

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 45

November 11, 1982

Pages 1191-1234

IN THIS ISSUE

	<i>Page</i>
<i>Secretary of State</i>	
Notice of Forfeiture	1192
<i>Notice of Publication Deadline</i>	1193
<i>Notice to Bidders for State Purchases</i>	1193
<i>Kansas Fish and Game Commission</i>	
Notice of Meeting	1195
<i>Attorney General's Opinions</i>	
Opinions No. 82-234 through 82-238	1195
<i>Legislative Interim Committee Schedule</i>	1196
<i>Notices of Bond Sales</i>	
City of Syracuse	1197
City of Belle Plaine	1198
City of Hutchinson	1199
City of Olmitz	1201
City of Winfield	1202
<i>Supreme Court and Court of Appeals Dockets</i>	1203
<i>Department of Administration</i>	
Notice of Hearing on Proposed Administrative Regulations	1218
<i>Department of Health and Environment</i>	
Notices of Hearings on Proposed Administrative Regulations	1220- 1225
<i>State Board of Tax Appeals</i>	
Notice of Hearing on Proposed Administrative Regulations	1225
<i>Department of Transportation</i>	
Notice of Hearing on Proposed Administrative Regulations	1226
<i>Department of Human Resources</i>	
Notices of Hearings on Proposed Administrative Regulations	1228, 1229
<i>Adjutant General's Department</i>	
Notice of Hearing on Proposed Administrative Regulations	1229
<i>State Board of Nursing</i>	
Notice of Hearing on Proposed Administrative Regulations	1230
<i>Department of Revenue</i>	
Notices of Hearings on Proposed Administrative Regulations	1230, 1231
<i>State Corporation Commission</i>	
Notice of Hearing on Proposed Administrative Regulations	1232
Mined-Land Conservation and Reclamation Board; Notice of Hearing on Proposed Administrative Regulations	1233
<i>Kansas State Grain Inspection Department</i>	
Notice of Hearing on Proposed Administrative Regulations	1233

State of Kansas

SECRETARY OF STATE**NOTICE OF FORFEITURE**

In accordance with K.S.A. 17-7510, the authority of the following foreign corporations to do business in the State of Kansas was forfeited on October 15, 1982 for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

Cancelled 10/15/82 for failure to file the 3/15/82 annual report:

Foreign for Profit

Allied Mills, Inc., Two Broadway, New York, NY.
 Aqua Structures, Inc., Route 4, St. Cloud, MN.
 Architectural Metal Works, Inc., c/o John F. Clisbee, 1200 City Center Sq., Kansas City, MO.
 Associated Pool Builders, Inc., 210 Eastdale Drive, Bismarck, ND.
 Atwood, Inc., 1201 South 18th Street, Blue Springs, MO.
 Bob Madget, Inc., Box A, Station A, St. Joseph, MO.
 Burger Chef Systems, Inc., 250 N. St., White Plains, NY.
 Comfort Sales North, Inc., 1505 Genessee, Kansas City, MO.
 The Diversey Corporation, 2215 Sanders Road, Northbrook, IL.
 D'Lites Restaurants, Inc., 100 West Tenth Street, Room 11631, Wilmington, DE.
 Drake Energy, Inc., 1207 First City National Bank Bldg., Houston, TX.
 Feeney Construction Company, 7th and Olive Streets, St. Joseph, MO.
 Fluid Equipment Company, Inc., 11021 E. 39th Street, P.O. Box 1750, Independence, MO.
 Home Warranty Corporation, 2430 South R. D. Mize Road, Independence, MO.
 Imperial Company, P.O. Box 80027, 540 L Street, Lincoln, NE.
 International C-S Services, Inc., 1101 Walnut, Suite 1710, Kansas City, MO.

Kanoka Limited, 11212 North May Avenue, Oklahoma City, OK.

Kern County Refinery, Inc., Route 6, Box 336, Bakersfield, CA.

Kinder World, Inc., 1119 W. Randol Mill Rd., Arlington, TX.

Marad Exploration Corporation, 5800 E. Skelly Drive, Suite 1230, Tulsa, OK.

Northstar Fire Protection Co., 2300 Territorial, St. Paul, MN.

Omron Electronics, Inc., 650 Woodfield, Schaumbure, IL.

Parker and Company, Inc., 11915 E. 44th Terr., Kansas City, MO.

Post Petroleum Company, Inc., 15 N. Robinson, Concord Bldg., Suite 1000, Oklahoma City, OK.

Presto-X-Company, 1225 So. Saddle Creek Rd., Omaha, NE.

Rex Darnall, Inc., 24 Coventry Court, Prairie Village, KS.

Robert A. Mason Production Company, 12024 N. E. Expressway, Oklahoma City, OK.

Ru-Go Container Corporation, 2935 Chrysler Road, Kansas City, KS.

Sales & Service Corporation of America, 100 West Tenth Street, Wilmington, DE.

Scenic Concepts, Inc., Rt. 4, Onalaska, WI.

Simmons Petroleum Corporation, 4550 West 109th, Suite 305, P.O. Box 7049, Overland Park, KS.

Southern Century, Inc., c/o Corp. Trust Co. of Nevada, One East First St., Reno, NV.

Southern Steel Company, 4634 S. Presa St., Box 2021, San Antonio, TX.

Tanl Corporation, 4047 West Bay Road, Lake Oswego, OR.

Tri-States Land Mart, Inc., 305 S. First Street, Houston, MO.

Tucker Realty, Inc., 9101 West 110th Street, Suite 211, Overland Park, KS.

Universal Tank & Iron Works, Inc., 11221 West Rochville Road, Indianapolis, IN.

(continued)

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

PHONE: 913/296-2236

Carol A. Bell
 Publications Director

U. S. Homes, Inc., 5390 2nd Ave., Des Moines, IA.
W. L. Golightly, Inc., P.O. Box 16344, Houston, TX.
World Wide Restaurant Corporation, 208 South
Maize Road, Wichita, KS.

Wright and Kohli Construction Company, Inc., 184
Timber Mill St., The Woodlands, TX.

Wurlitzer Music Stores, Inc., 403 E. Gurler Rd., De
Kalb, IL.

Cancelled 10/15/82 for failure to file the annual report
due after 7/15/82 extension:

Foreign for Profit

Arnolds Management Corp., 9595 Wilshire Boule-
vard, Suite 405, Beverly Hills, CA.

Carbonit Houston, Inc., 100 West Tenth St., Wil-
mington, DE.

Co-Kan Oil & Gas, Inc., P.O. Box 156, Cherryvale,
KS.

Cornwall Properties, Inc., 8530 W. Nat'l., P.O. Box
1994, Milwaukee, WI.

John Mabry, Inc., First and Grand Ave., P.O. Box
2687, Kansas City, MO.

Kiska Oil Company, 320 South Boston, Suite 743,
Tulsa, OK.

National Telephone Company, Inc., 111 Prestige
Park Road, E. Hartford, Ct.

Sage Land Company, P.O. Box 13501, Kansas City,
MO.

Seafirst Leasing Corporation, Tax Department,
FAB-23, P.O. Box 3977, Seattle, WA.

Sefel Geophysical Ltd., #500 Bow Valley Square II,
P.O. Box 9088, Calgary, Alberta, Canada

Sickroom Service, Inc., 728 North 7th Street, Mil-
waukee, WI.

Stockham Valves & Fittings, Inc., P.O. Box 10326,
Birmingham, AL.

Texas American Oil Corporation, 300 West Wall
Street, Suite 400, Midland, TX.

The Vendo Company, 7209 N. Ingram Ave., Pine-
dale, CA.

Cancelled 10/15/82 for failure to correct and return
annual report:

Foreign for Profit

Bonewitz Chemical Services, Inc., 1731 North Roo-
sevelt Ave., Burlington, IA.

Health Related Services, Inc., 2300 Meyer Blvd.,
Kansas City, MO.

Kanstate Resources Ltd., 10123 99th Street, Edmon-
ton, Alberta, Canada.

Motorola Semiconductor Products, Inc., 1303 East
Algonquin Rd., Schaumburg, IL.

Cancelled 10/15/82 for failure to submit a certificate of
good standing with the annual report:

Foreign for Profit

Masterpiece Lawns, Inc., 6202 E. 120th Terr.,
Grandview, MO.

Mellon Energy Corporation, Suite 200, 1200 Travis,
Houston, TX.

JACK H. BRIER
Secretary of State

BY: JOHN R. WINE, JR.
Chief Counsel

Deputy Assistant Secretary of State

Doc. No. 000748

NOTICE

The DEADLINE for NOTICES TO BE
PUBLISHED in the DECEMBER 2 KANSAS
REGISTER will be 1:00 P.M. ON WEDNES-
DAY, NOVEMBER 24, because of the Thanks-
giving holidays. State offices will be closed on
both Thursday and Friday, November 25 and 26.

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES**

NOTICE TO BIDDERS

Sealed bids for items hereinafter listed will be re-
ceived 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 22, 1982

#25124 (Supplement)

University of Kansas Medical Center, Kansas City—
RADIOPHARMACEUTICALS AND RIA KITS

#25367

University of Kansas Medical Center, Kansas City &
Statewide—LABORATORY GLASSWARE AND
SUPPLIES

#25381

Department of Social & Rehabilitation Services—
JANITORIAL SERVICE (TOPEKA)

#25383

University of Kansas, Lawrence & Kansas State
University, Manhattan—ETHYL ALCOHOL, 200
PROOF

#52029

Department of Transportation, Salina—BELTING

#52030

University of Kansas Medical Center, Kansas City—
POWER PAPER CUTTER

#52031

Department of Administration (Division of Print-
ing), Topeka—GANG STITCHER

#52032

Department of Corrections—VANS, for Topeka and
Wichita

#52035

Department of Health & Environment, Topeka—
PARTS FOR DOSIMETER READER

#52040

Kansas State University, Manhattan—VIDEO
EQUIPMENT

#52045

Department of Social & Rehabilitation Services—
GLASS FIBER, Kansas City

#52057

Kansas State University, Manhattan—MODEMS,
ACCOUSTIC COUPLERS, AND TERMINALS

#A-4490

Fort Hays State University, Hays—DISHROOM
DUCT REPLACEMENT FOR McMINDES HALL
CAFETERIA

(continued)

TUESDAY, NOVEMBER 23, 1982

#25378

Kansas State University, Manhattan—READY MIXED CONCRETE, for Garden City Experiment Station

#25382

Kansas Highway Patrol—DINING SERVICE, Salina

#25385

Kansas Insurance Department—JANITORIAL SERVICE (TOPEKA)

#51542

Kansas Fish & Game Commission, Pratt—EXCAVATION AND DIRT CONSTRUCTION, Cherokee County, Kansas P & M Wildlife Area

#52036

Department of Transportation, Salina—GRADER BLADES

#52037

Kansas State University, Manhattan—TAB CARDS

#52039

Department of Human Resources, Topeka—CONTINUOUS WARRANTS—K-BEN 22 and 23

#52041

Kansas State University, Manhattan—FEED

#52042

Kansas State University, Manhattan—FEED

#52043

Kansas State University, Manhattan—PICKUP

#52044

Kansas Public Employees Retirement System, Topeka—ENVELOPES-WHITE WOVE-WINDOW

#52049

Kansas Fish & Game Commission, Pratt—DISC AND HARROW, for St. Francis, Bunker Hill, and Pittsburg

#52051

Kansas Park & Resources Authority, Pratt—PICNIC GRILLS, for Toronto and Clinton State Parks

#52052

Department of Transportation, Topeka—TOOL BOX (TRUCK)

#52054

University of Kansas Medical Center, Kansas City—ION ANALYZER

#52058

University of Kansas, Lawrence—HPLC APPARATUS

#52073

Department of Transportation, Topeka—MICRO-PROCESSOR SYSTEM

#A-4637

Kansas State University, Manhattan—DYKSTRA HALL ROOFING SYSTEM REPLACEMENT

WEDNESDAY, NOVEMBER 24, 1982

#52055

Department of Transportation, Norton—FLASHING WARNING LIGHTS

#52059

Department of Transportation, Topeka—ATTENUATOR COMPONENTS, for Kansas City

#52060

Fort Hays State University, Hays—VENDING MACHINES

#52063

Osawatomie State Hospital, Osawatomie—LAUNDRY EQUIPMENT

#52065

Kansas State Penitentiary, Lansing—AIR COMPRESSOR

#52071

Kansas Department of Revenue, Topeka—MICRO-FILM DUPLICATOR

#52074

Kansas Department of Human Resources, Topeka—CONTINUOUS MAILERS—K-BEN 78

#52075

Kansas Fish & Game Commission, Pratt—FENCE CONSTRUCTION AND FENCE REPAIR, Mined Land Wildlife Area

#52077

University of Kansas Medical Center, Kansas City—TRUCK

#A-4613

Fort Hays State University, Hays—REROOFING CUNNINGHAM HALL

MONDAY, NOVEMBER 29, 1982

#25380

University of Kansas Medical Center, Kansas City—FLOOR COVERING MATERIALS

TUESDAY, NOVEMBER 30, 1982

#A-3407(a)

Pittsburg State University, Pittsburg—FIXED LAB EQUIPMENT AND MOVABLE FURNITURE FOR BIOLOGY-CHEMISTRY BUILDING

WEDNESDAY, DECEMBER 1, 1982

#25384

Statewide—CEREALS

#52064

Emporia State University, Emporia—SALE OF USED COMPUTER EQUIPMENT

#52076

Department of Administration, Topeka—STUDY OF PRINTING FACILITY

#A-4275

University of Kansas, Lawrence—PIPE INSULATION AND METERS

THURSDAY, DECEMBER 2, 1982

#A-4604

Department of Administration, Topeka—RENOVATE HVAC SYSTEMS FOR 3RD FLOOR OF STATE OFFICE BUILDING

WEDNESDAY, DECEMBER 15, 1982

#25373

State Treasurer's Office, Topeka—MONEY AND SECURITIES BROAD FORM-BANK EXCESS BURGLARY AND ROBBERY INSURANCE

#25374

Kansas Insurance Department, Topeka—MONEY AND SECURITIES BROAD FORM-BANK EXCESS BURGLARY AND ROBBERY INSURANCE

TUESDAY, DECEMBER 28, 1982

#25379

Kansas State University, Manhattan—WORKERS' COMPENSATION INSURANCE

ARTHUR H. GRIGGS
Acting Director of Purchases

Doc. No. 000739

State of Kansas**FISH AND GAME COMMISSION****OPEN MEETING NOTICE**

A meeting of the Kansas Fish and Game Commission is scheduled for November 15-16, 1982 at the Wheatland Motor Inn in Garden City. The meeting begins at 7:30 p.m. on November 15, and 8:30 a.m. on November 16. Fish and Game legislation and other business matters will be discussed.

