 8-1567 (as amended by L. 1982, ch 144, § 5). As subsection (n) of the statute (contained in Section 5) provides that a city ordinance on this subject must contain minimum penalties equal to those of the statute, the fee must be assessed against the above three groups of persons in municipal court, as well as in district court, proceedings. While K.S.A. 12-4112 prohibits the assessment of costs in municipal court cases, this general prohibition has been repealed by implication insofar as the specific assessment imposed by the 1982 act is concerned. Attorney General Opinion No. 78-237 is affirmed. Cited herein: K.S.A. 1981 Supp. 8-1567 (as amended by L. 1982, ch. 144, § 5), K.S.A. 12-4112, L. 1978, ch. 323. JSS

ROBERT T. STEPHAN
Attorney General

Doc. No. 000715

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, NOVEMBER 15, 1982

#25377

Department of Transportation—REFLECTIVE SHEETING

#51983

Kansas Fish and Game Commission, Pratt—CHANNEL CATFISH

#52005

Wichita State University, Wichita—COLOR DISPLAY STATION

TUESDAY, NOVEMBER 16, 1982

#25370

University of Kansas Medical Center, Kansas City—PAPER RECYCLING

#51989

Winfield State Hospital and Training Center, Winfield—FEEDING FORMULA

#52004

Pittsburg State University, Pittsburg—FLOOR TILE

#52009

University of Kansas, Lawrence—TERMINAL AND ANALOG TO DIGITAL INPUT SUB-SYSTEM

#52011

Department of Human Resources, Topeka—SECURITY GUARD SERVICE, Kansas City area

#A-4633

Fort Hays State University, Hays—ROOF REPAIRS, for Gross Colliseum

WEDNESDAY, NOVEMBER 17, 1982

#25371

Kansas State Agencies—DAIRY PRODUCTS

#25375

Department of Transportation, Topeka—VEHICLES TO TRANSPORT THE ELDERLY AND HANDICAPPED

#49974A

Kansas Correctional Industries, Lansing—SALE OF USED MACHINERY

#51717

Kansas Department of Revenue, Topeka—DRIVERS LICENSING ORAL-VISUAL TESTING MACHINE

#51979

University of Kansas, Lawrence—SALE OF USED COMPUTER EQUIPMENT

#51988

Kansas State University, Manhattan—CCTV CAMERA

#51994

Kansas State University, Manhattan—REFRIGERATED CENTRIFUGE

#51995

Kansas State School For The Visually Handicapped, Kansas City—LAWN TRACTOR

#51996

Kansas State University, Manhattan—ANIMAL CAGES

#51997

University of Kansas Medical Center, Kansas City—LAMINAR FLOW PATIENT ISOLATION SYSTEM

#52008

Kansas State University, Manhattan—MEMORY UPGRADE

#52010

University of Kansas, Lawrence—LAWN SPRINKLER SYSTEM

(continued)

#52014

Kansas State Penitentiary, Lansing—VEHICLES
THURSDAY, NOVEMBER 18, 1982

#25376

University of Kansas, Lawrence—PAPANICOLAU
SCREENING

#51792

Department of Transportation—GRIZZLY AG-
GREGATE/CS-1 SPECIAL AGGREGATE FOR
SHOULDER REPAIR, for Great Bend, Kansas

#51991

University of Kansas Medical Center, Kansas City—
RESPIRATORY EQUIPMENT

#52000

Department of Social and Rehabilitation Services—
VINYL FILM, for Kansas Industries for the Blind,
Kansas City, Kansas

#52001

Kansas State University, Manhattan—VACUUM
SYSTEM

#52002

Kansas State University, Manhattan—LIQUID
CHROMATOGRAPH

#52003

Kansas State Park Authority, Topeka—PARK PER-
MITS—1983

#52006

Kansas State University, Manhattan—FEED

#52015

Kansas State University, Manhattan—DISK STOR-
AGE UNIT

#52016

Department of Transportation, Hutchinson—TRAF-
FIC CONES

#52017

Department of Transportation, Hutchinson—
FLASHING LIGHTS

#52019

Kansas State University, Manhattan—MANURE
SPREADER

#52020

Kansas Technical Institute, Salina—LATHE

#A-4484

Topeka State Hospital, Topeka—REROOF AWL
AND WOODWARD BUILDINGS

WEDNESDAY, NOVEMBER 24, 1982

#52018

Department of Social and Rehabilitation Services,
Topeka—ELEVATOR REPAIR, for Salina, Kansas

ARTHUR H. GRIGGS
Acting Director of Purchases

Doc. No. 000716

State of Kansas

KANSAS REAL ESTATE COMMISSION

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board
October 25, 1982. Will expire May 1, 1983.)

86-1-9. (Authorized by K.S.A. 74-4202(b), imple-
menting K.S.A. 58-3046, effective, E-81-18, July 16,
1980; effective May 1, 1981; amended May 1, 1982;
revoked T-83-32, Oct. 25, 1982.)

86-1-10. Approval of courses of instruction; pro-
cedure. (a) As used in this regulation, "school" means
an institution, school, association or agency which
qualifies under L. 1982, Chapter 231(d) to offer
courses of education.

(b) To request commission approval of a course of
education required by L. 1982, Chapter 231, the school
shall:

- (1) Appoint a coordinator to supervise the course.
- (2) Submit all information required by the commis-
sion for course approval at least 30 days prior to the
first scheduled class session. The information shall
include the following:

(A) A completed application for course registration
form which has been obtained from the commission;

(B) An application for real estate instructor, com-
pleted in accordance with section (e) of this regulation;
and

(C) A course syllabus, which shall contain the
school name, location and telephone number; name of
course; policy regarding attendance and procedure for
record-keeping of attendance; instructor's name; pre-
requisites for course; proposed dates of offering; sam-
ple of proposed advertising; total amount of attend-
ance fee; total number of class sessions; time spent per
session; total hours in the course; course description,
including a brief idea of the course content and for
whom the course is intended; objectives or aims of the
course; methods of class presentations; materials to be
used; a detailed course outline; name and author of the
textbook; and method used to determine successful
completion of the course.

(c) Courses eligible for approval for compliance
with L. 1982, Chapter 231(b) include the following:

- (1) real estate finance;
- (2) real estate law;
- (3) real estate appraisal;
- (4) real estate investment; and
- (5) real estate management.

Total instruction time of courses approved for com-
pliance with L. 1982, Chapter 231(b) shall be not less
than three hours.

(d) The commission shall register approved courses
and shall notify the school, in writing, of each course
registered. Registration of a course shall expire at the
end of the calendar year and may be renewed annually.
The commission shall notify the school by November 1
that an application for renewal is due and send the
necessary forms to the school.

(e) An individual desiring to teach a course ap-

(continued)

proved by the commission shall submit an application for instructor approval obtained from the commission. The application shall contain a resume, outlining the applicant's specialized preparation, training and experience which qualifies the applicant to instruct the course. An instructor shall have a current teaching certificate and show sufficient evidence of knowledge of the curriculum or shall meet at least two of the following requirements:

(1) Having been a licensee for a period of at least five years.

(2) Having completed a commission approved course of study for instructors.

(3) Having attained a degree from an accredited four year college or university.

The commission shall notify the school, in writing, of its approval or disapproval of each instructor. The school shall not allow an individual to instruct a course approved by the commission prior to having verification of commission approval of an instructor on file at the school.

(f) The coordinator appointed by the school shall be responsible for regular and consistent evaluation of the course and the instructors. Each time a school uses an instructor for the first time, the coordinator shall ask each student in the course to complete an instructor evaluation form. Both student and coordinator evaluations shall be submitted to the commission.

Subsequent evaluations of instructors may be completed at the discretion of the coordinator and may be used to measure any changes in the quality of the instructor.

The coordinator shall supply additional student and coordinator evaluations of specific instructors upon request of the commission.

(g) Schools which do not have transcript capabilities shall issue a certificate of completion to each student who successfully completes a course approved by the commission and shall give or mail the certificate to the student. A certificate shall not be issued to a student who was absent more than 10 per cent of the scheduled classroom hours of a principles of real estate course approved by the commission pursuant to L. 1982, Chapter 231(a). A certificate shall not be issued to a student who was absent during any portion of the scheduled classroom hours of a course approved by the commission to meet the eight hours of additional instruction required by L. 1982, Chapter 231(b).

(h) The school shall maintain records of students successfully completing a course approved by the commission for a minimum of three years. Attendance records shall be kept current and available for inspection by commission representatives during regular school hours or upon request.

(i) The school shall notify the commission, in writing, at least 30 days prior to a significant change in a course approved by the commission. Changes to be reported include changes in coordinator, instructor, name or location of school, and fees charged to students.

(j) A school shall not use the trade name of any brokerage or franchise. Advertising shall not convey to the public the impression that the school is affiliated

with a real estate business or franchisor or a real estate licensee. Nothing herein shall prohibit advertising from containing the name of an instructor who is licensed as a real estate broker or salesperson.

(k) A school shall not advertise a course as meeting the educational requirements of the Kansas Real Estate Brokers' and Salespersons' License Act prior to approval of the course by the commission and verification of that approval being on file at the school. A school or agent of a school shall not guarantee that successful completion of the course will result in the student's passing of a real estate licensing examination.

(l) The Commission may deny, suspend or revoke approval of a real estate course, an instructor or a school if it is determined that the course, instructor or school is not in compliance with L. 1982, Section 231 or this regulation. Falsification of attendance records shall be grounds for suspension or revocation. If disciplinary action is taken by the commission, the commission shall issue a written order of suspension, revocation or denial of approval.

(m) A school offering a correspondence course shall, to the extent applicable, meet all other standards prescribed by the commission and shall require that at least 50 per cent of the passing grade of its corresponding students be based on scores obtained by proctored examinations. (Authorized by K.S.A. 74-4202(b); implementing L. 1982, Chapter 231; effective T-83-32, Oct. 25, 1982.)

J. PAUL FLOWER
Director

Doc. No. 000721

State of Kansas

STATE FIRE MARSHAL

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board October 25, 1982. Will expire May 1, 1983.)

ARTICLE 10.—INSTALLATION AND CERTIFICATION STANDARDS FOR EXTINGUISHING DEVICES

22-10-1. Certification standards, definitions. (a) "Business" means any person or firm who inspects, services or installs portable fire extinguishers or automatic fire extinguishers for commercial cooking equipment. "Business" does not include any person or authorized agent of the person who installs a portable fire extinguisher for protection of the person's own property or business or any individual acting as a representative or employee of a certified business.

(b) "Certificate" means a written document issued by the state fire marshal that authorizes a business to perform the act or acts permitted by these regulations.

(c) "Certified firm" means a business having a valid registration certificate issued by the state fire marshal.

(d) "Charge" means to fill and make ready for use a portable fire extinguisher or fixed extinguishing system cylinder or container.

(e) "Class" or "classes" mean the specific function

(continued)

or functions that a business is authorized to perform under these regulations.

(f) "Department of transportation (DOT) cylinder" means a cylinder manufactured and tested in compliance with specifications of the United States department of transportation.

(g) "Engineered system" means a fixed extinguishing system that requires individual calculation and design to determine the flow rates, nozzle pressure, quantities of extinguishing agent and the number and types of nozzles and their placement in a specific system.

(h) "Firm" means any person, partnership, corporation, association or business which installs, services, charges, recharges or inspects any portable fire extinguisher or fixed extinguishing system, unless otherwise exempted by these regulations.

(i) "Fixed extinguishing system" means an automatic fire extinguisher for commercial cooking equipment.

(j) "Hydrostatic testing" means the pressure testing of cylinders and containers by approved hydrostatic methods.

(k) "Portable fire extinguisher" means a device that contains within it chemical fluids, powder, or gases for extinguishing fires and has a label of approval attached by a nationally recognized testing laboratory.

(l) "Pre-engineered system" means a fixed extinguishing system with pre-determined flow rates, nozzle pressures, and quantities of extinguisher agents.

(m) "Recognized testing laboratory" means a nationally recognized testing agency approved by the state fire marshal which is staffed by qualified personnel and properly equipped to conduct the particular test in question and which is regularly engaged in conducting tests and furnishing inspection examinations and tests of the most recent production of the listed product.

(n) "Registration certificate" means a certificate issued by the state fire marshal to a business indicating the class or classes of acts that the business is authorized to do.

(o) "Self-contained cooking equipment" means a unit of cooking equipment manufactured with a grease collection and vapor removal apparatus as an integral part of the unit and provided with or designed for the installation of a fixed extinguishing system.

(p) "Service" means to conduct a "thorough check" of a portable fire extinguisher or fixed extinguishing system including charging, maintaining, recharging, repairing, testing or tagging necessary to assure that the portable fire extinguisher or fixed extinguishing system will operate properly.

(q) "Test" means to subject any portable fire extinguisher or fixed extinguishing system to any procedure necessary to insure its proper operation or installation. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-2. Applicability. (a) These regulations shall apply to:

(1) businesses which service, charge, recharge, install or inspect portable fire extinguishers;

(2) businesses which service, charge, recharge, install or inspect fixed extinguishing systems;

(3) businesses which conduct hydrostatic tests of a portable fire extinguisher or fixed extinguishing system cylinder or container;

(4) any combination of (1), (2) or (3); or

(5) a business that has employees who service, recharge or inspect only the portable fire extinguishers owned and used only by the business.

(b) These regulations shall not apply to:

(1) any manufacturer who charges a portable fire extinguisher or fixed extinguishing system cylinder or container prior to its initial sale;

(2) any business engaged in the sale of approved portable fire extinguishers but not engaged in the servicing, charging, recharging, installing or inspection of portable fire extinguishers; or

(3) any person or authorized agent of the person who installs a portable fire extinguisher for protection of the person's own property or business. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-3. Registration certificates. (a) Each business who services, recharges, installs or inspects portable fire extinguishers or fixed extinguishing systems or hydrostatically tests these cylinders or any combination of them shall obtain a registration certificate issued by the state fire marshal unless otherwise exempt by these regulations. The registration certificate shall indicate the class or classes of acts that are authorized. A certified business shall be allowed to take orders for a class or classes of acts that are not authorized by the registration certificate, provided that these orders are consigned to another business that is certified to perform the necessary class or classes of acts indicated by the order.

(b) The registration certificate shall indicate one (1) or more of the following class or classes:

(1) class RA which permits servicing, charging, recharging, installing or inspecting fixed extinguishing systems;

(2) class RB which permits servicing, charging, recharging, installing or inspecting portable fire extinguishers; or

(3) class RC which permits hydrostatic testing of non-DOT cylinders such as wet chemical or dry chemical containers. Only those acts permitted by the class or classes of the certificate can be undertaken by the business holding the certificate.

(c) A business that desires to obtain a registration certificate shall make a verified, written application to the state fire marshal. The application shall be signed by the sole proprietor, or each partner, or by an officer of the corporation, firm or business. The state fire marshal shall make application forms available on request.

(d) For a class RA registration certificate the following items shall accompany the application:

(continued)

(1) proof of insurance providing a minimum of three hundred thousand dollars (\$300,000) coverage for comprehensive general liability for bodily injury and property damage;

(2) written authorization from each fixed extinguishing system manufacturer whose products are used by the business. This authorization shall include the type or types of systems the business is authorized to install or service; and

(3) the amount of fifty dollars (\$50). No fee shall be charged for any person who is an officer or employee of the state or political or taxing subdivision of the state when that person is acting on behalf of the state or political or taxing subdivision.

(e) For a class RB or RC registration certificate, proof of insurance which provides a minimum of fifty thousand dollars (\$50,000) coverage for comprehensive general liability for bodily injury and property damage and the amount of twenty-five dollars (\$25) shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or political or taxing subdivision of the state when that person is acting on behalf of the state or political or taxing subdivision.

(f) If the state fire marshal finds, after reviewing a business' application, insurance information, record of services, servicing and shop facilities and methods and procedures of operations, that the granting or renewing of a registration certificate would not be contrary to public safety and welfare, the state fire marshal shall issue or renew the appropriate class or classes of registration certificate requested by the business. The state fire marshal shall assign an identifying number to each registration certificate.

(g) A registration certificate issued by the state fire marshal is valid for one (1) calendar year January 1 through December 31. Renewal applications shall be submitted to the state fire marshal by November 30 of the year of expiration. Renewal applications shall include the same items required in sections (d) and (e) of this regulation.

(h) Evidence of alteration of a registration certificate shall render the certificate invalid and the altered certificate shall be surrendered to the state fire marshal.

(i) A location or ownership change by a certified business shall be reported to the state fire marshal in writing at least fourteen (14) days before the change. A failure to notify the state fire marshal may render the registration certificate invalid. A location or ownership change shall be verified by the state fire marshal or an authorized deputy.

(j) Every registration certificate issued by the state fire marshal shall be posted on the premises of the certified location and shall be available for inspection during normal business hours by the general public or the state fire marshal or a duly authorized deputy.

(k) A duplicate registration certificate may be issued by the state fire marshal to replace a previously issued registration certificate which has been lost or destroyed. A certified business requesting a duplicate certificate shall submit in writing a statement attesting to the fact that the registration certificate has been destroyed.

(l) A registration certificate shall not constitute authorization for a certified business or any of its employees to enter any property or building. A registration certificate shall not constitute authorization for a holder of a registration certificate or any of the certificate holder's employees to enforce any provisions of these regulations.

(m) Each business performing hydrostatic testing of cylinders manufactured in accordance with the specifications and procedures of the United States department of transportation shall do so in accordance with the procedures specified by that department for compressed gas cylinders and shall have a valid hydrostatic testing certificate issued by the department of transportation. All hydrostatic testing of DOT cylinders after the expiration date of the hydrostatic testing certificate issued by the United States department of transportation shall be prohibited.

(n) A certified business shall perform the servicing, charging, recharging, installing or inspecting of portable fire extinguishers or fixed extinguishing systems or hydrostatic testing on non-DOT cylinders in accordance with these regulations and the applicable adopted standards pertaining to those acts.

(o) A certified business installing fixed extinguishing systems shall provide the state fire marshal with written notification of a new installation of a fixed extinguishing system in this state. This notification shall contain: the name of the business and the location of the installation; references to the manufacturer's appropriate installation manual and to the section by which the system was installed; the date of installation; the name, address and certificate number of the business making the installation; the make and model of the system; and a rough draft of the piping layout and nozzle placement.

(p) All new installations of fixed extinguishing systems shall be designed and installed in compliance with the following:

(1) national fire protection association pamphlet no. 17, standards for dry chemical extinguishing systems, 1980 edition, as adopted by reference in K.A.R. 22-10-14;

(2) national fire protection association pamphlet no. 96, standards for the removal of smoke and grease laden vapors from commercial cooking equipment, 1980 edition, as adopted by reference in K.A.R. 22-10-13; and

(3) the appropriate manufacturer's design specifications.

(q) A new installation of a fixed extinguishing system may be permitted in an existing range hood for vapor removal not strictly in compliance with national fire protection association pamphlet no. 96 provided the state fire marshal determines that no distinct life safety hazard would result.

(r) The installation of fixed extinguishing systems in self-contained cooking equipment need not comply with national fire protection association pamphlets no. 17 and 96 if it is designed and installed according to the manufacturer's specifications. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981;

(continued)

effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-4. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982; revoked T-83-31, Oct. 25, 1982.)

22-10-6. Requirements. The requirements for the servicing, charging, recharging, installing or inspecting or hydrostatic testing of portable fire extinguishers or fixed extinguishing systems shall be performed in accordance with these regulations and the manufacturer's recommended procedures at the time of installation. All businesses installing and servicing fixed systems shall be approved or certified by the manufacturer. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-9. Service tags. (a) A new service tag shall be attached to the portable fire extinguisher or fixed extinguishing system in a position that shall be convenient to inspect, but shall not hamper the operation or removal of the portable fire extinguisher or activation of the fixed extinguishing system.

(b) Each service tag shall contain:

- (1) servicing business' name;
- (2) address of the servicing business;
- (3) registration certificate number;
- (4) type of service performed;
- (5) date the service is performed;
- (6) label "do not remove by order of the state fire marshal";

(7) signature of the service person; and

(8) type of extinguisher.

(c) Service tags shall be printed for a minimum of two years use. Service tags shall be not more than approximately two and one-half (2½) inches in width and five and one-half (5½) inches in length.

(d) Every tag attached to an extinguisher serviced by a certified business after January 1, 1983 shall conform to these regulations.

(e) All required information shall appear on one (1) side of the service tag. Other desired printing or information shall be placed on the reverse side of the tag.

(f) A person shall not remove a service tag except when further service is performed. A person shall not deface, modify, or alter a service tag attached to a portable extinguisher or fixed extinguishing system. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-10. Denial, refusal, suspension, or revocation. A registration certificate or operating certificate that has been duly issued by the office of the state fire marshal or has been applied for may be denied, suspended, revoked, or renewal refused, if the office of the state fire marshal finds from available evidence that the individual or business has violated any provisions of the Kansas fire prevention code or these regulations. A person or business aggrieved by an order of

the office of the state fire marshal may seek an appeal and hearing under the provisions of K.S.A. 31-140, 31-141, and 31-142 by filing a notice of appeal in the office of the state fire marshal within ten (10) days from the date of the service of this order. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-11. Approval of fixed extinguishing systems. (a) The state fire marshal, or a deputy state fire marshal, shall have the authority to approve or disapprove any fixed extinguishing system installed in this state. This determination shall be made pursuant to K.A.R. 22-10-13 and 22-10-14 or to the manufacturer's installation instructions.

(b) When a fixed extinguishing system is disapproved, written notification of this disapproval shall be forwarded to the business making the installation and to the owner or occupant of the premises where the fixed extinguishing system is installed. This written notification shall include the reason or reasons why the fixed extinguishing system was disapproved. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-12. Portable fire extinguishers. National fire protection association pamphlet no. 10, chapters one (1) through five (5), including appendices a, b, c, d, e, f and g, 1981 edition, is hereby adopted by reference. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-13. Commercial cooking equipment duct system. National fire protection association pamphlet no. 96, 1980 edition, chapters one (1) through nine (9) including appendix a is hereby adopted by reference with the exception that existing systems with electrically heated equipment other than deep fat fryers need not be automatically shut off upon activation of the extinguishing system. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

22-10-14. Dry chemical extinguishing systems. National fire protection association pamphlet no. 17, chapters one (1), two (2) and four (4), except section 4-4, including appendix a, 1980 edition, is hereby adopted by reference with the exception that existing systems with electrically heated equipment other than deep fat fryers need not be automatically shut off upon activation of the extinguishing system. (Authorized by and implementing K.S.A. 31-133 and 31-133a, as amended by L. 1982, Ch. 169; effective, E-82-3, Jan. 21, 1981; effective May 1, 1981; amended May 1, 1982, T-83-31, Oct. 25, 1982.)

EDWARD C. REDMON
State Fire Marshal

Doc. No. 000722

State of Kansas

DEPARTMENT OF REVENUE

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board October 25, 1982. Will expire May 1, 1983.)