RON HOPKINS
Commission Chairman

Doc. No. 000732

State of Kansas**ATTORNEY GENERAL****OPINION NO. 82-234**

Kansas Constitution—Finance and Taxation—Uniform and Equal Rate of Assessment and Taxation.

Taxation—Property Exempt From Taxation—Property Constructed or Purchased in Part with Industrial Revenue Bond Proceeds. Representative Homer E. Jarchow, Ninety-Fifth District, Wichita, November 4, 1982.

Based upon the Kansas Supreme Court's differentiation of "permissible" and "impermissible" partial exemptions, and the declaration of public purpose provided in K.S.A. 1981 Supp. 12-1740, it cannot be concluded, as a matter of law, that the portion of K.S.A. 1981 Supp. 79-201a, *Second*, (as amended by L. 1982, ch. 389, § 1), which grants a partial exemption from taxation to property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, is prohibited by Article 11, Section 1, of the Kansas Constitution. Cited herein: K.S.A. 1981 Supp. 12-1740, 12-3418, 79-201a, as amended by L. 1982, ch. 389, § 1, 79-3120a (now repealed), L. 1982, ch. 63, § 9, Kan. Const., Art 11, § 1. RJB

OPINION NO. 82-235

Counties—Fire Protection—Fire Districts; Disassociation of Lands From District. Jim Pringle, Sumner County Attorney, Wellington, November 4, 1982.

K.S.A. 9-3604(b) allows the exclusion of land that is contained within a fire district, provided that the owners of at least 10% of the land sought to be removed sign a petition which is submitted to the board of county commissioners. If the commission finds the petition to be sufficient, it may approve the detachment by resolution, which must be published once each week for two consecutive weeks. A petition protesting the resolution may be filed within 30 days of the second publication, and, should such petition be signed by the owners of more than 19% of the affected land, the resolution of detachment is rendered a nullity. Signers of the original petition may, by signing the

counter petition, act to withdraw their support from the exclusion. In determining the sufficiency of the counter petition, the commission shall use the same standards as it uses in examining the initial petition. Cited herein: K.S.A. 19-3604(b). JSS

OPINION NO. 82-236

Townships and Township Officers—Water Supply—Authority of Township to Terminate Service for Non-payment of Charges. John F. Thompson, Attorney, Delaware Township, Leavenworth, November 4, 1982.

A township may, pursuant to K.S.A. 80-1601 *et seq.*, establish and maintain a water department. Such a township has the express authority given by statute in operating the department, as well as any powers necessary to exercise those given directly by statute. Among these implied powers is the authority to bill water users, and, if such charges are not paid, to terminate service. However, the township may not agree to act as a billing agency for another municipality, and terminate water service when such municipality's bill is not paid. Cited herein: K.S.A. 12-3903, 12-3908, 80-101, 80-1601, 80-1605. JSS

OPINION NO. 82-237

Townships—Cities Contained Therein—Change From Third-Class to Second-Class; Effect on Township's Authority. John F. Thompson, Attorney, Delaware Township, Leavenworth, November 4, 1982.

Pursuant to K.S.A. 15-104, third-class cities are included within the corporate limits of the townships in which they are situated. However, once a city becomes a second-class city, it no longer is so included. As a result, the township is without the authority to levy taxes on personal property located in the city. Further, any township officer who resides in the city vacates his or her office by virtue of K.S.A. 80-202, which requires such officers to reside within the township. Cited herein: K.S.A. 15-104, 25-1606, 80-202, 80-1404, 80-1545, 80-1605, Kansas Constitution, Article 5, § 1. JSS

OPINION NO. 82-238

Crimes and Punishments—Crimes Against the Public Safety—Possession of Firearm at a Person's Fixed Place of Business. John Dekker, Director of Law, City of Wichita, November 4, 1982.

Pursuant to the exemption in subsection (d) of K.S.A. 21-4201 (as amended by L. 1982, ch. 135, § 2 and further amended by L. 1982, ch. 136, § 1), any person may possess a concealed weapon while working at his or her fixed place of business. Cited herein: K.S.A. 21-4201 (as amended by L. 1982, ch. 135, § 2 and further amended by L. 1982, ch. 136, § 1), 21-4204, 38-725. BLH

ROBERT T. STEPHAN
Attorney General

Doc. No. 000738

State of Kansas

LEGISLATURE
INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of November 15 through November 26, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Nov. 15	519-S	10:00 A.M.	Special Committee	Committee Discussion on Proposals 12 and 38; Review of Proposed Committee Reports.
Nov. 16	519-S	9:00 A.M.	on Judiciary	
Nov. 15	531-N	10:00 A.M.	Social and	Review of Regulations and Recommendations. Review of State Hospital Programs.
Nov. 16	Osawatomie State Hospital, Osawatomie, Kansas,	9:00 A.M.	Rehabilitation Services Review Commission	
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 Matters.
Nov. 16	514-S	10:00 A.M.	Special Committee	Review Committee Reports on all Proposals
Nov. 17	514-S	9:00 A.M.	on Ways and Means	
Nov. 17	519-S	10:00 A.M.	Special Committee	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.	on Commercial and Financial Institutions	
Nov. 17	531-N	10:00 A.M.	Special Committee	To Be Announced.
Nov. 18	531-N	9:00 A.M.	on Hospital Laws	
Nov. 18	522-S	10:00 A.M.	Special Committee	Committee Discussion of Proposals 24, 25, 26 and 35. Review of Bill Drafts and Final Reports.
Nov. 19	522-S	9:00 A.M.	on Local Government	
Nov. 22	123-S	10:00 A.M.	Joint Committee on	Agenda Not Determined.
Nov. 23	123-S	9:00 A.M.	Administrative Rules and Regulations	
Nov. 22	519-S	9:00 A.M.	Special Committee on Assessment and Taxation	Agenda Not Available.
Nov. 22	529-S	10:00 A.M.	Special Committee on Labor and Industry	Review Committee Reports on all Proposals.
Nov. 24	531-N	10:00 A.M.	Special Committee on Public Health and Welfare	Review of Reports and Bills.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

(Published in the KANSAS REGISTER, November 11, 1982.)

**CITY OF SYRACUSE
HAMILTON COUNTY, KANSAS
NOTICE OF BOND SALE
INTERNAL IMPROVEMENT BONDS
(STREET)
SERIES 1982**

Sealed bids will be received by the Governing Body in the city of Syracuse, Kansas, at the City Hall, 12 East Ave. A, Syracuse, Kansas, Tuesday, November 23, 1982, at 2:00 P.M. Central Standard Time, at which time bids shall be publicly opened for the purchase of Internal Improvement Bonds of the city of Syracuse, Kansas, in the aggregate amount of \$173,516.73. Said bonds will be dated December 1, 1982, and will be in the denomination of \$5,000.00 each, except No. 1 \$3,516.73, and will become due as follows:

NUMBER	AMOUNT	MATURITY
1	\$ 3,516.73	December 1, 1984
2	5,000.00	December 1, 1984
3, 4	10,000.00	December 1, 1985
5, 6	10,000.00	December 1, 1986
7- 9	15,000.00	December 1, 1987
10-12	15,000.00	December 1, 1988
13-16	20,000.00	December 1, 1989
17-20	20,000.00	December 1, 1990
21-25	25,000.00	December 1, 1991
26-30	25,000.00	December 1, 1992
31-35	25,000.00	December 1, 1993

Said bonds are payable partly from Special assessments; however, the entire tangible property in said City can be levied on to pay said bonds. Said bonds are not callable.

Interest on said bonds will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 1984. Both principal and interest will be payable at the office of the State Treasurer, Topeka, Kansas.

Said bonds are being issued for the purpose of Street Improvements in said City.

DELIVERY AND LEGAL OPINION

Said bonds, properly printed, are to be furnished by the City without cost to the successful bidder, and said bonds will be sold subject to the legal opinion of William P. Timmerman, Attorney and Bond Counsel, 400 North Woodlawn, Wichita, Kansas, phone (316) 685-7212, whose final, unqualified, approving opinion will be furnished and paid for by the City and delivered to the successful bidder as and when the bonds are delivered. The successful bidder will also be furnished with a certified transcript of proceedings evidencing the authorization and issuance of said bonds, and the usual closing proofs, including a non-litigation certificate.

Said bonds will be delivered to the successful bidder through any bank, on or about December 15, 1982, in Kansas City, Missouri; Topeka, Kansas; Wichita, Kansas; or Syracuse, Kansas, as may be specified by the bidder.

The assessed valuation of all tangible taxable prop-

erty situated in the city of Syracuse, Hamilton County, Kansas, is \$4,488,982.00 for the year 1981.

The total bonded indebtedness of the City is as follows, to-wit:

G.O. Bonds, \$254,000.00, not including this issue.
Notes: \$271,500.00, \$196,500.00 of which will be picked up by this bond issue and from money on hand.

Utility Revenue Bonds: \$460,000.00.

Warrants: None.

This Issue: \$173,516.73.

Overlapping Debt: Hamilton County \$405,000, of which 10.57% is applicable to Syracuse. U.S.D. No. 494 \$75,000, of which 10.57% is applicable to Syracuse.

Population of Syracuse, Kansas 1654
Third Class City

COUPON RATE

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidder; provided, however, that each rate specified shall apply to all bonds of the same maturity. Each rate specified shall be an even multiple of *one-tenth of one percent (1/10th of 1%)* or *one-eighth of one percent (1/8th of 1%)*. There shall be no more than five (5) rates.

CONDITIONS FOR BIDDERS

Bids shall be submitted on a contract form with the usual information thereon, and should be addressed to the City Clerk of Syracuse, Kansas, plainly marked, "Bond Bid." All bids must state the gross interest cost of the bid and the average annual interest rate and premium, if any, all certified by the bidder to be correct, and the City will be entitled to rely upon such representations. Each bid must be accompanied by a certified check, cashier's check or bank draft equal to two percent (2%) (\$3,470.33) of the amount of such bid, to the City of Syracuse, 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. The awards will be made on the basis of the lowest net interest cost to the City. In the event an error should occur in computing the coupon rates, the net interest cost will govern.

The right is reserved to reject any or all bids.

O. L. MAYERS, Mayor

ATTEST: VIRGINIA ANDERSON, City Clerk
(SEAL)

Doc. No. 000737

(Published in the KANSAS REGISTER, November 11, 1982.)

NOTICE OF BOND SALE
\$177,000.00
GENERAL OBLIGATION SEWER SYSTEM
BONDS
SERIES 1982
OF THE
CITY OF BELLE PLAINE, KANSAS

The CITY OF BELLE PLAINE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 401 NORTH MERCHANT, BELLE PLAINE, KANSAS, until 7:30 o'clock P.M., C.S.T., on THURSDAY, NOVEMBER 18, 1982

for \$177,000.00 par value GENERAL OBLIGATION SEWER SYSTEM BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

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

PRINCIPAL AMOUNT	MATURITY DATE
\$ 12,000	December 1, 1984
15,000	December 1, 1985
15,000	December 1, 1986
15,000	December 1, 1987
15,000	December 1, 1988
20,000	December 1, 1989
20,000	December 1, 1990
20,000	December 1, 1991
20,000	December 1, 1992
25,000	December 1, 1993
\$177,000	

Interest on the Bonds will first be payable on JUNE 1, 1984, 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 401 NORTH MERCHANT, BELLE PLAINE, KANSAS 67013, ATTENTION: MARGARET AGEE, 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 BELLE PLAINE, 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 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 will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the City. The Bonds are being issued for the purpose of paying the costs of wastewater treatment plant improvements in the City.

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 Belle Plaine, Kansas, for the year 1981, are as follows:

(continued)

Equalized Assessed Valuation of Taxable, Tangible Property	\$1,786,510
Tangible Valuation of Motor Vehicles	\$ 411,144
Tangible Valuation of Motor Vehicle Dealer's Inventory	\$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$2,197,654

The total bonded indebtedness of the City of Belle Plaine, Kansas, at the date hereof, including this \$177,000.00 proposed issue of Bonds, is in the amount of \$466,000.00. The City also has \$312,400.00 in Temporary Notes outstanding, of which \$286,000.00 will be retired from proceeds of this issue.

DATED October 21, 1982.

MARGARET AGEE
City Clerk
City of Belle Plaine, Kansas

Doc. No. 000730

(Published in the KANSAS REGISTER, November 11, 1982.)

NOTICE OF BOND SALE
\$2,650,000
INTERNAL IMPROVEMENT BONDS
SERIES A-94
CITY OF HUTCHINSON, KANSAS
(payable from unlimited ad valorem taxes)

Sealed bids will be received by the Governing Body of the City of Hutchinson, Kansas (the "City"), at the office of the City Clerk in the City Hall, 125 E. Avenue "B", Hutchinson, Kansas 67501, until 10:00 o'clock A.M., C.S.T., on

Tuesday, November 16, 1982

at which time and place said bids will be publicly opened and read for the purchase of \$2,650,000 principal amount of Internal Improvement Bonds, Series A-94, of the City (the "Bonds"). All bids received will be reported to the Governing Body for determination of the best bid at a meeting of the Governing Body to be held at said time, date and place.

Details of the Bonds

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

YEAR	PRINCIPAL AMOUNT	COUPON
1984	\$125,000	_____
1985	125,000	_____
1986	125,000	_____
1987	125,000	_____
1988	125,000	_____
1989	125,000	_____
1990	125,000	_____
1991	125,000	_____
1992	125,000	_____
1993	125,000	_____
1994	125,000	_____
1995	125,000	_____
1996	125,000	_____
1997	125,000	_____

1998	125,000	_____
1999	150,000	_____
2000	150,000	_____
2001	150,000	_____
2002	150,000	_____
2003	175,000	_____

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 March 1 and September 1 of each year, beginning on March 1, 1984.

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 on March 1, 1993, and thereafter, will be subject to redemption and payment prior to maturity at the option of the City, in whole or in part on March 1, 1992, or on any interest payment date thereafter, in inverse numerical order at par plus accrued interest thereon to the date fixed for redemption and payment.

If the City calls any of the Bonds for redemption prior to their maturity, the City will publish a notice of said redemption once in a financial journal published in the City of New York, New York, said notice to be published not less than thirty (30) days prior to the day fixed for redemption. Written notice of such redemption will also be sent by United States registered or certified mail to the office of the State Treasurer, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid not less than thirty (30) days prior to the date fixed for redemption.

Security for the Bonds

The Internal Improvement Bonds, Series A-94, 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 upon all the taxable tangible property within the territorial limits of 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. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No 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 1%. No bid less than the principal amount of the Bonds plus accrued interest thereon to the date of their delivery will be considered,

(continued)

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 35 days from the date of sale at such bank or trust company located in the contiguous United States 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 as delivery of the Bonds. 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 delivery 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 \$53,000, made payable to the order of the Treasurer of the City of Hutchinson, 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 suc-

cessful 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 shall 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, City Hall, P. O. Box 1567, Hutchinson, Kansas 67501, 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 1981 is \$112,608,049. The total general obligation bonded indebtedness of the City as of the date of the Bonds, including the Bonds, is \$18,547,000.

In addition, the City has outstanding as of the date of the Bonds, \$7,235,000 of temporary notes, of which \$2,250,000 will be retired out of the proceeds of the Bonds herein offered for sale.

Bond Ratings

The outstanding general obligation bonds of the City are rated "A1" by Moody's Investor Service, Inc., and the City has applied for rating on the Bonds herein offered for sale.

Official Statement

Upon the sale of the Bonds, the City will adopt an Official Statement in substantially the form as the Preliminary Official Statement, subject to minor amendments and supplementation. Copies of the City's Preliminary Official Statement relating to the Bonds may be obtained from the City Clerk or the City's Financial Advisor, Shearson/American Express Inc., 2345 Grand Avenue, Suite 1600, Kansas City, Missouri 64108 (816/346-6114). Upon request, 200 copies of the Official Statement will be made available to the successful bidder without charge. Additional copies may be obtained at the expense of such bidder.

DATED this First day of November, 1982.

LUCILLE McELWAIN
Acting City Clerk
City Hall
P. O. Box 1567
Hutchinson, Kansas 67501
(316/663-6151)

Doc. No. 000727

(Published in the KANSAS REGISTER, November 11, 1982)

NOTICE OF BOND SALE
\$155,000.00
GENERAL OBLIGATION SEWER BONDS
OF THE
CITY OF OLMITZ, KANSAS

The GOVERNING BODY OF THE CITY OF OLMITZ, KANSAS, will receive sealed bids at CITY HALL, OLMITZ, KANSAS, until 7:00 o'clock P.M., C.S.T., on

MONDAY, NOVEMBER 22, 1982

for \$155,000.00 par value GENERAL OBLIGATION SEWER BONDS of the City, at which time and place said 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:

PRINCIPAL AMOUNT	MATURITY DATE
\$ 5,000.00	December 1, 1984
5,000.00	December 1, 1985
5,000.00	December 1, 1986
5,000.00	December 1, 1987
5,000.00	December 1, 1988
10,000.00	December 1, 1989
10,000.00	December 1, 1990
10,000.00	December 1, 1991
10,000.00	December 1, 1992
10,000.00	December 1, 1993
15,000.00	December 1, 1994
15,000.00	December 1, 1995
15,000.00	December 1, 1996
15,000.00	December 1, 1997
20,000.00	December 1, 1998

Interest on the Bonds will first be payable on JUNE 1, 1984, 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 per cent (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 amount authorized by Kansas law, said amount to be the 20 Bond Index of tax exempt municipal bonds published in the weekly Bond Buyer in New York, New York on the Monday next preceding the day on which the Bonds are sold (November 15, 1982), plus Two per cent (2%); 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 HON. MAYOR AND CITY COUNCIL, CITY HALL, OLMITZ, KANSAS 67564, ATTENTION: PAULA AXMAN, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to Two per cent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF OLMITZ, 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 about 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.

The Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City. The proceeds of the Bonds will be used, together with the proceeds of a Federal Grant from the United States Environmental Protection Agency, for the purpose of paying the costs of constructing a Sewage Treatment Facility and Collection System, and all necessary appurtenances thereto, for the City.

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

(continued)

Real Estate	\$138,300.00
Personal Property	7,740.00
Motor Vehicles	68,185.00
Utilities	68,666.00
Total Assessed Valuation	\$282,291.00

The total bonded indebtedness of the City of Olmitz, Kansas, at the date hereof, including this \$155,000.00 proposed issue of Bonds, is in the amount of \$170,000.00. The City also has \$200,000.00 of Temporary Notes outstanding, all of which will be redeemed and retired from the proceeds of this issue of Bonds and other available funds.

DATED November 1, 1982.

PAULA AXMAN, City Clerk
City of Olmitz, Kansas

Doc. No. 000717

(Published in the KANSAS REGISTER, November 11, 1982.)

NOTICE OF BOND SALE
\$134,010.08
GENERAL OBLIGATION BONDS
OF THE
CITY OF WINFIELD, KANSAS

The CITY OF WINFIELD, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 200 E. 9th, WINFIELD, KANSAS, until 7:00 o'clock P.M., C.S.T., on

MONDAY, NOVEMBER 15, 1982

for \$134,010.08 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 \$1,000.00 each, except No. 1 in denomination of \$1,010.08, and the Bonds will be dated December 1, 1982. The Bonds will mature serially in accordance with the following schedule:

PRINCIPAL AMOUNT	MATURITY DATE
\$14,010.08	December 1, 1984
14,000.00	December 1, 1985
14,000.00	December 1, 1986
14,000.00	December 1, 1987
13,000.00	December 1, 1988
13,000.00	December 1, 1989
13,000.00	December 1, 1990
13,000.00	December 1, 1991
13,000.00	December 1, 1992
13,000.00	December 1, 1993

Interest on the Bonds will first be payable on JUNE 1, 1984, and thereafter semiannually on the first days of June and December 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 per cent (1%). The difference between the highest and lowest rate shall not exceed four percent (4%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being two per cent (2%) above the Bond Buyer's 20 Bond Index, published in the Weekly Bond Buyer on Monday, November 8, 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 200 E. 9th, WINFIELD, KANSAS 67156, ATTENTION: DON DRENNAN, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two per cent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF WINFIELD, 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 Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in connection with the printing of CUSIP numbers on the Bonds shall be paid 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 re-

(continued)

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 paying the costs of certain street and sanitary sewer improvements in the City.

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

Equalized Assessed Valuation of Taxable Tangible Property	\$22,468,068.00
Tangible Valuation of Motor Vehicles	\$ 4,694,760.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$27,162,828.00

The total bonded indebtedness of the City of Winfield, Kansas, at the date hereof, including this \$134,010.08 proposed issue of Bonds, is in the amount of \$6,198,420.08, which figures also includes temporary notes of the City and the City's outstanding Utility Revenue Bonds in an aggregate amount of \$4,862,000.00. The City will retire \$95,410.00 of outstanding Temporary Notes from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED October 25, 1982.

DON DRENNAN, City Clerk
City of Winfield, Kansas

Doc. No. 000726

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET

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

Monday, November 29, 1982

Case Caption	Attorneys	Originating County
9:30 a.m.		
54,225 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.;	Sedgwick
v.	Geary Gorup, Asst. Dist. Atty.	
54,353 Walter M. Peters, Appellant,	Mel Gregory	
54,353 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.;	Sedgwick
v.	Geary Gorup, Asst. Dist. Atty.	
54,526 Malcolm T. Hutton, Appellant,	John Terry Moore.	
54,526 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.;	Sedgwick
v.	Geary Gorup, Asst. Dist. Atty.	
53,233 Leonard E. Williams, Appellant,	David Michael Rapp.	
53,233 Capital Services, Inc., Appellant,	James A. Walker.	Sedgwick
v.	ON PETITION FOR REVIEW	
Dahlinger Pontiac-Cadillac, Inc., and Kansas State Bank and Trust Company, Appellees.	John R. Morse.	
1:30 p.m.		
54,318 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.;	Sedgwick
v.	Geary Gorup, Asst. Dist. Atty.	
53,947 Virga R. Davis, Appellant,	Harold E. Flaigle.	
53,947 B. Steven Black, Appellee,	C. Robert Bell.	Sedgwick
v.		
Don Schmid Motor, Inc., Appellant,	Paul Arabia; Larry Linn.	
v.		
Peugeot Motors of America, Inc., Appellee.	Ron Campbell; Donald E. Schrag.	

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|--------|--|---|-------------|
| 54,275 | Gary F. Flanigan, Appellant,
v.
City of Leavenworth, Appellee. | Roger W. Lovett. | Leavenworth |
| 54,198 | Virginia Ann Ebert, Appellant,
v.
Patrick C. Ebert, Appellee. | Robert D. Beall.
Donn J. Everett.
Paul E. Miller. | Riley |

Tuesday, November 30, 1982
9:30 a.m.

- | | | | |
|--------|---|--|-------------------------------------|
| 54,792 | State of Kansas, Appellee,
v.
James Crume, Jr., a/k/a
"Junebug," Appellant. | Robert T. Stephan, Atty. Gen.;
Dexter Burdette, Asst. Dist. Atty.
Phillip C. Lorton. | Wyandotte |
| 54,559 | State of Kansas, Appellee,
v.
Dennis Shepherd, Appellant. | Robert T. Stephan, Atty. Gen.;
Scott Logan, Asst. Dist. Atty.
Carl E. Cornwell. | Wyandotte |
| 53,508 | Mary Jo Johnson, Appellant,
v.
L. W. Johnson, Appellee. | LaVone A. Daily
Laurence M. Jarvis. | Wyandotte
ON PETITION FOR REVIEW |
| 53,714 | Garnett State Savings Bank, A Kansas
Banking Corporation, Appellant,
v.
George M. Tush, Jr., Jacquelyn Tush,
a/k/a Jacky Tush, and Ronald Tush,
Appellees. | Terry Jay Solander.
Orville J. Cole; Richard L. Hines. | Anderson |

1:30 p.m.

- | | | | |
|--------|---|--|-----------|
| 54,330 | State of Kansas, Appellee,
v.
Arthur Chandler, Appellant. | Robert T. Stephan, Atty. Gen.;
Michael Grosko, Asst. Dist. Atty.
John S. Sutherland. | Wyandotte |
| 54,048 | Circle Land and Cattle Corporation, et al.,
Appellees,
v.
Amoco Oil Company, Appellant, and
International Harvester Company,
Appellee. | Charles E. Owen, II.
Lelyn J. Braun; E. Edward Brown. | Finney |
| 53,381 | Varena Brown, Appellant,
v.
Gene Foulks, Judith Foulks, and N. E.
Foulks, Inc., Appellees. | Max Eugene Estes.
Jack Dalton. | Ford |
| 53,952 | State of Kansas, Appellant,
v.
Ernest L. Lackey, President of Lackey
Tank Service, Inc., Appellee. | Robert T. Stephan, Atty. Gen.
Philip D. Lunt, Co. Atty.
William Mitchell; Kent Voth. | Pratt |

Wednesday, December 1, 1982
9:30 a.m.

- | | | | |
|--------|---|--|---------|
| 54,415 | State of Kansas, Appellee,
v.
Jeffrey B. Garvin, Appellant. | Robert T. Stephan, Atty. Gen.;
Randy Hendershot, Asst. Dist.
Atty.
Ronald E. Wurtz. | Shawnee |
| 54,775 | State of Kansas, Appellant,
v.
J. David Logan, Appellee. | Robert T. Stephan, Atty. Gen.; C.
William Ossmann, Asst. Dist. Atty.
John C. Humpage. | Shawnee |

(continued)

CONSOLIDATED
WITH

- 54,776 State of Kansas, Appellant,
v.
Jim Kevin Cromwell, Appellee.
- 54,491 Western Casualty and Surety Company,
Appellant,
v.
Universal Underwriters Insurance
Company, Appellee.
- 52,771 State of Kansas, ex rel., Sheila Hausner, et
al., Appellees,
v.
Paul Blackman, Appellant.
- 54,468 State of Kansas, Appellee,
v.
Gilbert Mason, Appellant.
- 54,589 Robert L. Rieke, Building Co., Inc.,
Appellant,
v.
City of Overland Park, Kansas Appellee.
- 54,422 In Re: Appeal of City of Lenexa to the
Decision of the Board of County
Commissioners of Johnson County,
Kansas, Denying a Petition to Annex
Certain Lands, Pursuant to K.S.A. 12-521.
- Robert T. Stephan, Atty. Gen.; C. Shawnee
William Ossmann, Asst. Dist. Atty.
- John C. Humpage.
C. Stanley Nelson. Saline
- Paul Hasty, Jr.
- Robert T. Stephan, Atty. Gen.; Johnson
David R. Gilman.
- Louis Wexler.
- 1:30 p.m.
- Robert T. Stephan, Atty. Gen.; Dickinson
Keith D. Hoffman, Co. Atty.
- Chris McNeil.
John Anderson, Jr. Johnson
- Neil Shortlidge.
Richard W. Byrum. Johnson
John Anderson, Jr.; Bruce F.
Landeck; Byron J. Beck; Leonard
A. Hall; Thomas A. Glinstra.