92-24-1. (Authorized by K.S.A. 1979 Supp. 79-41a01, 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-2 to 92-24-4. (Authorized by K.S.A. 1979 Supp. 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-5. (Authorized by K.S.A. 1979 Supp. 79-41a02, 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-6. (Authorized by K.S.A. 1979 Supp. 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-7. (Authorized by K.S.A. 1979 Supp. 79-41a01, 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-8. (Authorized by K.S.A. 1979 Supp. 79-41a03; effective, E-80-26, Dec. 12, 1979; effective May 1, 1980; revoked T-83-30, Oct. 25, 1982.)

92-24-9. Definitions. As used in this article these terms shall have the following meanings. (a) "Club licensee" or "licensee" means a holder of a class A or class B club license issued by the director of alcoholic beverage control.

(b) "Director" means the director of taxation or the duly authorized designee of the director of taxation.

(c) "Retail liquor excise tax" means the tax imposed by K.S.A. 1981 Supp. 79-41a02.

(d) "Source record" means:

(1) A dated customer service check or ticket;
(2) a dated cash register tape, if coded to reflect the required information; or

(3) an equivalent of the check, ticket or tape in a form approved by the director. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-10. Registration certificates; application; display; revocation. Application for a registration certificate shall be made upon a form furnished by the director. The application shall state the name of the applicant as specified on the applicant's club license and the address at which the applicant proposes to engage in business. The application for a registration certificate shall be accompanied by a copy of the applicant's club license. If the applicant owes any retail liquor excise tax, penalty or interest at the time of making application, the director shall require payment thereof before issuance of the registration certificate. A separate registration certificate shall be required for each club and shall be conspicuously displayed on the premises. Any change of club location, club name or form of ownership of the club shall be reported imme-

diately by the club licensee to the director. The secretary of revenue may revoke the registration certificate of any club licensee for any violation of the provisions of this article or article 41a of chapter 79 of the Kansas Statutes Annotated after providing due notice and an opportunity for a hearing in accordance with the provisions of article 1 of chapter 92 of the Kansas Administrative Regulations. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing L. 1982, Ch. 424, Sec. 2; effective T-83-30, Oct. 25, 1982.)

92-24-11. Application of tax. The retail liquor excise tax shall apply to the gross receipts derived from the sale of any ingredients for drinks containing alcoholic liquor, whether mixed by the club licensee or sold separately. The tax shall also be applicable to charges made that are incidental to charges for drinks containing alcoholic liquor including, but not limited to, service charges, corkage charges, cooling charges, serving charges, fees or charges for the use of club-owned equipment incidental to the serving of drinks containing alcoholic liquor, and gratuities except as provided in the following sentence. Gratuities shall not be included within the gross receipts subject to the tax if the gratuities are voluntarily given by the consumer or are separately stated on a source record and are entirely distributed to employees of the club licensee not in the form of wages, salaries or other compensation. When a single fee or charge is made for alcoholic liquor provided by a club licensee in connection with room rental, soft drinks, water, and ice, the entire fee or charge, less the amount normally charged for the room rental, is subject to the tax. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02; effective T-83-30, Oct. 25, 1982.)

92-24-12. Sales tax inapplicable. Items of tangible personal property subject to retail liquor excise tax shall not be subject to retailer's sales tax. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-13. Assumption of tax by club licensee prohibited. A club licensee shall not advertise, hold out or state to the public or to any consumer, directly or indirectly, that: (a) The retail liquor excise tax, or any part of the tax, will be assumed or absorbed by the licensee;

(b) the tax will not be considered as an element in the price to the consumer; or

(c) the tax, or any part of the tax, will be refunded if it is added to the price to the consumer.

The tax may be included in the stated drink price only if the licensee conspicuously posts a sign provided by the director on the club premises stating that drink prices include retail liquor excise tax. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02; effective T-83-30, Oct. 25, 1982.)

(continued)

92-24-14. Time for returns and payment of tax; forms. On or before the last day of each calendar month, every club licensed in this state shall make a return to the director upon forms furnished by the director. The name and address of the licensee, the total amount of gross receipts from sales of alcoholic liquor sold during the preceding calendar month, and any other information the director deems necessary shall be stated on the form. The amount of tax due, as shown on the return, shall be paid to the director at the time the return is made. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-15. Records required. (a) Every club licensee shall keep records and books of all sales subject to retail liquor excise tax, together with invoices, bills of lading, sales records, copies of bills of sale, source records, daily summaries and other pertinent papers and documents. Such records shall show:

(1) The amount charged consumers for drinks containing alcoholic liquor and the amount charged consumers for all other items;

(2) purchases;

(3) breakage, spillage and mistakes; and

(4) liquor removed from inventory for:

(A) Use in preparation of food;

(B) complimentary drinks containing alcoholic liquor, including those offered in connection with the sale of food or other items and those given unconditionally; and

(C) consumption by the licensee or the licensee's employees.

(b) Such books, records and other papers and documents shall at all times be available for and subject to inspection by the secretary of revenue or the secretary's authorized representative for a period of three years from the last day of the calendar year or of the fiscal year of the licensee, whichever comes later, to which they pertain. The club licensee shall maintain the books, records and other documents on the licensed premises unless written approval is received from both the director and the director of alcoholic beverage control to maintain them at another location. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-16. Source record requirements. (a) Each club licensee shall record on a source record the following information:

(1) Each individual serving of a drink containing alcoholic liquor, or the unit of serving used if the drink is not served as an individual separate serving, and the price charged for the drink;

(2) Identification of each individual separate serving or other unit served as to the kind of drink; and

(3) The date of the transaction.

Such information shall be recorded in a manner making its meaning clearly evident or by a system of symbols or code, the meaning of which is printed on

the source record or on another document maintained on the licensed club premises.

(b) For the purpose of subsection (a)(3), drinks containing alcoholic liquor sold after 12:00 midnight and before 3:00 a.m. shall be deemed to have been sold on the preceding day.

(c) Source records shall be maintained in sequence by date. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-17. Daily summary. Each club licensee shall prepare a daily summary of all information required to be recorded on source records, including the sale or service of drinks containing alcoholic liquor. The daily summary shall also show the number of servings, kind of drink and normal retail selling price of all complimentary drinks containing alcoholic liquor dispensed. Proper identifying symbols or code may be used in preparing the daily summary. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-18. Licensee's inventory; sales slips. A club licensee shall not possess in inventory on the licensed premises any alcoholic liquor not covered by a sales slip provided by the retailer in accordance with the requirements of K.A.R. 14-3-35. Each sales slip shall be maintained by the licensee for the period prescribed by K.A.R. 92-24-15 and shall be available and subject to inspection in accordance with the provisions of that rule and regulation. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-19. Price listing statements. Every club licensee shall keep a price listing statement stating the current, normal retail selling price charged for each drink containing alcoholic liquor served by the licensee. The statement shall list the price, exclusive of the retail liquor excise tax, for each individual serving and for any other unit of serving served by the licensee. Whenever any price listing statement is updated by the club licensee, the outdated price listing statement shall have recorded on it the period of time for which it was effective. The outdated price listing statement shall be maintained by the licensee for the period prescribed by K.A.R. 92-24-15 and shall be available and subject to inspection in accordance with the provisions of that rule and regulation. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-20. Complimentary drinks containing alcoholic liquor. The retail liquor excise tax shall be imposed upon the normal retail selling price of complimentary drinks containing alcoholic liquor, as

(continued)

established by the price listing statement required by K.A.R. 92-24-19, when the offer of these drinks is conditioned upon the payment of an entry fee or the purchase of food or other items. No tax shall be imposed upon a complimentary drink containing alcoholic liquor given on an unconditional basis. Servings of complimentary drinks containing alcoholic liquor shall be recorded on service checks only. A check shall be prepared for each individual or party serviced. The check shall be prepared as if it was a normal sale and shall be clearly marked as being complimentary. Service checks shall be grouped daily and filed with the daily summary showing the information on the summary as required by K.A.R. 92-24-17. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-21. Report of alcoholic liquor lost through theft or disaster. A club licensee shall prepare a written report for the director setting out the number and size of containers and the brand, proof, age and category of alcoholic liquor lost through theft or disaster. A theft of alcoholic liquor shall be reported to the proper police or sheriff's department and shall be substantiated by the report of the police or sheriff's department. A disaster causing a loss of alcoholic liquor shall be reported to the director and shall be substantiated by an affidavit of an investigative employee of the department of revenue. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-22. Determination of tax liability; presumption of taxable disposition. (a) In examining the tax account of any club licensee, the director shall determine the correct amount of retail liquor excise tax upon the basis of returns filed with the director, or upon any records or information which are available or which are obtained from the club licensee or any retailer who furnished alcoholic liquor to the club licensee.

(b) If the director finds in examining the tax account of a club licensee that the club licensee has failed to maintain or make available adequate records required by any rule and regulation promulgated by the secretary of revenue or by article 26 of chapter 41 of the Kansas Statutes Annotated, the director may determine the correct amount of the tax from any available source or records. Estimates of the tax liability may be made by use of any available record for any period for which the club licensee has failed to maintain records or file a return with the director.

(c) In determining the tax liability of any club licensee, it shall be presumed that the disposition of all alcoholic liquor purchased by the club licensee is taxable unless the contrary is established. The burden of proving the contrary shall be upon the club licensee and shall be established through authentic records.

(d) When retail liquor excise tax is not separately specified upon the source records of the club licensee,

tax liability shall be determined upon the total gross receipts derived from the sale of alcoholic liquor. Deductions for tax included within stated drink prices shall not be allowed unless the licensee has posted a sign in compliance with the provisions of K.A.R. 92-24-13. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a02, 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-23. Bond. Every applicant making application for a new club license or for renewal of an existing club license shall post or have posted with the department of revenue a bond in an amount equal to three months' average retail liquor excise tax liability or \$1,000, whichever is greater, at the time of the application. New applicants who have no previous tax experience may estimate their expected retail liquor excise tax liability projected over a twelve-month period and submit a bond in an amount equal to 25% of the projected tax liability or \$1,000, whichever is greater. A certificate of registration shall not be issued until the bond requirement is satisfied.

Bond requirements may be satisfied through surety bonds purchased from a corporate surety, escrow bond agreements or posting of cash bonds.

The secretary of revenue may at any time require additional bond if the existing bond is not sufficient to satisfy the three months' average liability of the club licensee. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; effective T-83-30, Oct. 25, 1982.)

92-24-24. Duty of club licensees discontinuing business. Any club licensee discontinuing business is required to notify the director, return its retail liquor excise tax registration certificate for cancellation and preserve all business records within this state until the director issues a receipt indicating that the taxes reported have been paid. (Authorized by K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; implementing K.S.A. 1981 Supp. 79-41a03, as amended by L. 1982, Ch. 424, Sec. 1; L. 1982, Ch. 424, Sec. 2; effective T-83-30, Oct. 25, 1982.)

MICHAEL LENNEN
Secretary of Revenue

Doc. No. 000723

(Published in the KANSAS REGISTER, November 4, 1982.)

**NOTICE OF BOND SALE
UNIFIED SCHOOL DISTRICT NO. 248
OF CRAWFORD, BOURBON AND
NEOSHO COUNTIES, KANSAS
GENERAL OBLIGATION BONDS
CAPITAL OUTLAY SERIES A, 1982**

Pursuant to K.S.A. 1981 Supp. 10-106, written SEALED BIDS will be received by the Board of Education of Unified School District No. 248, of Crawford, Bourbon, and Neosho Counties, Kansas, at the office of the Board of Education, 401-415 North Summit, Girard, Kansas 66743, on November 8, 1982, at 7:30 o'clock P.M., local time, for the sale of 48 general obligation bonds, Capital Outlay Series A, 1982, of said School District in the aggregate amount of \$240,000.00 at which time said bids will be publicly opened. Said bonds will be in the amount of \$5,000.00 each. All of said bonds will be coupon bonds, dated December 1, 1982, and will mature serially as follows:

October 1, 1984	\$40,000.00
October 1, 1985	\$50,000.00
October 1, 1986	\$50,000.00
October 1, 1987	\$50,000.00
October 1, 1988	\$50,000.00

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders, provided, however, that not more than five different rates shall be specified in any bid and the same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of one-eighth or one-twentieth of one percent and no interest rate shall exceed the maximum permitted by law. The difference between the highest and lowest rate on the bonds shall not exceed two percent (2%). No bid of less than par and accrued interest will be considered. Any bid specifying the use of supplemental coupons or more than one interest rate within a single maturity will not be considered.