ON PETITION FOR REVIEW

Thursday, December 2, 1982
9:30 a.m.

- 54,286 John L. Hanrahan and Carol J. Hanrahan,
Appellants,
v.
Charles D. Horn and Kansas Association
of Realtors, Inc., Apellees.
- 54,376 Nancy Lou Bohl, Appellee,
v.
Robert J. Bohl, Appellant.
- 53,819 Vandal Carty, Appellee,
v.
Kimberly Kelly Martin, Appellant.
- 54,113 Ronald Paul Lantz and Margaret Mary
Lantz, Appellants,
v.
City of Lawrence, Kansas, Appellee.
- 54,146 State of Kansas, Appellee,
v.
Robert W. Parsons, Appellant.
- 53,685 Vern Mahlandt and Alpha Mahlandt,
Appellants,
v.
E. E. Jabes and Clara Jabes, Appellees.
- Donald R. Hoffman. Shawnee
- Gerald L. Goddell.
- John W. Brand; Gerald L. Goodell. Shawnee
- Charles S. Fisher, Jr.
E. Roger Horsky. Douglas
- Jeffrey Heeb; James J. O'Malley.
Ira Dennis Hawver. Douglas
- Gerald L. Cooley.
- 1:30 p.m.
- Robert T. Stephan, Atty. Gen.; Butler
William P. Ronan, Co. Atty.
- Stuart W. Gribble.
Ivan O. Poe. Butler
- Roger Sherwood; J. B. McKay, Jr.

(continued)

54,209	Max L. Wilson, Appellee, v. Kansas Power and Light Company and Bob Wilson, Appellants.	Lawrence C. Gates. Robert D. Ochs; John W. Mize.	Johnson
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Friday, December 3, 1982
9:30 a.m.

54,173	State of Kansas, Appellee, v. Gwyndolyn McNair, Appellant.	Robert T. Stephan, Atty. Gen.; Jerry L. Harper, Dist. Atty. David J. Berkowitz.	Douglas
54,466	Dr. Chester H. Strehlow and Mary L. Strehlow, Appellees, v. The Kansas State Board of Agriculture, Appellant.	James P. Nordstrom. Kenneth M. Wilke.	Shawnee
54,577	State of Kansas, Petitioner, v. James S. Phillips, Sr., Respondent.	Arno Windscheffel. James S. Phillips, Sr.; William A. Hensley.	Original

COURT OF APPEALS DOCKET

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

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 2nd FLOOR, KANSAS JUDICIAL CENTER
301 WEST TENTH STREET, TOPEKA, KANSAS.

Before FOTH, C.J.; JEROME HARMAN, Chief Judge Retired, Assigned;
and FRED WOLESLAGEL, District Judge Retired, Assigned.

Monday, November 15, 1982

Case No.	Case Name	Attorneys	County
<i>9:00 a.m.</i>			
54,123 S.C.	Karl E. Dix, Appellant, v. Paula C. Boyea & Joseph D. Matthews, Appellees.	Bruce Roby. Donald R. Hoffman.	Shawnee
54,489	State of Kansas, Appellee, v. Hugh Shadoan, Appellant.	Atty. Gen.; C. William Ossman. Eric A. Stahl; Max Rowinsky.	Shawnee
53,788	Frank E. Webb & Norma Webb, Appellants, v. Charles P. Pomeroy & Emerson Pomeroy, Appellees.	Randall J. Forbes. Elwaine Pomeroy. Gary A. Saviano. Donna M. Dill.	Shawnee
54,263	In the Interest of Walter Shelton, A Child Under the Age of 18, to Wit: 10-20-76	Kenneth M. Carpenter. Beau Williams. Albert Keil. Gary Conwell. Patrick R. Nichols.	Shawnee
54,047	Frank L. Kerns, Appellant, v. John S. Bloomquist, Jr. & Karen L. Chambers, Appellees.	William L. Fry; David L. Skidgel. Charles L. Davis, Jr.	Shawnee
53,588	D. W. Barnes, Loren H. Hohman & Kaw Valley State Bank & Trust Co., Appellants,	John C. Frieden. Loren Hohman, Jr.	Jackson

(continued)

	v. Evalyn Martell, Helen P. Teichgraeber & Steven D. Bennett,	Richard Greene. Dale L. Sommers. Lawrence P. Ireland.	
	v. Kenneth D. Bennett & Ilene Bennett, Appellees.		
		<i>1:00 p.m.</i>	
54,027	Belle Ellen McDonald	Marlin A. White. J. Richard Lake.	Jackson
	v. Douglas L. McDonald, Appellees		
	v. Barbara Blakis, Appellant.	Patricia Scalia Carpenter.	
54,010	In the Matter of the Conservatorship of Magdalena Charbonneau, a/k/a Lena Charbonneau.	Kenneth Crockett. Paul Monty. Clarence L. King, Jr.	Washington
53,402	Richlo, Inc., a Kansas Corporation, Appellees,	James M. Immel.	Allen
	v. Gary W. Greve & Susan A. Greve, Appellants.	Robert Talkington.	
53,825	Rucker Construction Co. & Painting Co., Inc., d/b/a Rucker Construction Co., Appellant,	Doug Thompson.	Dickinson
	v. Max Byers & Brunhilda F. E. Byers, Appellees.	Max M. Hinkle.	
		<i>Tuesday, November 16, 1982</i>	
		<i>9:00 a.m.</i>	
54,035 S.C.	Marc Dever, Appellant,	Dwight Parscale.	Douglas
	v. Anthony G. Kiosow, Appellee.	Fred N. Six.	
53,909	Martha I. Jones, et al., Appellant,	Milton P. Allen, Jr.	Douglas
	v. Jack R. Muench, Appellee.	J. Franklin Hummer.	
53,984	Benedict J. Habiger, Appellant,	James E. Rumsey. Myron L. Listrom.	Douglas
	v. Jean Murphy, Appellee.	John K. Bork.	
54,270	In the Interest of Tina Dodge, A Child Under 18 Years of Age.	John H. Taylor. William J. Maduros. Roger E. Unruh. Lloyd R. Graham.	Geary
53,858	Michael E. Boone, Appellant,	Keith Henry.	Geary
	v. Robert T. Lowry, et al.,		
	v. M.F.A. Mutual Ins. Co., Appellees.	Howard Harper.	
54,566	State of Kansas, Appellee,	Atty. Gen.; Kurt J. Shurnuck; James E. Flory.	Geary
	v. Tony Haverly, Appellant.	Chris McNeil.	
		<i>1:00 p.m.</i>	
54,626	State of Kansas, Appellee, James Logan, Appellant.	Atty. Gen.; Steven L. Opat. Richard F. Waters.	Geary

(continued)

54,070	Hildegard & Lenard Price, Appellants, v. Trinity Universal Ins. Co. of Kansas, Inc., Appellee.	Richard F. Waters. Robert L. Roberts. William A. Larson.	Geary
54,532	State of Kansas, Appellee, v. Joseph Floyd Smith, Appellant.	Atty. Gen.; David R. Platt. Ralph DeZago.	Geary
53,774	Bittersweet Enterprises, Inc., Appellant, v. Warcraft Homes, Inc. & Leland McCollum, Appellees.	John Berglund. Bruce Winegard.	Clay

Wednesday, November 17, 1982
9:00 a.m.

54,363	Joseph L. Garrison, Appellant, v. Shawnee County Public Works Department & Western Ins. Co., Appellee.	Terry D. Watson. Patrick M. Salsbury.	Shawnee
[54,138] [53,494] (Con.)	Tamara Lynn Downey, A Minor, Appellant, v. John Wayne Rauber, Appellee.	John A. McKinnon. Larry Pepperdine.	Johnson
53,856	George L. Miller, Appellee, v. Carla R. Young, Appellant.	Charles D. McAtee. Robert J. Perry. Herbert A. Marshall.	Shawnee
53,771	State of Kansas, Appellee, v. Ronald G. Briscoe, Appellant.	Atty. Gen.; C. L. Laman. G. H. Griffith.	Cloud
53,646	Educational Publishers, Inc. Appellee, v. Philip Rudolph, Appellant.	Charles S. Arthur, III. James W. Morrison.	Pottawatomie
54,463	State of Kansas, Appellee, v. Mitchell Houser, Appellant.	Atty. Gen.; John D. Watt. Edward W. Pugh.	Pottawatomie

1:00 p.m.

53,779	Frederick G. Fulton, Appellant, v. Judy A. Fulton, Appellee.	Thomas Werring. Gordon Olson.	Brown
54,220	State of Kansas, Appellee, v. Kenneth K. Kramer, Appellant.	Atty. Gen.; Michael K. Schmitt. William J. Craven.	Brown
53,987	Gregg Ruby, Appellant, v. Charles Vorse, Appellee.	Leonard W. McAnarney. Thomas A. Krueger.	Lyon
54,253	State of Kansas, Appellee, v. Arnold S. Lopez, Appellant.	Atty. Gen.; Philip E. Winter. Ted Hollembeak.	Lyon

(continued)

KANSAS COURT OF APPEALS
COURT OF APPEALS COURTROOM, 3RD FLOOR, OLD SEDGWICK COUNTY COURTHOUSE
541 NORTH MAIN, WICHITA, KANSAS

Before **ABBOTT, P.J.**; **STEVEN P. FLOOD**, District Judge Assigned;
and **JOHN W. BROOKENS**, District Judge Retired, Assigned.

Monday, November 15, 1982

9:00 a.m.

- | | | | |
|--------|---|--|----------|
| 54,431 | In the Interest of Shelly Rief. | David L. Nelson.
Robert R. Hiller, Jr.
Steven Mosely.
William Griffith. | Sedgwick |
| 54,107 | State of Kansas, Appellee,

v.
Edward C. McGrown, Appellant. | Atty. Gen.; Jack Peggs; Clark
Owens.

Willard Thompson, Jr. | Sedgwick |
| 54,019 | State of Kansas, Appellee,

v.
Robert B. Stoops, Appellant. | Atty. Gen.; Jack Peggs; Richard
Ballinger.

Terry L. Pullman. | Sedgwick |
| 53,953 | State of Kansas, Appellee,

v.
Michael S. Martin, Appellant. | Atty. Gen.; Jack Peggs; Richard
Ballinger.

Stephen B. Plummer. | Sedgwick |
| 54,044 | State of Kansas, Appellee,

v.
Joe T. Windom, Appellant. | Atty. Gen.; Jack Peggs; John C.
Roberts.

Carla L. Roberts. | Sedgwick |
| 53,989 | State of Kansas, Appellee,

v.
Henry L. Jackson, Appellant. | Atty. Gen.; Jack Peggs; Richard
Ballinger.

Richard L. Hilton. | Sedgwick |

1:00 p.m.

- | | | | |
|--------|--|---|----------------------------------|
| 53,801 | In the Matter of the Estate of Lenora
Smith Gullick a/k/a Lenora Gullick,
Deceased. | Richard L. Ankerholz.
Lester Arvin.
Granville M. Bush, IV. | Rice |
| 53,716 | Virgil Hugo Haak, Appellant,

v.
NCR Corporation, Respondent, & National
Union & Fire Ins. Co., Ins. Carrier, &
Workers Compensation Fund.
Virgil Hugo Haak, Claimant,

v.
NCR Corporation, Respondent, & Liberty
Mutual Ins. Co., Appellee. | Otto J. Koerner.
Douglas D. Johnson.
Stephen J. Jones.

Andrew Busch. | Sedgwick |
| 54,009 | The Kansas State Board of Pharmacy,
Appellee,

v.
Larry K. Wilson d/b/a Nature's Farmacy,
Appellant. | Robert E. Davis.

James W. Phillips, Jr. | Sedgwick |
| 53,676 | Butler Elliott, Appellant,

v.
Elliott Seed Company, Respondent &
New Hampshire Insurance Company,
Insurance Carrier, Appellees. | James P. Johnston.

Steven R. Smith. | Reno |
| 53,660 | State of Kansas, Appellee, | Atty. Gen.; Paul Oakleaf; Jeffrey
Chubb, Co. Atty. | Montgomery
<i>(continued)</i> |

v.
Ronald Arthur Patton, Appellant. Douglas D. Depew.

Tuesday, November 16, 1982
9:00 a.m.

54,089 Gerald Dahlinger, Appellee, William F. Kluge, III. Sedgwick

v.
Dahlinger Pontiac-Cadillac, Inc., Appellant. Craig Kennedy.

53,793 Vernon Lester James, Appellee, Dennis L. Phelps. Steven Day. Sedgwick

v.
Doris A. James, Appellant. Harker E. Russell.
Records and Tapes, Inc., Appellant. Jim Lawing. David Crockett.

54,050 Sedgwick

v.
Argus, Inc. & Robert J. Miller, Jr., Appellee, Liberman Enterprises, Inc., Appellee. Henry D. Edwards.

54,205 First National Bank of Wichita, Plaintiff, Royce E. Wallace. James L. Burgess. Sedgwick

v.
Pennsylvania National Mutual Casualty Ins. Co., Appellees Michael R. O'Neal
Bank of Kansas Appellants,

53,838 Kenneth J. Roberts, Appellees Arthur W. Solis, Ks. Commission on Civil Rights. Sedgwick
Marene Wilson, Appellant,

v.
City of Wichita, Office of Human Rights, Civil Rights Equal Employment Opportunity Commission, Its Successor. Gary E. Rebenstorf.

53,755 Dennis D. Davis, Appellee, Otto Koerner. Sedgwick

v.
Doris L. Brandon & Bryson E. Brandon, Appellants. Nicholas S. Daily.

1:00 p.m.

53,787 Charles Lofland, Appellee, Stanley Juhnke. Reno
S.C.

v.
Janet Lofland, Appellant. Richard J. Rome.
53,908 Rachele Wheeler, A Minor, by & through Leonard A. Wheeler, and Carol Wheeler, Her Father & Mother, Natural Guardians and Next Friends, Appellants, Andrew W. Hutton. Charles R. Hay (*amicus curiae*, Ks. Hospital Assn. & Ks. Medical Society). Allen

v.
Francis Xavier Lenski, Jr., M.D., Appellee. William Tinker, Jr.
53,840 Harvey Transfer, Inc., Appellant, John Black. Saline

v.
Wendell Gafford, Appellee. George Ricky Robertson.
53,871 Timothy Kellogg, a Minor, by & through His Mother & Natural Guardian, Millie Kellogg, Appellant, William L. Fry. Butler

v.
Farm Bureau Mutual Ins. Co., Inc., Appellee. Nicholas Daily.
53,657 Robert W. Rea, Jr., Appellee R. Douglas Reagan. Charles J. Woodin. Cowley

(continued)

v.
Robert T. Perry, Appellant.
Three Way Service Co., Appellee,

Thomas A. DeVore.
Mark Krusor.

v.
Robert T. Perry, Appellant.

Wednesday, November 17, 1982

9:00 a.m.

54,106 State of Kansas, Appellee, Atty. Gen.; Jack Peggs; Clark Owens. Sedgwick

v.
53,733 Serapio Canales, Appellant. Willard L. Thompson.
Royce C. Lett & Helen M. Lett, Appellees, William R. Smith. Sedgwick
Jeff A. Roth.

v.
53,423 Raymond J. Van Skiver & Alma L. Van Skiver, Appellants. Paula Packard Kidd.
Robert C. Dauffenbach, Appellant, Patrick J. Michaud. Sedgwick

v.
53,506 City of Wichita, Victor Cawthorn & Robert K. Leonard Appellees. H. E. Jones.
Farmers & Merchants State Bank of Derby, Kansas, a corporation, Appellees, S. A. Issinghoff.
Jerry L. Griffith. Sedgwick
Richard H. Rumsey.
T. Michael Wilson.
Smith, Shay, Farmer & Wetta.

v.
53,703 Jack Sikes Building & Investment Inc.; Jack Sikes & Sharon K. Sikes; The Walt Keeler Co., Inc.; Precision Foundation, Inc.; and John Hunter, Appellants. Rodney Peer.
Orlin Wagner.

53,703 The City of Wichita, Ks., A Municipal Corporation, Appellee, Thomas R. Powell. Sedgwick

v.
53,656 Missouri Pacific Railroad Company, et al., Appellant. C. Robert Bell.
Barbara Johnson, Appellee, John S. Seeber. Sedgwick
Charles P. Efflandt.

v.
American National Ins. Co., & Maxine Johnson, Appellants. Craig Shultz.

1:00 p.m.

53,229 William Geary Dennis, Appellant, Stanley L. Basler, Atty. Gen.; Glen Montgomery
S.C. E. Casebeer; Woody D. Smith.

v.
54,095 State of Kansas, Appellee. Earl D. Thompson & Mary Ann Thompson, Appellants, W. J. Fitzpatrick. Montgomery

v.
Mid-Century Insurance & American States Insurance, Appellee. Nelson E. Toburen.
Randall D. Palmer.

(continued)

KANSAS COURT OF APPEALS

DIV. D COURTROOM, 6TH FLOOR, SEDGWICK COUNTY COURTHOUSE

525 NORTH MAIN, WICHITA, KANSAS

Before REES, P.J., MEYER, J. and JAMES J. NOONE, District Judge Assigned.

Monday, November 15, 1982

9:00 a.m.

- | | | | |
|--------|--|--|----------|
| 53,530 | Stevens, Inc., Appellant,
v.
Dugan Truck Lines, Inc. & Pacific
Intermountain Express, Appellees. | William L. Mitchell.

Jeff A. Roth.
Alan G. Metzger. | Reno |
| 54,022 | In the Matter of the Estate of William L.
Oswald, Deceased. | H. Newlin Reynolds.
Randy Stalcup.
Dennis J. Keenan.
William L. Mitchell. | Reno |
| 53,892 | Kathleen Watkins, Administrator of the
Estate of Robert K. Perkins, Deceased,
Appellant,
v.
Clemons Coal Company, Appellee,
v.
James Starmer, Appellant. | Forrest Short.

R. L. White.

Fred Spigarelli. | Crawford |
| 54,543 | State of Kansas, Appellant,
v.
Anthony Wayne Busby & Karen D. Swift,
Appellees. | Attorney General.
Frederick R. Smith, Co. Atty.

Fred Spigarelli. | Crawford |
| 54,169 | Harper Ford, Inc., Appellee,
v.
Robert Heimerman, Appellant. | Terry T. Messick.

Ronald D. Albright. | Harper |
| 53,794 | Outlaw Drilling, Inc., Appellant,
v.
Norman W. Brandeberry, et al., Appellee. | Michael S. Holland.

Robert L. Earnest. | Russell |

1:00 p.m.

- | | | | |
|----------------|---|--|---------|
| 54,007
S.C. | United Bank of Denver, National
Association, Appellee,
v.
Melvin Wilson, et al., Appellant. | E. Edward Brown.

Jerry Fairbanks. | Sherman |
| 53,626 | Peoples State Bank of Sharon Springs,
Kansas, A Kansas Banking Corporation,
Plaintiff,
v.
John R. Hurley & Phyllis Hurley,
Defendants,
v.
Collins Farms, Inc., Appellees,
v.
Manvill L. Bunch & Marilyn J. Bunch,
Appellants. | Michael V. Foust.

<i>Pro Se.</i>

Whalen & Fairbanks, P.A.

Bradley G. Rigor. | Wallace |
| 53,833 | Larry Allen Gutsch, Appellee,
v.
Sunward Corporation, Marvel Brute Steel,
et al., Appellants. | Selby S. Soward.
Michael V. Foust.

Alexander B. Mitchell. | Sherman |
| 54,104 | In the Interest of SA Donna Barlow, A
Minor Under the Age of 18 Years. | Van Smith.
Philip C. Vieux.
Wendell W. Wurst.
Linda Trigg. | Finney |

(continued)

Tuesday, November 16, 1982

9:00 a.m.

- | | | | |
|--------|--|---|-----------|
| 54,242 | In the Interest of Cynthia Ingold, A Child Under the Age of 18 Years. | Craig D. Cox.
Randall H. McEwen.
Allan L. Hurlburt.
Charles I. Prather.
Thomas A. Adrian. | Harvey |
| 53,934 | Glenn Weems, Appellee,
v.
Buildex, Inc., Appellant. | Melvin L. Howell. | McPherson |
| 53,883 | Sedan Seed House, Inc.,
v.
Fred Sinclair & Richard Rankin, Appellants. | Thomas E. Gleason.
John M. Wall.
Bruce Borders. | Elk |
| 54,296 | In the Matter of the A & K Railroad Materials, Inc., et al., & Consequent Tax Protests of the same Appellant.
v.
In the Matter of the Brown Mackie Corporation, et al., & Consequent Tax Protests of the same Appellant. | John A. Sanders.
David A. Brace.
Thomas J. Kennedy. | Saline |
| 54,096 | William Gerstberger, Appellee,
v.
Joe Gerstberger, Appellant. | W. Dean Owens.
Constance M. Achterberg. | Wichita |
| 54,536 | Steven J. Gatton, Appellant,
v.
Daniel Claassen, d/b/a Claassen Construction Co., Respondent, & Cimarron Insurance Co., Ins. Carrier, Appellees. | Lelyn J. Braun.
Keen K. Brantley.
Tim R. Karstetter.
Aubrey G. Linville. | Saline |

1:00 p.m.

- | | | | |
|----------------------------|--|---|----------|
| 54,473
S.C. | John K. McDuff, Claimant/Appellee,
v.
B. J. Manufacturing Co., Respondent, & Federated Mutual Insurance Co., Ins. Carrier/Appellant,
v.
Workers Compensation Fund. | Don Schultz.
James H. Morain.
Kerry McQueen. | Ford |
| 54,181 | Thomas P. Shirley & Donna Shirley, Appellants,
v.
Dodge City Country Club, Appellee. | Brock McPherson.
Camilla Klein Haviland. | Ford |
| 54,249
54,250
(Con.) | State of Kansas, Appellant,
v.
Gary Goddard, Appellee.
State of Kansas, Appellant,
v.
Rodney Goddard, Appellee. | Jim Mangan.
Atty. Gen.; B. A. Lightfoot, Co. Atty.
David J. Rebein.
Atty. Gen.; B. A. Lightfoot, Co. Atty. | Hodgeman |
| 54,168 | Federal Deposit Insurance Corp., Appellant,
v.
Donald Alexander & Lois Mae Wagner, Appellees. | Philip T. Kyle.
Robert M. Baker.
Douglas Brunson. | Comanche |

(continued)

Wednesday, November 17, 1982

9:00 a.m.

- | | | | |
|----------------|--|--|--------|
| 54,287
S.C. | Larned Production Credit Association,
v.
E. & E. Feeding, a General Partnership &
Melvin Erb & Don Erb, Individually,
Appellees,
v.
Erb, Inc., Melvin D. Erb, President,
Appellant. | Morgan Wright.

Melvin D. Erb, pro se. | Rush |
| 54,880 | Sharp Construction Co., Inc., Appellee,
v.
John Leroy Brown, et al., Appellants. | Dennis Keenan. | Barton |
| 53,890 | City of Fredonia, Ks., An Incorporated
City of the Second Class, Appellant,
v.
Calvin E. Johnson & The First National
Bank in Fredonia, Kansas | Patricia Rose Myers.
Steven W. Rogers. | Wilson |
| 53,988 | Robert K. Lehner, Appellant,
v.
Anita L. Lehner, Roger L. Falk & Charles
A. O'Hara, Appellees. | David K. Clark.

Rodney H. Busey.
Don C. Foss. | Ness |
| 54,221 | State of Kansas, Appellee,
v.
Jeff Lovato, Appellant, | Robert M. Miles, Co. Atty.
Atty. Gen. | Seward |
| 54,114 | Alvin A. Porter & Marjorie Jean Porter,
His Wife, Appellants,
v.
J. E. Todd, d/b/a Todd Mobile Homes,
Inc., Appellee. | Jeff Johnson.
Ronald P. Wood.

Thomas E. Gleason, Sr. | Neosho |

1:00 p.m.

- | | | | |
|--------|--|---|---------|
| 53,725 | Connie Brueggen, now Williams,
Appellant,
v.
Bernard Brueggen, Appellee. | Roger C. Green. | Butler |
| 54,108 | State of Kansas, Appellee,
v.
Jimmie L. Ward, Appellant. | Eric B. Metz.
Atty. Gen.; Daniel F. Meara, Co.
Atty. | Bourbon |
| 54,338 | In the Interest of Arthur A. Towler, A Boy
Under the Age of 18. | Patrick Bishop.
David K. Markham.
Charles S. Gray.
Edward W. Dosh, Guardian ad
Litem. | Labette |
| 54,723 | Bessie Mae Cole a/k/a Bessie May Cole,
Appellee,
v.
Jim A. Mann, Appellant. | Stephen Garlow.

John B. Markham. | Labette |

(continued)

KANSAS COURT OF APPEALS
WYANDOTTE COUNTY COURTHOUSE, DIV. #5
KANSAS CITY, KANSAS
 Before **SPENCER, P.J.; PARKS, J.;** and
HARRY G. MILLER, District Judge Retired, Assigned.
Monday, November 15, 1982

9:00 a.m.

- | | | | |
|----------------|---|---|---------|
| 54,110
S.C. | Barbara S. Williams, Appellee,

v.
Kaye D. Williams, Appellant. | Allen R. Slater. | Johnson |
| 54,195 | Paul T. Swisher, Appellant,

v.
State of Kansas, Appellee. | Park McGee.
Joseph L. Dioszeghy.
Atty. Gen.; G. Joseph Pierron. | Johnson |
| 53,695 | Puritan-Bennett Corp., & Puritan-Bennett
Aero Systems Co., Appellants,

v.
Robert J. Richter, Appellee. | Thomas E. Ruzicka.
James Borthwick.
Irving Achtenberg.
Mark R. Singer. | Johnson |
| 54,126 | Beverly A. Stanley, Plaintiff/Appellee,

v.
Weldir M. Latorre & Odelia M. Latorre,
Defendants/Appellants,

v.
John C. Stanley, Third Party Defendants. | R. Scott Beeler.
Donna M. Kaser. | Johnson |
| 53,877 | George Hetzel, Appellee,

v.
Pyramid Life Ins. Co., Appellant. | Gary L. Sloan. | Johnson |
| 53,764 | Perrins, Inc., Appellee,

v.
Insurance Co. of North America,
Appellant. | Thomas R. Buchanan.
Eugene Balloun.

Tom Ruzicka.
Floyd R. Finch, Jr.
Marilyn K. Slezak, | Johnson |

1:00 p.m.