Each bid shall specify the total interest cost to the School District during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, the total net interest cost and the average annual net interest rate to the School District on the basis of such bid. It shall be understood that the School District may rely upon the representation as to the total net interest cost in awarding said bonds to the bidder submitting the best bid.

Interest on said bonds will be payable on April 1, 1984, and thereafter annually on October 1 and April 1 in each year. Both principal and interest on said bonds will be payable at the office of the State Treasurer, in the City of Topeka, Kansas.

The cost of printing said bonds will be paid by the School District. Said bonds, duly executed and registered, will be delivered by the School District and said bonds will be sold subject to the unqualified legal opinion of Gaar and Bell, Municipal Bond Counsel, Wichita, Kansas, whose unqualified approving opinion will be furnished and paid for by the School District. Other legal services in connection with the

issuance of said bonds will be paid by the School District.

All of said bonds will constitute general obligations of said School District, payable under present law both as to principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all tangible, taxable property, real and personal, within the territorial limits of said School District.

Said School District has an assessed taxable, tangible valuation of \$19,333,078.00, including the estimated value of Motor Vehicles of \$2,314,230.00, and a bonded indebtedness of \$295,000.00, including this issue of \$240,000.00. Said bonds are being issued for the purpose of paying costs of certain internal Capital Outlay improvements in said School District.

Said bonds will be delivered to the purchaser on or before December 15, 1982, at any bank in the State of Kansas, or Kansas City, Missouri, at the expense of the School District. Delivery elsewhere will be made at the expense of the purchaser.

Each bid shall be accompanied by a certified or cashier's check made payable to the School District in an amount of two percent of the total amount of such bid. The School District reserves the right to reject any and all bids. Bids will be submitted in writing, sealed and marked "Bond Bid." In the event any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the School District as liquidated damages. The checks of unsuccessful bidders will be returned.

Bids will be submitted on official bid forms (or their equivalent) which may be obtained from the Clerk of the Board of Education, 401-415 North Summit, Girard, Kansas 66743.

DONE BY ORDER of the Board of Education of Unified School District No. 248, Crawford, Bourbon, and Neosho Counties, Kansas, this 21st day of October, 1982.

**THE BOARD OF EDUCATION OF
UNIFIED SCHOOL DISTRICT NO. 248,
CRAWFORD, BOURBON, AND NEOSHO
COUNTIES, KANSAS.**

JEAN BERGMANN
President

ATTEST: MILDRED O. OLES
Clerk

Doc. No. 000705

(Published in the KANSAS REGISTER, November 4, 1982.)

**NOTICE OF BOND SALE
\$1,210,000.00
GENERAL OBLIGATION BONDS
SERIES A, 1982
OF THE
CITY OF LIBERAL, KANSAS**

The CITY OF LIBERAL, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 325 NORTH WASHINGTON, LIBERAL, KANSAS, until 6:00 o'clock P.M., C.S.T., on **MONDAY, NOVEMBER 15, 1982** for \$1,210,000.00 par value GENERAL OBLIGATION 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 December 1, 1982. The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$120,000	October 1, 1983
120,000	October 1, 1984
120,000	October 1, 1985
120,000	October 1, 1986
120,000	October 1, 1987
120,000	October 1, 1988
120,000	October 1, 1989
120,000	October 1, 1990
125,000	October 1, 1991
125,000	October 1, 1992

Interest on the Bonds will first be payable on October 1, 1983, and thereafter semiannually on the first days of April and October 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-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed three percent (3%). No interest rate shall exceed the maximum rate allowed by Kansas Law; said maximum rate being two percent (2%) above the Bond Buyer's 20 Bond Index, published on the Monday next preceding the day on which the Bonds are sold, 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 CITY HALL, 325 NORTH WASHINGTON, LIBERAL, KANSAS 67901, ATTENTION:

CRAIG R. SIMONS, 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 percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF LIBERAL, 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. Delivery of the Bonds will be made to the successful bidder on or about December 29, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Deliver elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond nor 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 by the City.

The Bonds are being issued for the purpose of paying the cost of internal improvements in the City of Liberal, Kansas not paid in cash by property owners within the time provided by law.

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 Liberal, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$34,043,564
Tangible Valuation of Motor Vehicles	\$ 9,164,770
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 230,170
Equalized Assessed Tangible Valuation for Computation of Bonded Debt	\$43,438,504

(continued)

The total general obligation bonded indebtedness of the City of Liberal, Kansas, including this issue of Bonds, is \$4,389,000.00. The City has Temporary Improvement Notes outstanding in the amount of \$5,135,187.18, of which there will be paid from the proceeds of the Bonds described herein, or otherwise cancelled, the amount of \$1,080,387.18. Of the balance of \$4,054,810.00 remaining, \$3,894,810.00 will be retired upon completion of new sewage treatment facilities from a Federal grant.

The First Securities Company of Kansas, Inc., is acting as financial consultant and may be contacted at One Main Place, Suite 200, P.O. Box 1321, Wichita, Kansas 67201, telephone (316) 262-4411, for additional information regarding these Bonds.

DATED this 25th day of October, 1982.

CRAIG R. SIMONS
City Clerk
Liberal, Kansas

Doc. No. 000712

(Published in the KANSAS REGISTER, November 4, 1982.)

NOTICE OF BOND SALE
\$275,000
INTERNAL IMPROVEMENT BONDS
(2 ISSUES)
CITY OF KANSAS CITY, KANSAS
(general obligations, payable from unlimited
ad valorem taxes)

Sealed bids will be received by the City Clerk of Kansas City, Kansas (the "City"), in the Office of the City Clerk in the Municipal Office Building, One Civic Center Plaza, Kansas City, Kansas 66101, until 10:00 o'clock A.M., C.S.T., on

THURSDAY, NOVEMBER 18, 1982

at which time and place said bids will be publicly opened and read for the purchase of \$275,000 aggregate principal amount of Internal Improvement Bonds (2 issues, Series "A" No. 40 and Series "Z" No. 39) of the City (collectively the "Bonds"). All bids received will be reported to the Board of Commissioners for determination of the best bid at a meeting of the Board to be held at said time, date and place.

Details of the Bonds

The Bonds will consist of 2 issues designated as \$95,000 Internal Improvement Bonds, Series "A", No. 40; and \$180,000 Internal Improvement Bonds, Series "Z", No. 39. The Bonds will be negotiable coupon bonds in the denomination of \$5,000 each, dated November 1, 1982, maturing serially on November 1 of each year in the principal amounts as follows:

YEAR	SERIES "A"	SERIES "Z"	TOTAL
	NO. 40 PRINCIPAL AMOUNT	NO. 39 PRINCIPAL AMOUNT	
1983	\$25,000	\$ 15,000	\$ 40,000
1984	20,000	15,000	35,000
1985	20,000	15,000	35,000
1986	20,000	15,000	35,000
1987	10,000	15,000	25,000
1988		15,000	15,000

1989	10,000	10,000	
1990	10,000	10,000	
1991	10,000	10,000	
1992	10,000	10,000	
1993	10,000	10,000	
1994	10,000	10,000	
1995	10,000	10,000	
1996	10,000	10,000	
1997	10,000	10,000	
	<u>\$95,000</u>	<u>\$180,000</u>	<u>\$275,000</u>

The Bonds will bear interest at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 of each year, beginning on May 1, 1983.

Place of Payment

Both principal and interest on the 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.

Redemption of Bonds

The Bonds maturing in the year 1993 and thereafter may, at the option of the City, be called for redemption and payment prior to maturity as a whole or in part in inverse numerical order on November 1, 1992, or on any interest payment date thereafter at a redemption price equal to 100% of the principal amount of Bonds so called for redemption, together with accrued interest thereon to date of redemption, without premium. In the event of any such redemption, the City will give notice of its intention to redeem and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be given by publication in the Kansas Register at least 30 days prior to the date fixed for redemption, and by mailing said notice by United States registered mail addressed to the paying agent for the Bonds and to the original purchaser of the Bonds, at least 30 days prior to the date fixed for redemption.

Security for the Bonds

The Internal Improvement Bonds, Series "A", No. 40, will be 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 on all the taxable tangible property within the City.

The Internal Improvement Bonds, Series "Z", No. 39, will be general obligations of the City, payable as to both principal and interest from special assessments levied upon the property benefited by such improvements and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property within the City.

Conditions of Bids

Bids will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The Bonds will be sold in one block on an "all or none" basis. The same rate shall apply to all Bonds maturing in the same year. Not more than five different interest rates shall be specified, but a rate may be repeated. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No

(continued)

interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by the weekly Bond Buyer, in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus 2%, and the difference between the highest and lowest interest rates specified in any bid shall not exceed 2%. No bid less than the principal amount of the Bonds plus accrued interest thereon to the date of their delivery will be considered, and no bid providing for supplemental interest coupons will be considered.

Basis of Award

Each bid shall specify the total interest cost to the City during the life of the Bonds 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 upon such dollar amount as stated in the bid as the basis for 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.

Delivery of and Payment for the Bonds

The City will pay for printing and registering the Bonds and will deliver the same properly executed and registered to the successful bidder within 45 days from the date of sale at such bank or trust company located in Kansas or Missouri, as may be specified by the successful bidder without cost to the successful bidder. Payment for the Bonds shall be made in federal funds or other funds which shall be available to the City on the same day the Bonds are delivered to the successful bidder. The successful bidder will be furnished with a certified transcript 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 the deliver of the Bonds affecting their validity.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Gaar & Bell, Overland Park, Kansas, Bond Counsel, whose unqualified approving opinion will be furnished and paid for by the City and will be printed on the Bonds.

CUSIP Numbers

At the request of the successful bidder, CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the successful bid and this Notice of Bond Sale. All expenses in relation to the printing of CUSIP numbers on the Bonds, including the CUSIP Service Bureau charge in the assignment of said numbers, will be paid for by the City.

Good Faith Deposit

Each bid must be accompanied by a good faith deposit in the form of a cashier's or certified check in the amount of \$5,500, made payable to the order of the Treasurer of the City of Kansas City, Kansas. Such check, or the proceeds thereof, will be held by the Treasurer pending payment for and delivery of the Bonds to the successful bidder. In the event the successful bidder shall fail to carry out its contract of purchase, the amount of said deposit shall be retained by the City as liquidated damages. No interest will be paid on the deposit made by the successful bidder.

Bid Forms

All bids shall be subject to the terms and conditions contained in this Notice of Bond Sale and must be made on the forms which may be obtained from the City Clerk. No additions or alterations may be made to such forms and any erasures may cause rejection of any bid. The right is reserved to waive irregularities and reject any and all bids.

Submission of Bids

Mailed bids may be addressed to the undersigned, City Clerk, Municipal Office Building, One Civic Center Plaza, Kansas City, Kansas 66101, and marked "Bid for the purchase of Bonds."

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the City for the year 1982 is \$402,628,232. The total general obligation bonded indebtedness of the City as of October 31, 1982, including the Bonds being sold, is \$29,364,000. In addition, the City has outstanding as of October 31, 1982, \$10,316,283 of temporary notes, of which \$427,400 will be retired out of the proceeds of the Bonds herein offered for sale, and other funding sources.

Bond Ratings

The outstanding general obligation bonds of the City are rated "Aa" by Standard & Poor's and "A-1" by Moody's Investors Service, Inc., and the City has applied for rating on the Bonds herein offered for sale.

DATED this 4th day of November, 1982.

DAVID T. ISABELL
City Clerk
Municipal Office Building
One Civic Center Plaza
Kansas City, Kansas 66101
(913-371-2000)

Doc. No. 000710

(Published in the KANSAS REGISTER, November 4, 1982.)

NOTICE OF BOND SALE
\$2,108,000.00
GENERAL OBLIGATION INTERNAL
IMPROVEMENT BONDS
SERIES C, 1982
OF THE
CITY OF DERBY, KANSAS

The CITY OF DERBY, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, DERBY, KANSAS, until 7:00 o'clock P.M., C.S.T., on

TUESDAY, NOVEMBER 16, 1982

for \$2,108,000.00 par value GENERAL OBLIGATION INTERNAL IMPROVEMENT 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, except No. 1 in denomination of \$3,000.00, and the Bonds will be dated December 1, 1982. The Bonds will mature serially in accordance with the following schedule:

AMOUNT	MATURITY
\$ 208,000	December 1, 1983
210,000	December 1, 1984
210,000	December 1, 1985
210,000	December 1, 1986
210,000	December 1, 1987
210,000	December 1, 1988
210,000	December 1, 1989
210,000	December 1, 1990
215,000	December 1, 1991
215,000	December 1, 1992
\$2,108,000	

Interest on the Bonds will first be payable on JUNE 1, 1983, and thereafter semiannually on the first days of DECEMBER and JUNE 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-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two and one-half percent (2½%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being two percent (2%) above the Bond Buyer's 20 Bond Index, published in the Weekly Bond Buyer on Monday, NOVEMBER 15, 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 CITY HALL, DERBY, KANSAS 67037, ATTENTION: GENEVA D. MOORE, 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 percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF DERBY, 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 31, 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 CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bonds nor 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 by the City.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable 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 constructing certain street, sanitary sewer, City Building, and lighting improvements in the City of Derby, Kansas.

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

(continued)

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 Derby, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$21,901,247.00
Tangible Valuation of Motor Vehicles \$	4,053,892.00
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 303,482.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$26,258,621.00

The total bonded indebtedness of the City of Derby, Kansas, at the date hereof, including this \$2,108,000.00 proposed issue of Bonds, is in the amount of \$5,444,000.00. The City currently has \$5,725,250.00 Temporary Notes outstanding, of which \$2,208,100.00 will be retired from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED October 19, 1982.

GENEVA D. MOORE
City Clerk
City of Derby, Kansas

Doc. No. 000706

(Published in the KANSAS REGISTER, November 4, 1982.)

NOTICE OF BOND SALE
(Interest exempt in the opinion of bond counsel from all present federal income tax.)
CITY OF NEWTON, KANSAS
Sale Date: 9:30 A.M. C.S.T.
November 17, 1982
NEW ISSUE
GENERAL OBLIGATION BONDS
(Unlimited Tax Bonds—Not Callable)
Dated: December 1, 1982
Final Maturity Date: March 1, 2003
\$1,179,420.47

SEALED bids will be received in the Office of the City Clerk at 120 East 7th Street, in the City of Newton, Kansas 67114, until 9:30 o'clock A.M. C.S.T., on November 17, 1982, and will be considered by the Governing Body of the City of Newton, Kansas, at its regular place of meeting in the City Commission Room in the City Hall, at 9:30 o'clock A.M. C.S.T., on November 17, 1982, at which time and place all proposals will be publicly opened, read aloud and considered for the purchase of all, but not less than all, of the \$1,179,420.47 General Obligation Bonds of three series: Series 1982-A, totaling \$291,723.18, one through ten-year bonds; Series 1982-B, totaling \$769,582.20, one through fifteen-year bonds; and Series 1982-C, totaling \$118,115.09, one through twenty-year bonds. No oral or auction bids will be considered. No bids for less than the entire aggregate amount of the Bonds will be considered.

All of the Bonds will be negotiable coupon Bonds, will be dated December 1, 1982, and will be in denominations of \$5,000.00 each, except Bond No. 1 in

Series 1982-A which will be in the denomination of \$1,723.18, Bond No. 1 in Series 1982-B which will be in the denomination of \$4,582.20, and Bond No. 1 in Series 1982-C which will be in the denomination of \$3,115.09. The Bonds will mature serially on each March 1 in each of the years and in the amounts as follows:

Maturity Date	Series 1982-A	Series 1982-B	Series 1982-C
	\$291,723.18	\$769,582.20	\$118,115.09
1984	\$21,723.18	\$44,582.20	\$ 3,115.09
1985	30,000.00	50,000.00	5,000.00
1986	30,000.00	50,000.00	5,000.00
1987	30,000.00	50,000.00	5,000.00
1988	30,000.00	50,000.00	5,000.00
1989	30,000.00	50,000.00	5,000.00
1990	30,000.00	50,000.00	5,000.00
1991	30,000.00	50,000.00	5,000.00
1992	30,000.00	50,000.00	5,000.00
1993	30,000.00	50,000.00	5,000.00
1994		55,000.00	5,000.00
1995		55,000.00	5,000.00
1996		55,000.00	5,000.00
1997		55,000.00	5,000.00
1998		55,000.00	5,000.00
1999			5,000.00
2000			10,000.00
2001			10,000.00
2002			10,000.00
2003			10,000.00

All of the Bonds shall mature without option of prior payment.

Interest on the Bonds will first be payable on March 1, 1984, and thereafter semiannually on the first days of September and March 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 66612.

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-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being two percent (2%) above the Bond Buyer's 20 Bond Index published Monday, November 15, 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 shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at 120 EAST 7TH STREET, NEWTON, KANSAS 67114, ATTENTION: JOHN TORLINE, 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. If there is any discrepancy between said net

(continued)

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. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF NEWTON, KANSAS, on which no interest will be allowed.

The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of his contract to purchase the bonds; but in the event that the successful bidder shall fail to comply with the terms of his bid, the check or the proceeds thereof shall then be forfeited and retained by the City as and for full liquidated damages.

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 CURFMAN, HARRIS, STALLINGS, GRACE & SNOW, 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 31, 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. Place of delivery shall be specified by the purchaser in writing to the City not later than December 1, 1982. The balance of the purchase price shall be payable in Federal Reserve funds or equivalent thereof.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property within the territorial limits of the City. The proceeds from the sale of City of Newton, Kansas General Obligation Bonds, Series 1982-A, Series 1982-B and Series 1982-C, will be used to finance street and sidewalk improvements in the amount of \$837,364.59; bridge improvements in the amount of \$23,337.09; airport hangar construction in the amount of \$200,603.70; sewer improvements in the amount of \$55,152.10; and waterworks improvements in the amount of \$62,962.99.

The sealed bids for the Bonds shall be opened and read aloud publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the highest 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 Newton, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$35,456,414.00
Assessed Tangible Valuation of Motor Vehicles	\$ 5,046,860.00
Equalized Assessed Valuation for Computation of Bonded Debt Limitations	\$40,503,274.00

The outstanding bonded indebtedness of the City of Newton, Kansas, at the date hereof, including this proposed issue of Bonds in the aggregate amount of \$1,179,420.47, is in the total principal amount of \$8,631,420.47. The City also has Temporary Improvement Notes outstanding in the total principal amount of \$1,075,000.00, all of which will be retired from the proceeds of the Bonds.

Neither the City of Newton, nor Harvey County, nor Unified School District No. 373, (Newton Public School System), contemplates the issuance of any additional General Obligation Bonds within the next thirty (30) days. The City of Newton plans to sell \$1,026,000.00 in Temporary Notes dated November 1, 1982, and due on or before November 1, 1984, within the next thirty days.

REDISTRIBUTION OF NOTICE

Authorization is given to redistribute this Notice of Bond Sale, but the entire Notice of Bond Sale, and not portions thereof, must be redistributed.

This Notice of Bond Sale has been prepared under the authority of the Governing Body of the City of Newton, Kansas. Additional copies of this Notice of Bond Sale, or further information may be received from the City, City Hall, 120 East 7th Street, Newton, Kansas 67114 (316-283-6900).

Unless otherwise noted, figures used in this Notice of Bond Sale through September 30, 1982, were obtained from the City of Newton, Kansas Quarterly Financial Report for the quarter ending September 30, 1982.

BY ORDER OF THE GOVERNING BODY
OF THE CITY OF NEWTON, KANSAS
THIS 20TH DAY OF OCTOBER, 1982

MARIAN L. BUTTON, Mayor

ATTEST: JOHN TORLINE, City Clerk

Doc. No. 000711

(Published in the KANSAS REGISTER, November 4, 1982.)

NOTICE OF BOND SALE**(Interest exempt in the opinion of bond counsel
from all present federal income tax.)****CITY OF WICHITA, KANSAS****Sale Date: 10:00 a.m. C.S.T.****November 16, 1982****NEW ISSUE****\$19,195,000****GENERAL OBLIGATION BONDS****(Unlimited Tax Bonds)****Dated December 1, 1982****Final Maturity Date December 1, 1997**

SEALED bids will be received in the Office of the City Clerk, at City Hall, 455 North Main, City of Wichita, Kansas 67202-1679, until 10:00 o'clock a.m., Central Standard Time, on November 16, 1982, and will be considered by the Governing Body of the City of Wichita, Kansas at its regular place of meeting in the City Commission Room in the City Hall, 455 North Main Street, in the City of Wichita, Kansas, at 10:00 o'clock a.m., Central Standard Time on November 16, 1982, at which time and place all proposals will be publicly opened, read aloud, and considered for the purchase of all, but not less than all, of the \$19,195,000 General Obligation Bonds of three series: Series 690, totaling \$5,510,000, one through ten-year bonds; Series 691, totaling \$13,285,000, one through fifteen-year bonds, and Series 692, totaling \$400,000, one through ten-year bonds, all dated December 1, 1982, and maturing December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of 3,839 wing-type coupon bonds, each in the denomination of \$5,000. Interest will be payable semiannually, commencing June 1, 1983, and each December 1 and June 1 thereafter. The principal of and the interest on the bonds shall be payable in lawful money of the United States of America, at Kansas State Bank and Trust Company in the City of Wichita, Kansas 67201-0427, or at the option of the holder, at the principal office of The Chase Manhattan Bank, N.A., in the City and State of New York 10015.

Said bonds will mature serially in the principal amounts as follows:

<i>Date of Maturity</i>	<i>Principal Amount</i>
December 1, 1983	\$1,085,000
December 1, 1984	1,125,000
December 1, 1985	1,160,000
December 1, 1986	1,205,000
December 1, 1987	1,255,000
December 1, 1988	1,310,000
December 1, 1989	1,365,000
December 1, 1990	1,430,000
December 1, 1991	1,495,000
December 1, 1992	1,570,000
December 1, 1993	1,055,000
December 1, 1994	1,140,000
December 1, 1995	1,230,000
December 1, 1996	1,330,000
December 1, 1997	1,440,000

Bonds maturing December 1, 1993, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the City in inverse numerical order on December 1, 1992, or on

any interest payment date thereafter, at the par value thereof, accrued interest to date of redemption, plus a premium of two percent (2%) of the principal amount thereof. Notice of any call for redemption will be given by the City by one publication in the official state paper of the State of Kansas not less than 30 days prior to the date fixed for such redemption and payment, such notice to specify the bond numbers of the bonds called for redemption and payment if such call be for less than all of the bonds then outstanding. An identical notice shall also be published once in a financial journal published in the City of New York, New York, not less than 30 days before the date fixed for such call for redemption and payment. Also, a notice shall be sent by the City by registered or certified mail to the said City's Fiscal Agent, Kansas State Bank and Trust Company, Wichita, Kansas 67202, and to the Co-Paying Agent, The Chase Manhattan Bank, N.A., New York, New York 10015, not less than 30 days before the date fixed for such redemption and payment. Failure to mail notice or any defect therein shall not affect the validity of any proceedings for redemption and payment of such bonds. Interest on the Bonds so called for redemption and payment will cease to accrue as of the effective date of redemption, provided funds are then available to pay the full redemption price thereof.