- | | | | |
|----------------|---|--|----------|
| 53,906 | Kerry Ryan, Appellant,

v.
Ford Life Insurance Co., Ford Motor
Credit Co., & Meier Motors, Inc.,
Appellees. | Larry A. Prauser.
Rex G. Beasley. | Cherokee |
| 53,842
S.C. | Judy Loraine Smith, Appellant,

v.
Lawrence I. Smith, Appellee. | Randall D. Palmer.
David F. Brewster. | Franklin |
| 54,031 | Maxine Rook & John Rook,
Plaintiff/Appellee,

v.
James E. Russell Petroleum, Inc., a
corporation, Defendant, Appellant,

v.
Cities Service Gas Co., Third Party
Defendant/Appellees. | Orville J. Cole.

John R. Toland. | Anderson |

(continued)

53,974	In the Matter of the Estate of Cleeta Jamison, Deceased.	John Wilson. Lynn E. Martin. John L. Richeson. Thomas H. Bennett.	Linn
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Tuesday, November 16, 1982

9:00 a.m.

54,323 S.C.	State of Kansas, Appellee, v. Mark Alan Henderson, Appellant.	Atty. Gen.; Nick Tomasic. William H. Hutton	Wyandotte
54,346	State of Kansas, Appellee, v. Herbert Horton, Appellant.	Atty. Gen.; Nick Tomasic. Robert E. Jenkins.	Wyandotte
54,192	In the Interest of William Watson, Jr.	Jay Vader. Atty. Gen.; Kathleen J. Stannard. Juvenile Depart. Prosecutor.	Wyandotte
53,768	Joann Lewis, Administratrix of the Estate of Darrell Eugene Lewis, Deceased, Plaintiff/Appellant, v. Everett Marmon & City of Kansas City, Kansas, Appellees, v. James Lewis & Joann Lewis, Surviving Parents & Next of Kin of Darrell Eugene Lewis, Deceased, Appellants, v. Everett Marmon & City of Kansas City, Ks., Appellees.	Mark Beam-Ward. Daniel B. Denk.	Wyandotte
53,921	Piper Area Association, Inc. & John Lanaman, Appellants, v. City of Kansas City, Kansas, Appellee.	Charles D. Kugler.	Wyandotte
54,097	Ruth L. Hinds, Appellee, v. Board of Public Utilities of Kansas City, Kansas, & Board of Pension Trustees of the Board of Public Utilities & Treva L. Hinds, Appellants.	Stephen P. Chinn. Jan A. Way. Scott A. Asner.	Wyandotte

1:00 p.m.

54,148 S.C.	Vivian M. Johnson, Appellant, v. Beauford G. Miller, II, et al., Appellees.	Steven D. Alexander. William H. Sexton.	Wyandotte
54,301	Samuel Turner, Appellant, v. Kansas Adult Authority Board, Appellee.	Frank Menghini. Jeffrey O. Heeb.	Douglas
54,024	Christine Lynn McMeachan v. Everly Roofing, Heating & Air Conditioning, Inc., Appellees, v. United States Fidelity and Guaranty Co., Appellant.	Atty. Gen. Craig Stancliffe. Gerald Cooley.	Douglas
53,961	Allstate Insurance Co., Appellees, v. Donald H. Parks, et al., (Continental Insurance), Appellant.	Dennis L. Horner. J. Eugene Balloun. Gerald L. Cooley. Robert W. Fairchild. Kermit M. Beal. William T. Nichols.	Douglas

(continued)

Wednesday, November 17, 1982

9:00 a.m.

- 53,681 State of Kansas, ex rel., Joni Cammack, Atty. Gen.; Frank Kohl. Leavenworth
S.C. Appellee,
v.
Larry Christopher Smith, Appellant. James P. Lugar.
- 53,414 Roy Broshears, Appellant, Ed Schneeberger. Leavenworth
v.
Sheriff of Leavenworth Co., Kansas & Agents of the State of Kentucky, Appellees. Robert E. Davis.
- 53,815 Paul J. Adam & Barbara M. Adam, John J. Gardner. Johnson
Appellees, James F. Duncan.
v.
Jim Greenwood & Sharon Greenwood, Appellants. David R. Schlee.
Ray L. Borth.
- 53,924 John J. Gardner, Executor of the Estate of Jack S. Borders, Deceased, Appellant, Joe L. Norton. Johnson
v.
Townsquare Development Corp. C. Maxwell Logan.
Townsquare I Associates, Ltd., Allan S. J. Bradley Manson.
Frenkel, Rosalie K. Frenkel & The Farmers Bank of Gardner, Kansas, Appellee.
- 53,956 Johnson County Landfill, Inc. & Deffenbaugh Disposal, Inc., Appellees, John J. Gardner. Johnson
v. Michael T. White.
- 53,945 City of Shawnee, Kansas, Appellant, James T. Wigglesworth. Johnson
William T. Lytle, Appellee, Thomas E. Ruzicka.
v.
Pepsi Cola General Bottlers, Inc. & General Adjustment Bureau, Inc., Appellants. Richmond M. Enochs.

1:00 p.m.

- 54,662 State of Kansas, Appellant, Atty. Gen.; James L. Wisler. Linn
v.
Barbara J. Mitchell, Appellee. Jesse T. Randall.
Orville J. Cole.
- 54,005 Mark Hochanadel, Appellant, William H. Pickett. Wyandotte
v.
Detco Trailer, Inc. & Lawrence R. Cornell, Appellees. Michael E. Callen.
Edward M. Boddington, Jr.
- 54,072 State of Kansas, Appellant, Jerry W. Dickson. Wyandotte
v. Kevin E. Glynn.
- Thomas Construction Co. & Travelers Indemnity Co., Appellees. James M. Sheely.
F. Philip Kirwan.
Edward M. Boddington, Jr.
- 53,837 Donald Hiestand, Appellee, Michael E. Callen. Wyandotte
v. John B. Biscanin.
Edward M. Boddington.
- Amalgamated Meat Cutters & Butcher Workmen of North America A.F.L.-C.I.O. et al. (United Food & Commercial Workers, Local Union #576), Appellant.

LEWIS C. CARTER
Clerk of the Appellate Court

State of Kansas

DEPARTMENT OF ADMINISTRATION**NOTICE OF HEARING ON
PROPOSED ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Monday, November 29, at 9:00 a.m., in Room 313-S of the State Capitol Building (old Supreme Court Room), Topeka, Kansas to consider the adoption of proposed changes in existing rules and regulations and of proposed new rules and regulations of the Department of Administration.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Administration, Second Floor, Statehouse, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to not more than five minutes.

Copies of the full text of the personnel regulations and the fiscal impact statement may be obtained from the Division of Personnel Services, State Office Building, Topeka, Kansas 66612, phone number (913) 296-4278 (Kans-a-n 561-4278). Copies of the full text of K.A.R. 1-61-1 through 1-61-3 may be obtained from the Division of the Budget, First Floor, Statehouse, Topeka, Kansas 66612, phone number (913) 296-2436 (Kans-a-n 561-2436). The following is a summary of the regulations:

K.A.R. 1-1-4: This new regulation sets the manner in which regulations contained in K.A.R. articles 1 through 14 shall be disseminated.

K.A.R. 1-2-46: This new definition defines an employee's length of service for the computation of benefits, longevity eligibility, and layoff score.

K.A.R. 1-2-51: Amends this regulation to require that an employee's pay increase anniversary date always be established on the first day of a payroll period.

K.A.R.'s 1-2-88 and 1-2-91: Amends these two regulations to substitute the term "salary range" for the existing language "maximum salary limit."

K.A.R. 1-4-8: Amendments to this regulation clarify the probationary status of a probationary employee whose position is reallocated and revoke the provisions of subsection (e) regarding grant and aid agencies.

K.A.R. 1-5-7: Amendments to this regulation add to the director's responsibility to ascertain the compliance of agency salary change recommendations with applicable regulations and directives before granting approval. Additional amendments establish a provision for retroactively granting a pay increase if withheld because of a moratorium or if postponed by other action of the governor.

K.A.R. 1-5-10: Amendments to this regulation establish the pay anniversary date of a person who is reinstated, the salary of a person reemployed, and the method by which the pay anniversary date of an employee who is reemployed is to be adjusted.

K.A.R. 1-5-13: Amendments to this regulation increase the waiting period required for eligibility for a salary increase provided for in subsection (b)(2) from 6 months to one year after a demotion.

K.A.R. 1-5-15: Amendments to this regulation permit an employee to voluntarily accept a lower salary upon demotion and to receive a merit or longevity increase on the same date of a voluntary demotion, if eligible for such an increase.

K.A.R. 1-5-19: This regulation is revoked and some of its provisions are being reissued in K.A.R.'s 1-5-19a through 1-5-19c.

K.A.R. 1-5-19a: This new regulation sets the general rules for salary merit increases.

K.A.R. 1-5-19b: This new regulation sets the rules for salary merit increases after twelve months on a step within a salary range, and for merit longevity increases.

K.A.R. 1-5-19c: This new regulation sets the rules for the determination of an employee's salary as a result of a range change.

K.A.R. 1-5-22: Amends this regulation to permit a full time classified employee to accept an emergency appointment in addition to the employee's regular appointment.

K.A.R. 1-5-23: Amends this regulation to establish a method for calculating partial pay which is compatible with the KIPPS system.

K.A.R. 1-5-24: Amends this regulation to clarify the term "pyramiding of overtime."

K.A.R. 1-5-28: Amends this regulation to require that an employee, to be eligible for a shift differential, work a majority of the hours in the shift period designated for the shift differential.

K.A.R. 1-6-2: Amends this regulation to add appointments from a reemployment list to those vacancies for which an agency does not have to provide a notice.

K.A.R. 1-6-6: Amendments to this regulation broaden its scope to all promotional examinations, clarifies the language of subsection (c) and permits the waiver of the supervisory experience, in some instances, for promotions.

K.A.R. 1-6-7: Amendments to this regulation add additional due process provisions for an applicant or eligible refused examination or certification by the director.

K.A.R. 1-6-16: Amendments to this regulation add transfer lists to the employment lists to be maintained by the director and change the rules affecting reinstatement lists, reemployment lists; the establishment of new eligible or promotional lists; and the removal of names from an employment list.

K.A.R. 1-6-21: Amendments to this regulation revoke the formula for certifying additional names for more than one vacancy, establish rules for the handling of errors made in the certification of eligible; establish a rule for the appointment of an eligible to a permanent position from a certification, and establish a rule to

(continued)

affording each eligible an opportunity to be interviewed.

K.A.R. 1-6-22: Amends this regulation to permit the addition of more unskilled and semiskilled classes to the group of classes permitted direct entry.

K.A.R. 1-6-24: Amendments to this regulation revoke the requirement that the director's approval be obtained to transfer an employee, adds a requirement that the employee meet the qualifications for the class to the conditions for transfer, and changes the rules pertaining to the probationary period for an employee who is transferred.

K.A.R. 1-6-27: Amendments to this regulation grant permanent status to any permanent employee who is demoted and permit the demotion of a probationary employee.

K.A.R. 1-6-29: Amendments to this regulation extend the maximum period of an acting assignment from ninety days to one year, permit the granting of salary merit increases to an employee while on an acting assignment, and permit time served in an acting assignment to be credited toward the employee's probationary period if promoted to the class in which the acting assignment was served.

K.A.R. 1-6-30: This new regulation permits an agency to reinstate an eligible employee.

K.A.R. 1-7-1 and 1-7-2: These two regulations are being revoked. Some of their provisions are being reissued in K.A.R.'s 1-7-3 through 1-7-7 and 1-7-10 through 1-7-13.

K.A.R. 1-7-3: This new regulation defines the term probationary period and establishes the general rules pertaining to probationary appointments.

K.A.R. 1-7-4: This new regulation sets the length of probationary periods for each type of appointment.

K.A.R. 1-7-5: This new regulation sets the rules pertaining to conditional appointments.

K.A.R. 1-7-6: This new regulation sets the rules pertaining to notices relating to probationary periods and extensions.

K.A.R. 1-7-7: This new regulation sets the rule for the removal by the director of a probationary employee whose appointment was in violation of the act or these rules and regulations.

K.A.R. 1-7-10: This new regulation sets the general rules pertaining to employee performance evaluation ratings.

K.A.R. 1-7-11: This new regulation identifies employees entitled to appeal their performance evaluation.

K.A.R. 1-7-12: This new regulation sets the procedure for the appeal of the employee's performance evaluation.

K.A.R. 1-7-13: This new regulation sets the rules for the utilization of the evaluation ratings.

K.A.R. 1-8-6: Amendments to this regulation require the director to approve supervisory training programs developed by agencies and set supervisory training requirements for newly appointed supervisors.

K.A.R. 1-8-7: Clarifies the language of this regulation and amends it to include members of other protected groups.

K.A.R. 1-9-4: Amendments to this regulation convert the expression of time from days to hours, revoke the prohibition against probationary employees taking leave earned, and sets a system to prorate the crediting of crediting leave earned.

K.A.R. 1-9-5: Amendments to this regulation clarify the rate at which the employee is credited sick leave, permit the appointing authority to require a physical examination if there is evidence of abuse of sick leave, and permit an appointing authority to grant an employee leave without pay if the employee has exhausted all other types of credits.

K.A.R. 1-9-6: Amends citations to other regulations to conform with change made as result of the revocation of K.A.R. 1-7-1.

K.A.R. 1-9-8: Amendments to this regulation require that mileage expense payments received by an employee for a required appearance in court or before another public body be returned to the state, if a state vehicle is used.

K.A.R. 1-9-22: This new regulation extends the application of K.A.R.'s 1-9-1, 1-9-2, 1-9-3, 1-9-4, 1-9-5, 1-9-8, 1-9-9, 1-9-10, 1-9-11, 1-9-12, and 1-9-13 to certain unclassified employees.

K.A.R. 1-10-8: Amendments to this regulation set the rules pertaining to the dismissal or demotion of a probationary employee.

K.A.R. 1-11-1: Amends this regulation to indicate actions which may be used to prevent the reemployment of an employee who has resigned from a position to avoid disciplinary dismissal.

K.A.R. 1-11-2; 1-14-1 through 1-14-9; 1-2-71 and 1-6-23: The new article 1-14-1 series replaces K.A.R. 1-11-2, relating to layoffs. Under the layoff informational plan required by K.A.R. 1-14-2 agencies are required to identify organizational groups and geographic areas for layoff purposes. Bumping rights and reemployment rights for are expanded, see 1-14-6, 1-2-71 and 1-6-23.

K.A.R. 1-13-1: This regulation is revoked.

K.A.R. 1-13-1a: This new regulation sets the content of the employee's official personnel records and rules pertaining to the disclosure of information contained in those records.

K.A.R. 1-29-3: This regulation authorizes employee service recognition awards costing less than \$50 to be given by agencies without approval of the state employees award committee.

K.A.R. 1-61-1 through 1-61-3: These regulations provide a general outline of procedures to be followed to establish an allotment system, to monitor expenditures and to obtain review by the Governor of allotment decisions of the Secretary of Administration.

PATRICK J. HURLEY
Secretary of Administration

Doc. No. 000746

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**
**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

Notice is hereby given to all interested parties that on November 29, 1982, at 9:00 a.m. in the Conference Auditorium, West Campus, Menninger Foundation, 5800 West Sixth St., Topeka, Kansas, the Secretary of the Department of Health and Environment will hold a public hearing concerning the adoption on a permanent basis of certain proposed revised administrative regulations. Copies of these regulations, and the fiscal impact statement, may be picked up at: Building 729; Kansas Department of Health & Environment; Forbes Field; Topeka, Kansas 66620. A summary (including fiscal impact) is set forth below:

1. **28-4-420. Definitions.** This regulation includes a complete list of definitions necessary to understand the ensuing regulations. No fiscal impact.
2. **28-4-421. Terms of license.** This regulation clarifies the statutes relative to the conditions of the license. No fiscal impact.
3. **28-4-422. Procedures.** This regulation identifies the steps necessary to obtain a license. No appreciable fiscal impact.
4. **28-4-423. Physical environment.** This regulation delineates the requirements for the physical plant in which the child care program is housed.
 - (A) Fiscal benefits to licensees:
 - (1) A basement which meets certain requirements may be used for full day care programs, thus allowing an increase in enrollment in the same facility or the use of a previously prohibited area.
 - (2) Increase in child to stool/lavatory ratio from 1/12 to 1/15, thus allowing an increase in enrollment in the same facility if space requirements are met.
 - (B) Negative impact sets a maximum room temperature thus requiring air-conditioning of the facility where room temperature exceeds 90°.
5. **28-4-424. Swimming pools.** This regulation spells out requirements to be met if swimming pools or wading pools are on the premises. The requirement to have above-ground pools enclosed with a fence at least four feet high may result in additional cost to the provider with such a pool.
6. **28-4-425. Transportation.** This regulation outlines requirements to be met for the safety of children when transportation is provided or arranged for by the facility. Regulations have been expanded to cover transportation of children by volunteers. This represents no fiscal impact to the provider.
7. **28-4-426. Administration.** This regulation re-

duces the amount of record keeping required for licensure, so should have a positive fiscal impact.

8. **28-4-427. Program.** This regulation includes more specific requirements relative to activities and equipment and represents little fiscal impact.
9. **28-4-428. Staff requirements.** This regulation sets staff/child ratios, and represents economic relief to facilities by:
 - (A) Lowering the age at which a child is considered an infant, thus allowing children to be moved into the toddler unit at an earlier age.
 - (B) Increasing the number of children per adult in the 2½ to six year age group.
 - (C) Permitting volunteers 18 years of age or older to be counted in the staff/child ratio.
 - (D) Allowing the program director of facilities enrolling more than 60 children to serve also as administrator.
 - (E) Reducing the number of required yearly clock hours of in-service training from six to five.

Negative fiscal impact will result from the following:

- (A) The requirement that all facilities must have a full-time program director (who may as previously stated, also be the administrator). This requirement will result in a negative fiscal impact to those facilities which do not currently have program directors on the staff full-time.
- (B) The requirement that school-age children may not be included in a mixed-age group with younger children.
10. **28-4-429. Staff qualifications.** This regulation delineates the education and experience requirements for program directors and staff. It carries a positive fiscal impact in that no staff person is required to have more than one year of experience prior to employment, reduced from a previous requirement of three years. A negative fiscal impact will result for those facilities enrolling 12 or fewer children, but choosing to be licensed as a preschool or child care center rather than a Group Day Care Home. Program directors for all facilities enrolling 24 or fewer children must meet the same requirements.
11. **28-4-430. Health.** This regulation eliminates periodic submission of health assessment records for children enrolled, and for adults involved in the program. The total savings to parents is estimated to be \$250,000 (\$25.00 for each of approximately 10,000 children enrolled for more than one year). The savings to adults is estimated to be \$62,500 (\$50.00 per adult for each of approximately 1,250 adults who remain in the program for more than three years).
12. **28-4-431, Safety; 28-4-432, Emergencies; and 28-4-433, Animals.** These regulations represent

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- no change from previous regulations relative to the captioned areas, and carry no fiscal impact.
13. 28-4-434. Preschools. This regulation sets out specific requirements for preschools. It carries a positive fiscal impact in that preschools are not required to have outdoor play space.
 14. 28-4-435. Programs serving children with handicapping conditions. This regulation sets out specific requirements for programs serving handicapped children including child/staff ratios for both integrated and special purpose programs. A negative fiscal impact will result from reducing the number of children over eight years permitted per adult. It is believed that this regulation will affect very few facilities.
 15. 28-4-436, Physical plant; 28-4-437, Outside area; 28-4-438, Program; 28-4-439, Food service. These regulations set out specific requirements for child care centers. Positive fiscal impact of these regulations collectively will result from the following changes:
 - (A) The requirement specifying thickness and size of foam pads is removed.
 - (B) Outdoor play space requirement has been reduced from 100 sq. ft. to 75 sq. ft. per child.
 Negative fiscal impact will result from the following changes:
 - (A) Centers in family homes must have separate areas designated for child care.
 - (B) Smoke detectors are to be required if children are expected to sleep more than three consecutive hours.
 - (C) Outdoor play areas are to be fenced.
 - (D) The outdoor play area must be on the premises, rather than within walking distance.
 - (E) The quantity of outdoor equipment is specified.
 - (F) Second portions of all food but meat are to be available.
 - (G) If plastic utensils are used, they are to be food grade.
 16. 28-4-440. Infant and toddler programs. This regulation sets out specific requirements for programs serving infants and toddlers. It represents a positive fiscal impact in that centers no longer will be required to provide sleep space separate from play space for toddlers. A negative fiscal impact may result from the requirement that cribs must have bumpers if slats are more than 2 3/8" apart.
 17. 28-4-441. School age children. This regulation sets out specific requirements for programs serving school age children. It carries no appreciable fiscal impact.

JOSEPH F. HARKINS
Secretary

Doc. No. 000744

State of Kansas

DEPARTMENT OF
HEALTH AND ENVIRONMENT

NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS

A public hearing will be held on Tuesday, November 30, commencing at 9:00 a.m. in the Hearing Room of the State Department of Health and Environment, Building 321, Forbes Field, Topeka, Kansas to consider the adoption of permanent rules and regulations of the Department of Health and Environment.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Health and Environment, Building 740, Forbes Field, Topeka, Kansas 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five (5) minutes.

Following the hearing on November 30, 1982, all written and oral comments submitted by interested parties will be considered by the Secretary of Health and Environment as the basis for making changes to the proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Department of Health and Environment, Bureau of Registration and Health Statistics, Building 321, Forbes Field, Topeka, Kansas 66620.

The following is a brief summary of the proposed regulations:

K.A.R. 28-17-4 is a section of Article 17 of the Kansas Administrative Regulations relating to the schedule of having birth and death certificates transmitted to the state registrar from local registrars. Revision of this regulation is necessary to speed up the flow of birth and death certificates for earlier processing and availability to issue certified copies of the certificates in response to public requests.

K.A.R. 28-17-6 relates to the schedule of fees to be collected for issuing copies of certificates and for searching files and records to prepare amendments to certificates and/or issue copies thereof. An upward revision of the fee schedule is necessary to cover the increasing costs of providing vital records services.

K.A.R. 28-17-12 relates to the fee to be collected for filing a delayed birth certificate and for issuing a certified copy thereof. An increase in the fee is necessary to cover the increasing costs of this service.

K.A.R. 28-17-17 relates to the funeral director's responsibility in signing and submitting burial permits to local registrars. Revocation of this section is necessary as a result of the revision of K.S.A. 65-2426, deleting the requirement for burial permits.

JOSEPH F. HARKINS
Secretary

Doc. No. 000750

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**

**NOTICE OF HEARING ON
PROPOSED ADMINISTRATIVE REGULATIONS**

The Kansas Department of Health and Environment will conduct a public hearing to accept comments on proposed revisions to the Kansas Water Quality Standards (K.A.R. 28-16-28 and 28-16-28 (a)). The Department of Health and Environment is required by federal law to review the Kansas Water Quality Standards every three years. The only substantive content change in the proposed regulations is a modification of the fecal coliform criteria for Class B waters which makes the application of the criteria value discretionary for the Department of Health and Environment, depending on the potential public health impact of an individual discharge. All other proposed changes in the regulations are: (1) for housekeeping or format purposes, (2) wording modifications for clarification, or (3) deletions of unnecessary wording.

The hearing will be held November 30, 1982, at 9:30 a.m. at the Topeka-Shawnee County Health Department, Room 103, 1615 West 8th Street in Topeka.

Copies of the proposed revisions and the fiscal impact statement can be inspected by the public or are available on request by writing to the Kansas Department of Health and Environment, Bureau of Water Quality, Building 740, Forbes Field, Topeka, Kansas 66620.

Copies of the proposed revisions will also be available at the following locations: the KDHE Northwest District Office, 1014 Cody, Hays, Kansas 67601; the KDHE North Central District Office, 2501 Market Place, Salina, Kansas 67401; the KDHE Metropolitan District Office, 128 Oak, Bonner Springs, Kansas 66012; the KDHE Southeast District Office, 1 West Ash, Chanute, Kansas 66720; the KDHE South Central District Office, 202 Century Plaza Building, 111 W. Douglas, Wichita, Kansas 67202; and the KDHE Southwest District Office, 302 W. McArtor, Dodge City, Kansas 67801.

All interested persons wishing to comment upon the proposed revisions are invited to appear at the hearing to present their views. Written comments may be presented at the hearing or mailed to the Division of Environment offices in Topeka.

All comments received by December 7, 1982, or presented at the hearing will be considered by the Division of Environment.

JOSEPH F. HARKINS
Secretary

Doc. No. 000749

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT**

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

The Kansas Department of Health and Environment, Bureau of Food Service and Lodging, will hold a public hearing on Monday, November 29, at 10:00 a.m. at the Kansas Department of Health and Environment offices, Building 740, Conference Room, Forbes Field, Topeka, Kansas 66620.

The regulations proposed for amendment/adoption are summarized as follows:

1. **K.A.R. 28-36-25.** The proposed amendment will modify toilet requirements for food service establishments. Amendment of this regulation as proposed will require separate toilet facilities for each sex in all new, newly constructed or extensively remodeled food service establishments offering food consumption arrangements for more than 10 persons on the premises. Those having on premise consumption arrangements for 10 or fewer persons will be required to provide at least one restroom. Other amendments of this regulation have been proposed to provide clarity. This regulation is proposed to be amended on a temporary and permanent basis.

2. **K.A.R. 28-36-29.** The proposed amendments delete certain enforcement procedures determined to be duplicative or unnecessary as a result of amendments of the Food Service and Lodging Act effective July 1, 1982. This regulation is proposed for amendment on a temporary and permanent basis.

3. **K.A.R. 28-36-46.** Requires lodging establishments to provide safe water supplies. Adoption is proposed on a permanent basis.

4. **K.A.R. 28-36-47.** Requires lodging establishments to maintain safe sewage disposal systems. Proposed for adoption on a permanent basis.

5. **K.A.R. 28-36-48.** Requires lodging establishments to provide clean bedding for patrons. Proposed for adoption on a permanent basis.

6. **K.A.R. 28-36-49.** Requires lodging establishments to provide soap and clean towels for patrons. Proposed for adoption on a permanent basis.

Copies of the regulations proposed for adoption/amendment and the fiscal impact statement can be obtained from the Kansas Department of Health and Environment, Bureau of Food Service and Lodging, Topeka, Kansas 66620. The Secretary will accept oral and written testimony presented prior to or at the time of the public hearing for consideration in making changes to the proposed regulations.

JOSEPH F. HARKINS
Secretary

Doc. No. 000733

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING ON
PROPOSED TEMPORARY AND PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted on November 29, 1982 commencing at 1:00 p.m., in the Auditorium of the Topeka-Shawnee County Health Department, 1615 West 8th, Topeka, Kansas, to consider proposed regulations, K.A.R. 28-47-1 through 28-47-7, Spreading of Oil and Gas Field Salt Water in Road Construction and Maintenance Projects, of the Department of Health and Environment. Temporary regulations identical to the permanents will also be considered at that time. The proposed regulations address the spreading of salt water derived from oil and gas production on public roads and company lease roads and the submission of plans by persons desiring to use salt water in road construction and maintenance.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of the Department of Health and Environment, Building 740, Forbes Field, Topeka, Kansas 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views in regard to the adoption of proposed regulations. Following the hearing on November 29, 1982, all written and oral comments submitted by interested parties will be considered by the Secretary of Health and Environment as a basis for making changes to the proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing: Kansas Department of Health and Environment, Bureau of Oil Field and Environmental Geology, Forbes Field, Topeka, Kansas 66620.