PURPOSE OF THE ISSUE

The proceeds from the sale of City of Wichita, Kansas General Obligation Bonds, Series 690, 691 and 692 will be used to finance: paving projects in the amount of \$8,895,009; sewer projects in the amount of \$6,711,361; water main extension projects in the amount of \$1,726,876; traffic signalization projects in the amount of \$30,642; public improvement projects in the amount of \$594,571; sidewalk projects in the amount of \$411,541; Fire Department improvements in the amount of \$425,000; and park improvement projects in the amount of \$400,000, all of which total \$19,195,000.

REGISTRABLE AS TO PRINCIPAL ONLY

Series 690, 691 and 692 bonds are general obligations of the City of Wichita, Kansas, payable from unlimited ad valorem taxes. The bonds are registrable as to principal only at the expense of the purchaser.

AUTHORITY TO ISSUE

The bonds are to be issued under and pursuant to ordinances which are intended to be adopted by the Governing Body of the City of Wichita, Kansas, on November 23, 1982, and pursuant to the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and Statutes of the State of Kansas.

SECURITY

The bonds constitute general obligations of the City of Wichita, Kansas, and the full faith, credit and resources of the City are pledged to the payment of the principal of and the interest on such bonds; and the City is obligated to levy ad valorem taxes without limitation as to rate or amount upon all the taxable property within the territorial limits of said City to pay the principal of and interest on the Bonds.

(continued)

INTEREST RATES AND AWARD OF BONDS

Bidders are invited to name the rate or rates of interest which the bonds are to bear expressed in multiples of one-eighth (1/8th) or one-twentieth (1/20th) of one per centum (1%). No bidder may name more than six (6) different rates of interest for the bonds; and all bonds maturing in the same year shall bear the same rate of interest. No interest rate shall exceed the legal rate therefor as provided by the laws of the State of Kansas. The maximum stated rate, determined on the date the bonds are sold, shall not exceed the 20 bond index of tax exempt municipal bonds published by the Weekly Bond Buyer in New York, New York on the Monday next preceeding the day on which the bonds are sold, plus 2%. All bids must state the total interest cost of the bid, the premium bid, if any, and the net interest cost of the bid, as well as the average annual net interest rate, all certified by the bidder to be correct; and the City may rely upon the correctness of such certificate. The repeating of a rate of interest after a different rate has been named will not constitute the naming of an additional rate. The difference between the highest interest rate bid and the lowest rate of interest bid shall not exceed four per centum (4%) per annum. No bid naming supplemental coupons or providing for the cancellation of coupons will be considered. A bid for the purchase of less than all of the bonds or a bid at a price less than par will not be considered. No bid will be considered if made on other than the "Official Bid Form" and no bid will be considered if such form is amended or modified, except that the City reserves the right to waive any irregularity or informality.

BID FORM AND GOOD FAITH DEPOSIT

Each bid submitted must be on the "Official Bid Form" furnished by the City and should be addressed to Donald C. Gisick, City Clerk, 455 North Main Street, Wichita, Kansas 67202-1679, plainly marked "Bond Bid" and must be accompanied by a certified or cashier's check in the amount of two per centum (2%) of the total par value of the bonds payable to the City Treasurer, City of Wichita, on which no interest will be allowed.

The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of the contract to purchase the bonds; but in the event that the successful bidder shall fail to comply with the terms of the bid, the check or the proceeds thereof shall then be forfeited and retained by the City as and for full liquidated damages.

The City reserves the right to determine who is the successful bidder for the bonds and to reject any or all of the bids for such bonds. Unless all bids are rejected, the bonds will be awarded by the City on the day the bids are received, November 16, 1982, and the City reserves the right to waive any informality or irregularity in any bid for the bonds.

The bonds will be sold to the best bidder or bidders. Determination of the best bid will be made by deducting the premium bid (if any) from the total interest cost and the bonds will be awarded to the bidder bidding the lowest total net interest cost to the City. If there is a

discrepancy between the lowest net interest cost and the average annual interest rate specified, the net interest cost figure shall govern and the coupon rates in the bid shall be adjusted accordingly.

TAX EXEMPT STATUS

In the event that prior to delivery of the bonds, the income received by private holders from bonds of the same type and character shall be taxable by the terms of any Federal income tax law, the successful bidder may, at its option, prior to the tender of said bonds by the City be relieved of its obligations under the contract to purchase the bonds, and in such case, the deposit accompanying its bid will be returned.

AWARD OF THE BONDS

The Governing Body of the City of Wichita, Kansas, intends to take action awarding the bonds or rejecting all bids as soon as reasonably possible after 10:00 o'clock a.m., Central Standard Time, November 16, 1982.

Delivery of the bonds will be made on or before December 16, 1982, in Wichita, Kansas; Kansas City, Missouri; New York City, San Francisco, Los Angeles, or Chicago, and place of delivery shall be specified by the bidder in writing to the City not later than November 23, 1982. Delivery at any other place shall be at the expense of the successful bidder. Payment shall be made in immediately available Federal reserve funds. The purchaser will be furnished with a certified transcript of the proceedings authorizing the issuance of the bonds, as well as the usual closing certificates including one certifying that there is no litigation pending or threatened at the time of the delivery of the bonds affecting their validity.

The final delivery certificate which will be executed and delivered to the successful bidder at the time and place of the delivery of and payment for the bonds and which will be signed by the Mayor and City Clerk of the City of Wichita will contain a certificate to the effect that the Official Statement and Notice of Bond Sale dated as of October 26, 1982, as of its date, as of the date of the sale, November 16, 1982, and as of the date of delivery of the bonds does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made in the light of the circumstances in which they are made not misleading.

An additional closing certificate will be furnished to the purchaser if desired stating that no material adverse change has occurred in the financial condition of the City of Wichita since the date of sale.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of Curfman, Harris, Stallings, Grace & Snow, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the City of Wichita, Kansas. Said legal opinion will state in part substan-

(continued)

tially that the principal of and interest on said bonds is payable in part from special assessments levied on benefited property, and the remaining part of said principal and interest, and any specially assessed part not so paid, is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of said City; and that, under existing law, the interest on said bonds is exempt from Federal income taxation and the bonds are exempt from Kansas intangible personal property taxes.

CUSIP IDENTIFICATION NUMBERS

It is anticipated that CUSIP identification numbers will be printed on said bonds; but neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and to pay for said bonds in accordance with the terms hereof. All expenses in relation to printing of CUSIP numbers on said bonds and the expense of CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the City of Wichita.

RATING OF THE BONDS

The City anticipates obtaining a rating on this issue. General Obligation Bonds issued by the City of Wichita since 1975 have been rated AA by both Moody's Investors Service and Standard & Poors Corporation.

OTHER PENDING BOND AND TEMPORARY NOTE ISSUES

Neither the City of Wichita, nor Sedgwick County, nor Unified School District No. 259 (Wichita Public School System), contemplates the issuance of any additional General Obligation Bonds within the next thirty (30) days. The City of Wichita plans to sell \$12,520,000 in temporary notes on November 23, 1982, to be dated December 1, 1982, to become due on June 16, 1983. These temporary notes will consist of \$9,205,859 in renewals and \$3,314,141 in new notes.

REDISTRIBUTION OF NOTICE AND OFFICIAL STATEMENT

Authorization is given to redistribute this Notice of Bond Sale and the Official Statement, but the entire Notice of Bond Sale and Official Statement, and not portions thereof, must be redistributed. The successful bidder, upon request, will be furnished with fifty (50) copies of the Notice of Bond Sale and Official Statement, without cost; additional copies will be furnished at a nominal charge.

ASSESSED VALUATION AND OUTSTANDING BONDED DEBT

The assessed valuation of all taxable tangible property within the City of Wichita, Kansas, for the year 1982, is as follows:

Equalized assessed valuation of taxable tangible property	\$921,792,542.00
Estimated tangible valuation of motor vehicles	\$137,785,752.00
Estimated tangible valuation of motor vehicle dealers' inventory	\$ 5,409,104.00

Equalized assessed tangible valuation for computation of bonded indebtedness limitations	\$1,064,987,398.00
--	--------------------

The total bonded indebtedness of the City of Wichita, Kansas, as of December 1, 1982, is \$205,240,000, which amount excludes all revenue bonds, but includes temporary notes in the amount of \$17,145,000 (including the \$12,520,000 of temporary notes to be sold on November 23, 1982) and the Series of bonds described in this Notice of Bond Sale in the amount of \$19,195,000. Of the currently issued and outstanding temporary notes of the City, \$14,764,141 will be retired out of the proceeds of the bonds herein offered for sale.

OFFICIAL STATEMENT

This Notice of Bond Sale and Official Statement has been prepared under the authority of the Governing Body of the City of Wichita, Kansas. Additional copies of this Notice of Bond Sale, or copies of the Official Statement, or further information may be received from the office of the City Treasurer, City Hall, 455 North Main Street, Wichita, Kansas 67202-1679 (316/268-4109).

Figures used in this Notice of Bond Sale and in the Official Statement through December 1, 1981, were obtained from the City of Wichita, Kansas Annual Financial Report for 1981, which Report has been audited by an outside firm of certified public accountants appointed by the Governing Body of the City of Wichita, Kansas.

BY ORDER OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS THIS 26TH DAY OF OCTOBER, 1982

ALBERT J. KIRK, Mayor

ATTEST: DONALD C. GISICK, City Clerk

Doc. No. 000709

(Published in the KANSAS REGISTER, November 4, 1982.)

NOTICE OF BOND SALE

\$3,761,000

JOHNSON COUNTY, KANSAS

SEWER BONDS

SERIES 1982C

(General Obligations Payable from Unlimited Ad Valorem Taxes)

Sealed bids will be received by the Board of County Commissioners of Johnson County, Kansas (the "County"), in the Commissioners' Hearing Room, Johnson County Courthouse, Kansas Avenue and Santa Fe Street, Olathe, Kansas 66061, until 10:30 o'clock A.M., C.S.T., on

Wednesday, November 10, 1982

at which time said bids will be publicly opened for the purchase of four issues of Sewer Bonds, Series 1982C, of the County, aggregating the principal amount of \$3,761,000 (the "Bonds").

All of the Bonds will be negotiable coupon bonds dated December 1, 1982, and will be in the denomination of \$1,000 or \$5,000 each. The Bonds will mature in the principal amounts on September 1 in each year as follows:

(continued)

Year	Principal Amount	Year	Principal Amount
1984	\$190,000	1994	\$187,000
1985	190,000	1995	187,000
1986	190,000	1996	187,000
1987	190,000	1997	187,000
1988	190,000	1998	187,000
1989	190,000	1999	187,000
1990	192,000	2000	187,000
1991	192,000	2001	187,000
1992	192,000	2002	181,000
1993	187,000	2003	181,000

Interest on the Bonds will be payable semiannually on March 1 and September 1 in each year commencing March 1, 1984. Both principal of and interest on the 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, or, subject to the County's approval of the paying agency charges, at a Kansas bank having trust powers as defined by statute. The purchaser may also request designation, subject to the same County approval, of any bank having trust powers as defined by statute and located in a federal reserve city as a co-paying agent with the Kansas bank so designated.

The Bonds maturing in the year 1995 and thereafter may, at the option of the County, be called for redemption and payment prior to maturity as a whole or in part in inverse numerical order on September 1, 1994, or on any interest payment date thereafter at the principal amount of the Bonds so called for redemption, together with accrued interest thereon to date of redemption.

All of the Bonds will constitute general obligations of Johnson County, Kansas payable as to both principal and interest from special assessments levied against property benefited in the County and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property within the County.

Bids will be received on the aggregate amount of Bonds bearing such rate or rates of interest as may be specified by the bidders subject to the following conditions: The same rate shall apply to all Bonds maturing in the same year. Not more than five different rates shall be specified, the repetition of a rate not being considered a different rate. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No rate shall exceed the 20 Bond Index of tax exempt municipal bonds published by the weekly Bond Buyer, in New York, New York on November 8, 1982, plus 2%. The difference between the highest rate specified and the lowest rate specified in any bid shall not exceed 2%. No bid providing for supplemental coupons will be considered.

No bid of less than the aggregate principal amount of the Bonds plus accrued interest thereon to the date of their delivery will be considered. Each bid shall spec-

ify the total interest cost to the County during the life of the Bonds on the basis of such bid, the premium, if any, offered by the bidder, the net interest cost to the County on the basis of such bid, and the average annual net interest rate on the basis of such bid. The best interest cost shall be determined by subtracting the amount of the premium, if any, from the total interest cost. The County shall be entitled to rely on the stated net interest cost in awarding the Bonds. If there is any discrepancy between the net interest cost and the average annual net interest rate, the specified net interest cost shall govern and the coupon rates specified in the bid shall be adjusted accordingly.

The Bonds are being issued pursuant to the authority of K.S.A. 19-2704a to 19-2715e, inclusive, and all acts amendatory thereof and supplemental thereto, for the purpose of providing funds to pay the cost of sewer improvements in certain sewer districts in the County.

The County will pay for printing and registering the Bonds and will deliver the same properly executed and registered to the successful bidder on or before December 22, 1982, at such bank or trust company located in the United States as may be specified by the successful bidder. The Bonds will be sold subject to the final approving opinion of Gaar & Bell, Overland Park, Kansas, Bond Counsel, which will be furnished and paid for by the County and will be printed on the Bonds. The successful bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Bonds and the usual closing 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.

At the request of the successful bidder, CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any of the Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with the terms of its bid and this Notice of Bond Sale. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the County.

Payment for the Bonds shall be made in Federal Reserve or equivalent funds, to be immediately available on the day of delivery of the Bonds to the successful bidder.

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check in the amount of \$75,220 made payable to the order of the Treasurer of Johnson County, Kansas. Such check will be held by the County pending payment for and delivery of the Bonds to the successful bidder. In the event a bidder whose bid is accepted shall fail to carry out its contract of purchase, the amount of said deposit shall be retained by the County as liquidated damages. No interest will be paid on the deposit made by the successful bidder.

(continued)

All bids must be submitted on forms which may be obtained from the undersigned. No additions or alterations in such forms shall be made, and any erasures may cause rejection of any bid. The County reserves the right to waive irregularities and to reject any or all bids.

Mailed bids should be addressed to the undersigned County Clerk and marked "Bid for Purchase of Bonds." Bids also may be delivered to said officer at said address at or immediately prior to 10:30 o'clock A.M., C.S.T. on November 10, 1982.

The adjusted equalized assessed valuation of all tangible taxable property in Johnson County, Kansas, according to the assessment as of August 25, 1982, is \$1,101,712,287. The total outstanding bonded indebtedness of Johnson County, Kansas, as of this date, including the Bonds of the County herein offered for sale, is \$61,242,139.67. In addition, the County has outstanding, as of this date, \$32,471,451 of temporary notes, of which \$3,803,950 will be retired from the proceeds of the Bonds and paid assessments. The corresponding amount of indebtedness of said County as of December 1, 1982, the date of the Bonds herein offered for sale, is projected to remain substantially the same.

The outstanding general obligation bonds of Johnson County, Kansas, are rated "Aa" by Moody's Investors Service, Inc., and said County has applied for a rating on the Bonds herein offered for sale.

DATED this 29th day of October, 1982.

DONALD J. CURRY
County Clerk
Johnson County Courthouse
Kansas Avenue & Santa Fe Street
Olathe, Kansas 66061
(913/782-5000)

Doc. No. 000704

State of Kansas

STATE CORPORATION COMMISSION

**NOTICE OF HEARING
ON PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS**

The State Corporation Commission of Kansas will hold a public hearing November 24, 1982, at 1:00 p.m. at the Commission Hearing Room, 4th Floor, State Office Building, Topeka, Kansas, for the purpose of receiving public comments on proposed temporary and permanent Motor Carrier Regulations. Every interested person will be given an opportunity to express their views at the above time.

A summary of the temporary and permanent regulations to be considered at the hearing are as follows:

K.A.R. 82-4-1. Definitions have been added which were necessary to provide an understanding of K.A.R. 82-4-68 through 82-4-85. Regulations 82-4-68 through 82-4-85 have been developed to comply with the re-

quirements of Senate Bill 511, enacted during the 1982 Legislative Session.

K.A.R. 82-4-7B. This regulation has been amended to comply with the requirements of Department of Administration. A substantive change has been made regarding drivers exempt from log requirements when operating exclusively within the 100-mile radius of work location.

K.A.R. 82-4-22. This regulation has been amended to reflect the existing practice in the industry. The amendment eliminates the \$1,000 cargo insurance requirement and states that cargo insurance should be in the "amounts equal to the value of cargo transported". Other non-substantive changes have been made to the regulation in order to clarify the regulation.

K.A.R. 82-4-27a. The language of this regulation has been amended to reflect the Commission's existing policy on the transfer of certificates of convenience and necessity and permits.

K.A.R. 82-4-27b. This regulation is new and reflects the existing practice of the Commission regarding applications for temporary authority for common and contract carriers.

K.A.R. 82-4-28b. New regulation reflects the Commission's existing practice on consolidation of common carrier authority.

K.A.R. 82-4-29a. New regulation sets out the requirements for filing applications for joint registration of equipment.

K.A.R. 82-4-48. Regulation has been amended to require that bills of lading issued by motor carriers state any limitations of liability for loss or damage of property being transported. The regulation also has been amended to comply with the requirements of Senate Bill 61 and references Conservation Division regulation K.A.R. 82-3-127 which requires transporters of crude petroleum oil, sediment oil, water or brine to possess documents containing specific information. Regulation also requires the bills of lading, freight bills and the documents required in K.A.R. 82-3-127 be retained by the transporter for a period of three years.

K.A.R. 82-4-52. Regulation is being revoked.

K.A.R. 82-4-61. Regulation is being revoked.

K.A.R. 82-4-66. Regulation has been amended by removing reference in Section (a), to "unincorporated" areas. The regulation has also been amended to comply to the requirements of Department of Administration.

K.A.R. 82-4-68. Regulation establishes the minimum provisions necessary for motor common and contract carriers to enter into collective ratemaking.

K.A.R. 82-4-69. Sets out what is necessary to be filed with the Commission for an application for collective ratemaking.

K.A.R. 82-4-70 through K.A.R. 84-2-82. Regulations establish in detail the requirements necessary for an organization to develop and file collective ratemaking agreements with the Commission.

K.A.R. 82-4-83. Provides for the Commission to review collective ratemaking agreement at least once every three years.

(continued)

K.A.R. 82-4-84. Explains the procedure the Commission must follow before a collective ratemaking agreement can be revoked.

K.A.R. 82-4-85. Establishes in detail the rate application filing requirements by members of a tariff organization.

Persons wishing to review a copy of the proposed revisions may do so at the office of the State Corporation Commission, 4th Floor, State Office Building, Topeka, Kansas, after November 4, 1982, between the hours of 7:50 A.M. and 4:50 P.M., Monday through Friday. The regulations will be available for review until the day of the hearing.

Persons wishing to receive a copy of the proposed regulations and the fiscal impact statement, may do so by submitting a request in writing, after November 4, 1982. Persons requesting a copy of the revised regulations will, in accordance with K.S.A. 45-204, be required to compensate the State Corporation Commission for the cost of reproduction.

Prior to the hearing, written comments regarding the proposed Motor Carrier Regulations may be submitted to William E. Green, State Corporation Commission, Transportation Division, 4th Floor, State Office Building, Topeka, Kansas 66612 by November 23, 1982.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 000724

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."

Applications set for December 1, 1982—
TOPEKA, KANSAS

Application to Transfer Certificate of
Convenience and Necessity:

Robert E. Schaefer, dba) Docket No. 56,581 M
Schaefer Tank Service)
Box 258)
Holyrood, KS 67450) Route No. 5098

TO:
Guthrie Steaming & Tank
Service, Inc.
P.O. Box 1331
Great Bend, KS 67530

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

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

Between all points & places in Barton, Ellsworth, Saline & Rice Counties, that portion of Russell County east of US Hwy 281 & that portion of Stafford County north of US Hwy 50.

Application for Contract Carrier Permit:

Lawrence R. Lathrom, dba) Docket No. 135,290 M
People's Taxi)
1007 S. Grant)
Chanute, KS 66720)

Applicant's Attorney: None

R.R. train crews,

Between all points and places in the state of KS. Under contract with Santa Fe Railroad.

Application to Transfer Certificate of
Convenience and Necessity:

Burlingame Truck Line,) Docket No. 30,327 M
Inc.)
RR #2)
Scranton, KS 66537) Route No. 2620

TO:
Paul Zirkle, dba
Zirkle Truck Line
9021 S.W. 79th
Auburn, KS 66402

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

Emigrant farm movables,

Between points & places in Osage County, that portion of Shawnee County south of KS Hwy 4 & US Hwy 70, that portion of Lyon County north of KS Hwy 278 east of KS Hwy 57/99 to Admire, north of US Hwy 56 & east of an unnumbered county road running north to the county line at a point five miles east of the western county boundary line, & that portion of Wabaunsee

(continued)

County east of an unnumbered county road beginning at the county line & running north to the junction of KS Hwy 4 & south of KS Hwy 4, on the one hand, said movement being limited to, from farm to farm, farm to town or town to farm.

Also,

Between points & places within the above described territory, on the one hand & points & places in Smith, Jewell, Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Rooks, Osborne, Mitchell, Cloud, Clay, Pottawatomie, Jackson, Atchison, Riley, Jefferson, Leavenworth, Ellis, Russell, Lincoln, Ottawa, Ellsworth, Saline, Dickinson, Geary, Wabaunsee, Shawnee, Douglas, Johnson, Rush, Barton, Rice, McPherson, Marion, Morris, Chase, Osage, Franklin, Miami, Lyon, Coffey, Anderson, Linn, Pawnee, Stafford, Reno, Harvey, Greenwood, Woodson, Allen, Bourbon, Pratt, Kingman, Sedgwick, Butler, Elk, Wilson, Neosho, Crawford, Barber, Harper, Cowley, Sumner, Chautauqua, Montgomery, Lurette, Cherokee, that portion of Phillips County east of US Hwy 183, that portion of Edwards County east of US Hwy 183 & that portion of Kiowa County east of US Hwy 183, on the other hand, said movement being limited to, from farm to farm, farm to town & town to farm.

Machinery & implements, knocked-down & set-up, & parts thereof, sand & gravel,

Between all points & places in Osage County, that portion of Shawnee County south of KS Hwy 4 & US Hwy 70, that portion of Lyon County north of KS Hwy 278 east of KS Hwy 57/99 to Admire, north of US Hwy 56 & east of an unnumbered county road running north to the county line at a point five miles east of the western county boundary line, & that portion of Wabaunsee County east of an unnumbered county road beginning at the county line & running north to the junction of KS Hwy 4 & south of KS Hwy 4.

Also,

Between points & places in the above described territory, on the one hand, & all points & places in the counties of Washington, Marshall, Nemaha, Brown, Doniphan, Cloud, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Ottawa, Saline, McPherson, Dickinson, Geary, Morris, Wabaunsee, Shawnee, Douglas, Johnson, Marion, Chase, Lyon, Osage, Franklin, Miami, Coffey, Anderson, Linn, Harvey, Butler, Sedgwick, Cowley, Greenwood, Elk, Allen, Chautauqua, Cherokee, Woodson, Wilson, Montgomery, Neosho, Crawford, Bourbon & Lurette, on the other hand.

Dry fertilizer, in bags & containers,

Between all points & places in Osage County, that portion of Shawnee County south of KS Hwy 4 & US Hwy 70, that portion of Lyon County north of KS Hwy 278 east of KS Hwy 57/99 to Admire; north of US Hwy 56 & east of an unnumbered county road running north to the county line at a point five miles east of the western county boundary line, & that portion of Wabaunsee County east of an unnumbered county road beginning at the county line & running north to the junction of KS Hwy 4, & south of KS Hwy 4.

Also,

Between points & places in the above described

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

RESTRICTED, HOWEVER, to neither offer or perform any service to or from Military, KS.

Building materials, fencing materials, hardware, cement, concrete blocks, cinder blocks, crush rock & lime,

Between all points & places in Osage County, that portion of Shawnee County south of KS Hwy 4 & US Hwy 70, that portion of Lyon County north of KS Hwy 278 east of KS Hwy 57/99 to Admire, north of US Hwy 56 & east of an unnumbered county road running north to the county line as a point five miles east of the western county boundary line, & that portion of Wabaunsee County east of an unnumbered county road beginning at the county line & running north to the junction of KS Hwy 4, & south of KS Hwy 4.

Also,

Between points & places in the above described territory, on the one hand, & all points & places in the counties of Washington, Marshall, Nemaha, Brown, Doniphan, Cloud, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Ottawa, Saline, McPherson, Dickinson, Geary, Morris, Wabaunsee, Shawnee, Douglas, Johnson, Marion, Chase, Lyon, Osage, Franklin, Miami, Coffey, Anderson, Linn, Harvey, Butler, Sedgwick, Cowley, Greenwood, Elk, Allen, Chautauqua, Cherokee, Woodson, Wilson, Montgomery, Neosho, Crawford, Bourbon & Lurette, on the other hand.

RESTRICTED, HOWEVER, to maximum loads of 20,000 pounds.

Dry bulk fertilizer,

Between all points & places in Osage County, that portion of Shawnee County south of KS Hwy 4 & US Hwy 70, that portion of Lyon County north of KS Hwy 278 east of KS Hwy 57/99 to Admire, north of US Hwy 56 & east of an unnumbered county road running north to the county line at a point five miles east of the western county boundary line, & that portion of Wabaunsee County east of an unnumbered county road beginning at the county line & running north to the junction of KS Hwy 4, & south of KS Hwy 4.

RESTRICTED, HOWEVER, to transport no dry bulk fertilizer from Topeka, except to the above described territory.

Hay, grain, farm machinery (set-up only), building materials (except cement), fencing materials, hardware, dry feed, seed, & dry feed ingredients (except salt),

Between all points & places in Jefferson, Wabaunsee, Shawnee, Douglas, Lyon, Osage, Franklin, Coffey, that portion of Pottawatomie County east of KS

(continued)

Hwy 13 & south of KS Hwy 259, that portion of Jackson County south of KS Hwy 16, that portion of Geary County east of an unnumbered county road running from Junction City to Skiddy, that portion of Morris County east of KS Hwy 149 & an unnumbered county road running to the county line two miles south of Diamon Springs, that portion of Chase County east of an unnumbered county road beginning at the county line to the junction of US Hwy 50 & north of US Hwy 50, that portion of Anderson County west of US Hwy 169, that portion of Miami County west of US Hwy 169, & that portion of Johnson County west of US Hwy 169 & south of KS Hwy 10.

Also,

Between points & places in the above described territory, on the one hand, & points in the State of KS, on the other hand.

RESTRICTED FURTHER, to provide no transportation of INSULATION OR FIBERGLASS PRODUCTS STARTING AT JOHNS-MANVILLE PLANT AT McPHERSON, KS. & DRY FEED, DRY FEED INGREDIENTS OR FERTILIZER IN PNEUMATIC EQUIPMENT, & BUILDING MATERIALS, STARTING AT OLATHE OR PHILLIPSBURG, KS, & FEED INGREDIENTS EITHER DESTINED OR STARTING IN CHEROKEE COUNTY, KS & FENCING MATERIALS, HARDWARE, SACK-FEED, SACKED FEED OR SACKED FEED INGREDIENTS.

Between Topeka, KS & Burlingame, KS, with no service to (4) Corners, KS or Scranton, KS.

Dry feed & dry feed ingredients,

Between all points & places in Riley, Pottawatomie, Jackson, Atchison, Geary, Wabaunsee, Shawnee, Jefferson, Leavenworth, Wyandotte, Douglas, Johnson, Morris, Lyon, Osage, Franklin, Miami, Chase, Coffey, Anderson, Linn, Woodson, Allen, that portion of Brown County south of US Hwy 36, that portion of Nemaha County south of US Hwy 36 & east of KS Hwy 87 & 99, that portion of Clay County south of US Hwy 24 & east of KS Hwy 15, that portion of Dickinson County east of KS Hwy 15, that portion of Marion County east of KS Hwy 15, north of US Hwy 56 & east of US Hwy 56/77, that portion of Butler County east of US Hwy 56/77 & north of US Hwy 54, & that portion of Greenwood County north of US Hwy 54.

Also,

Between points & places in the above described territory, on the one hand, & points & places in the State of KS, on the other hand.

RESTRICTED, HOWEVER, to provide no transportation of feed or feed ingredients in pneumatic equipment.

RESTRICTED, FURTHER, to provide no transportation of feed ingredients either destined to or originating within Cherokee County, KS.

Also,

To provide no transportation of shipments originating at Muncie, KS.

Application set for Abandonment:

Stella Conley) Docket No. 124,531 M
1033 Osage)
Leavenworth, KS 66048) Route No. 16789

Application to Transfer Certificate of Convenience and Necessity:

Dave's Mobile Homes, Inc.) Docket No. 177,277 M
2010 Casement Rd.)
Manhattan, KS 66502) Route No. 14730

TO:

Max A. Chase, dba
Chase Mobile Homes
400 Main St.
Longford, KS 67458

Applicant's Attorney: John F. Stites, Home Savings & Loan Bldg, 630 Humboldt, Manhattan, KS 66502

Mobile homes, house trailers, recreational vehicles, prefabricated buildings, in sections, campers, & boats,

Between points & places in Riley, Geary, Clay, Marshall, Wabaunsee, Lyon, Saline, Dickinson, & Pottawatomie Counties, KS.

Also,

Between points & places in Riley, Geary, Clay, Marshall, Wabaunsee, Lyon, Saline, Dickinson, & Pottawatomie Counties, KS, on the one hand, & points & places in the State of KS.

Application for Extension of Certificate of Convenience and Necessity:

Paul G. Abram, dba) Docket No. 134,505 M
Paul Abram Trucking &)
Abram Ready-Mix)
915 E. 8th)
Beloit, KS 67420) Route No. 19986

Applicant's Attorney: William B. Barker, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601

Building material,

Between points in Cloud, Mitchell & Lincoln Counties, KS.

Also,

Between points in Cloud, Mitchell & Lincoln Counties, KS on the one hand, &, on the other, points in the State of KS.

*Applications set for December 14, 1982—
TOPEKA, KANSAS*

Application for Extension of Certificate of Convenience and Necessity:

Gerald W. Abrahams, dba) Docket No. 27,825 M
Gerald W. Abrahams)
Trucking)
317 N. Locust)
Box 187)
Whitewater, KS 67154) Route No. 2192

(continued)

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

Livestock,

Between points & places in Butler, Sedgwick, Harvey & Reno Counties, that portion of Marion County south of KS Hwy 56 & KS Hwy 150; that portion of Greenwood County west of KS Hwy 99; that portion of Cowley County north of US Hwy 160; that portion of Sumner County north of US Hwy 160; that portion of Harper County north of US Hwy 160 & east of KS Hwy 14; that portion of Kingman County east of KS Hwy 14 & that portion of McPherson County south of US Hwy 56.

Application for Certificate of Convenience and Necessity:

Linden Construction Co.,) Docket No. 135,199 M
Inc.,)
dba Louie's Leisure Line)
RR 1, Box 53)
Colby, KS)

Applicant's Attorney: William B. Barker, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601

Passengers & their baggage,

Between points in KS on & west of KS Hwy 14, on the one hand, & on the other, all points & places in KS.

Application for Extension of Certificate of Convenience and Necessity:

M & C Brothers Oilfield) Docket No. 56,578 M
Tank)
Service, Inc.)
Box 186)
Medicine Lodge, KS 67104) Route No. 5083

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

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

Between all points & places in the Counties of Ford, Edwards, Pawnee, Rush, Barton, Sedgwick, Sumner & Kiowa.

Application for Certificate of Convenience and Necessity:

David A. Tyler,) Docket No. 135,200 M
Donald A. Tyler)
& Albert R. Miller, dba)
T & M Transportation,)
Division of T & M)
Leasing Co.)
18 Central Ave.)
Kansas City, KS 66118)

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

Edible sweeteners & blends of edible sweeteners & corn oil,

From points in that portion of Wyandotte County east of 18th St., on the one hand, & points & places in the state of KS, on the other hand.

Also,

Liquid feed ingredients,

Between points & places in Wyandotte County, KS, on the one hand, & points & places in the state of KS, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

T'n'G Tank Service,) Docket No. 57,681 M
Inc.)
P.O. Box 873)
Hays, KS 67601) Route No. 5148

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

Crude oil, except to refineries & pipeline terminals; & water,

Between points in KS lying in & west of Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick & Sumner Counties.

Application for Certificate of Convenience and Necessity:

Raymond B. Vollmer, dba) Docket No. 135,201 M
R. B. Vollmer Trucking)
509 S. Harrison)
Hugoton, KS 67951)

Applicant's Attorney: None

To transport livestock, feed, feed ingredients, grain, hay, used farm machinery, & agricultural commodities,

Between all points & places in an area bounded on the west by the KS-CO line; on the south by the KS-OK line; on the east by US Hwy 83 from the KS-OK line to the junction of US Hwy 83, US Hwy 160 & KS Hwy 144, 6 miles north of Sublette, Haskell County, KS; & on the north by US Hwy 160.

Also, between all points & places in the described area on the one hand & all points & places in the state of KS, on the other hand.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 000718

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612

Second Class
postage paid
at
Topeka, Kansas

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

_____ One-year subscriptions @ \$47.50 ea.
TOTAL ENCLOSED _____
(Make checks payable to Kansas Register)

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

Zip code must be included

THIS SPACE FOR REGISTER OFFICE
USE ONLY, PLEASE.

CODE _____ REC. NO. _____
EXPIRES _____ ENTERED BY _____

MAIL FORM WITH PAYMENT TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612

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

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

[Empty box for affixing mailing label]

Indicate change or correction of name or address here:

MAIL TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612