JOSEPH F. HARKINS
Secretary

Doc. No. 000741

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 1:30 P.M. on November 30, 1982, in the Auditorium of the Topeka-Shawnee County Health Department, 1615 West 8th, Topeka, Kansas to receive and consider written or oral testimony concerning the proposed adoption of new permanent regulations numbered 28-19-17 through 28-19-18, 28-19-85 through 28-19-102 and 28-19-150 through 28-19-162, which pertain to the control of air pollution throughout the state.

Any person wishing to present testimony will be given a reasonable opportunity to do so at the hearing.

Written testimony concerning the proposals will also be accepted and considered if it is addressed to the department's office listed below and postmarked not later than 12:00 midnight on December 7, 1982.

Regulations 28-19-17 through 28-19-18 consist of fourteen new regulations that are intended to establish a review and permitting system in regard to the proposed new construction or modification of major stationary air pollution sources. The requirements will be applicable to air pollutants that would be emitted in significant quantities in any area of the state where existing air quality in relation to these contaminants is considered to be better than that allowed by the national ambient air quality standards. If adopted, these regulations will be included as part of the state air pollution control implementation plan required by the federal Clean Air Act and will replace identical federal regulations now being enforced in the state by the U.S. Environmental Protection Agency.

New regulations 28-19-85 through 28-19-102 are intended to adopt, by reference, existing federal regulations that establish special air pollutant emission limitations and control related design and operating standards that are applicable to the new construction or modification of specified facilities located at electric generation plants that are powered by fossil fuels, portland cement manufacturing plants, nitric acid manufacturing plants and petroleum refineries.

New regulations 28-19-150 through 28-19-162 are intended to adopt, by reference, existing federal regulations that establish special limitations and control standards for asbestos, beryllium, mercury and vinyl chloride emissions that originate from specified operations and processes.

If regulations 28-19-85 through 28-19-102 and 28-19-150 through 28-19-162 are adopted, the department intends to request a delegation of the enforcement authorities that are now solely provided to the U.S. Environmental Protection Agency for the enforcement of these special requirements.

Copies of the regulations, a summary of their provisions and the fiscal impact statement may be obtained by contacting the department's Bureau of Air Quality at Forbes Field, Topeka, Kansas 66620, (A.C. 913, 862-9360, ext. 266).

JOSEPH F. HARKINS
Secretary

Doc. No. 000731

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING ON
PROPOSED ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Monday, November 29, 1982 commencing at 10:00 a.m. at the Department's Offices, Building 740, Forbes Field, Topeka, Kansas to consider amendments to K.A.R. 28-15-35 and 28-15-36, the Environmental Laboratory Certification Program of the Kansas Department of Health and Environment. The proposed amendments are to include modified requirements for inspection, new standards for certification and to clarify language.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of the Department of Health and Environment, Building 740, Forbes Field, Topeka, Kansas 66620. All interested parties will be given a reasonable opportunity to orally present their views on the proposed amendments.

Following the hearing on November 29, 1982, all written and oral comments submitted will be considered by the Secretary of the Department of Health and Environment as the basis for making changes in the proposed amendments to these regulations.

Copies of the proposed regulations and the fiscal impact statement may be obtained by writing the Office of Laboratories and Research, Kansas Department of Health and Environment, Building 740, Forbes Field, Topeka, Kansas 66620.

JOSEPH F. HARKINS
Secretary

Doc. No. 000745

State of Kansas**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

The Kansas Department of Health and Environment, Office of Health Facilities, will hold a public hearing on November 29, 1982, at 9:00 a.m. in the auditorium of the State Historical Society, 120 West 10th Street, Topeka, Kansas, to consider the adoption of proposed permanent rules and regulations.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Director, Office of Health Facilities, Forbes Field, Building 740, Topeka, Kansas 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views orally in regard to the adoption of the proposed regulations. When possible, presentation should be in written form. It may be necessary to limit oral presentation in order to accommodate all persons within the time scheduled.

A copy of the proposed regulations and fiscal impact

statement may be obtained prior to November 29, 1982, by writing to the Director, Office of Health Facilities, Forbes Field, Building 740, Topeka, Kansas 66620.

The following is a brief summary of the proposed permanent regulations:

K.A.R. 28-38-17, 28-38-19, 28-38-20, and 28-38-21 are sections of Article 38 of the Kansas Administrative Regulations relating to licensure of adult care home administrators. Revision of these sections is necessitated by the increased service cost of the national examination from the Professional Testing Service under contract. The proposed regulations will increase the licensure fee for new candidates for licensure in Kansas from \$84 to \$100.

K.A.R. 28-39-104, 28-39-105, 28-39-106, and 28-39-130 are sections of Article 39 of the Kansas Administrative Regulations relating to physical environment in existing adult care home facilities. Revision of these sections is necessitated by study and review along with industry response. It is felt the requirements were not reasonable for existing facilities. After the development of these regulations, it was determined a greater percentage of homes would experience an unreasonable cost impact to comply. These proposed changes would not adversely affect the health and safety of the residents.

K.A.R. 28-39-132, 28-39-134, 28-39-135, 28-39-136, and 28-39-137 are sections of Article 39 of the Kansas Administrative Regulations relating to the licensure of one- and two-bed adult care homes. Revision of these sections is necessitated by the development of new proposed regulations for the three- or four-bed boarding care homes for the purpose of providing consistency in application of regulations to family-type homes. These proposed regulations set forth standards in the licensure procedure, administration, resident care, dietary, and environmental sanitation and safety to assure the health, safety, and well being of the residents.

K.A.R. 28-39-138, 28-39-139, 28-39-140, 28-39-141, 28-39-142, and 28-39-143 are sections of Article 39 of the new proposed Kansas Administrative Regulations relating to the licensure of three- or four-bed boarding care homes. These regulations were necessitated by the development of alternative placements to institutionalization of persons in need of care in a placement outside of their own homes. The proposed regulations set forth standards in licensure procedure, administration, resident care, dietary, and environmental sanitation and safety to assure the health, safety, and well being of the residents.

JOSEPH F. HARKINS
Secretary

Doc. No. 000742

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

Notice is hereby given to all interested parties that on November 30, 1982, at 9:00 a.m. in the auditorium of Building 321, Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas, the Secretary of the Department of Health and Environment will hold a public hearing concerning the adoption on a permanent basis of certain proposed amendments to administrative regulations. Copies of these regulations, and the fiscal impact statement, may be picked up at: Building #729; Kansas Department of Health & Environment; Forbes Field; Topeka, Kansas 66620. A summary (including fiscal impact) is set forth below:

1. **28-4-113. Definitions.** This regulation amends the current definitions by adding a new category of child care, the group day care home, which will permit a family home to care for a larger number of children without meeting the strict requirements for licensing a child care center. It will carry a positive fiscal impact.
2. **28-4-114. The applicant and licensee.** This regulation sets out the number of children permitted in a group day care home, the training requirements for a group day care home applicant and licensee, and the provision of emergency care. As stated earlier, the category of group day home carries a positive fiscal impact. The training requirements are minimal, carrying little fiscal impact. The emergency care regulation clarifies the circumstances under which a day care provider may provide emergency care for children not regularly enrolled in the home. It represents a negligible fiscal impact.
3. **28-4-115. The home.** This regulation is amended to include a fire safety inspection for group day care homes. The National Life Safety Code, adopted by the Kansas State Fire Marshal, carries requirements for group day care homes which represent an expenditure of approximately \$250.00 for the average family home to meet. This cost is offset by the additional children that may be enrolled in a group day care home.
4. **28-4-116. The children in care.** This regulation is amended to include a play space requirement for group day care homes. Since the total number of children that may be enrolled will depend in part on the amount of space available, smaller homes may be limited to a day care home license, thus reducing their potential income from child care.
5. **28-4-117. Health care policies. Health.** This regulation eliminates periodic submission of health assessment records for children enrolled, and for adults involved in the program. The total savings to parents is estimated to be \$125,000 (\$25.00 for each of approximately 5,000 children enrolled for

more than one year). The savings to adults is estimated to be \$37,500 (\$50.00 per adult for each of approximately 750 adults who remain in the program for more than three years).

6. **28-4-118. Policies relating to illness, accident and emergencies.** No substantive change from the current regulation.
7. **28-4-119. Compliance with regulations.** No substantive change from current regulation.

JOSEPH F. HARKINS
Secretary

Doc. No. 000743

State of Kansas

BOARD OF TAX APPEALS**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Monday, November 29, 1982, commencing at 4:15 p.m. in the Hearing Room, 3rd Floor, Old Sedgwick County Courthouse, Wichita, Kansas, to consider the adoption of proposed permanent Rules and Regulations of the Board of Tax Appeals.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Chairperson, Kansas Board of Tax Appeals, State Office Building, Topeka, Kansas 66612-1582. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. Depending upon the number of persons present each participant may be requested to observe a time limitation on this oral presentation.

Following this hearing, all written and oral comments submitted by interested parties will be considered by the Kansas Board of Tax Appeals as the basis for making any changes to these proposed regulations.

Copies of the regulations may be obtained by writing: Secretary, Kansas Board of Tax Appeals, State Office Building, Topeka, Kansas 66612-1582. These regulations will not have an effect on the general public and no fiscal impact statement is required.

The following is a brief summary of the Board's proposed regulations:

K.A.R. 94-3-1 contains definitions of terms utilized in the Economic Development Revenue Bond Act, K.S.A. 12-1740 *et seq.* K.A.R. 94-3-2 incorporates directions for filing informational statements pursuant to the statutory requirement (K.S.A. 12-1744a, as amended). Additionally, this section contains a sample form (BTA-2) for the informational filing and establishes a filing fee of one hundred twenty-five dollars (\$125.) per statement.

KARL V. COZAD
Attorney and Secretary

Doc. No. 000728

State of Kansas

DEPARTMENT OF TRANSPORTATION**NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Tuesday, November 30, 1982, at 9:00 a.m. in the Kansas Department of Transportation Conference Room Number One, on the 7th Floor, State Office Building, Topeka, Kansas, to consider the adoption of proposed permanent regulations. Two sessions will be held. The morning session will be devoted to reviewing K.A.R.'s 36-1-1a through 36-13-33. The afternoon session will begin at 2:00 and will be concerned with reviewing K.A.R.'s 36-15-23 through 36-35-1.

All interested parties may submit written comments any time prior to the hearing by addressing them to the Secretary of Transportation, 7th Floor, State Office Building, Topeka, Kansas 66612. All interested parties that desire to present their views orally on the adoption of the proposed regulations during the hearing are requested to provide prior written notice to the Department of Transportation no later than the close of business, Tuesday, November 23, 1982. Oral presentations may be limited to five minutes. In the event that there is not sufficient time for all interested parties to present their views orally, an evening hearing may be scheduled at 7:30 p.m. in the same location.

Copies of the full text of the regulations, and the fiscal impact statement, may be obtained by writing to the Department of Transportation, 7th Floor, State Office Building, Topeka, Kansas 66612.

Special Permits, Loads and Vehicles

36-1-1a. Contains definitions of terms relative to special permits.

36-1-1b. Addresses the general policy of the Department on the issuance of special permits. Identical to the current K.A.R. 36-1-1 with some language revisions.

36-1-2. Stipulates general requirements to be followed when operating under a special permit. Changes were made in the language.

36-1-3. Provides information on where to obtain special permits. Reference to specific cities were deleted.

36-1-7. Will be revoked.

36-1-8. Stipulates general restrictions on special permits. Changes were made in the language.

36-1-9. Defines special restrictions for special permits. Changes were made in the language.

36-1-10. Provides information for application to transport loads over 120,000 pounds gross weight. Changes were made in the language.

36-1-22. Will be revoked.

36-1-23. Will be revoked.

36-1-24. Will be revoked.

36-1-25. Will be revoked.

36-1-26. Regulates the movement of mobile homes and modular sections of houses under special permits. Changes were made in the language.

36-1-27. Contains special permit information on the movement of large structures as defined in 36-1-1a(16). Changes were made in the language.

Vehicles Carrying Emergency Equipment

36-2-3. Contains criteria to be met in applying for an emergency vehicle designation. Contains types of vehicles which may be considered.

36-2-4. Stipulates the required approvals which shall be secured prior to applying for an emergency vehicle designation. Changes were made in the language.

36-2-5. Will be revoked.

36-2-6. Contains information on the rights to request a hearing upon rejection of an application for emergency vehicle designation. Changes were made in the language.

36-2-7. Will be revoked.

36-2-8. Addresses the illegal use of emergency warning apparatus. Changes were made in the language.

36-2-10. Provides for the cancellation of an emergency vehicle designation. Changes were made in the language.

36-2-11. Addresses hearing rights in relation to the cancellation of an emergency vehicle designation. Changes were made in the language.

36-2-12. Prohibits use of emergency warning apparatus after an emergency vehicle designation is denied or cancelled. Changes were made in the language.

36-2-13. Addresses hearing rights after cancellation of an emergency vehicle designation. Changes were made in the language.

36-2-14. Addresses the use of sirens on highways. Removed definition of siren.

Highway Entrance Permits

36-3-1 to 36-3-5. Will be revoked.

36-3-1a. Requires that a permit be secured from the Department prior to proposed construction or alteration of a driveway onto a state highway. This regulation will replace the current Article 3.

Saddlemounts; Transportation of Empty Trucks

36-4-8. Addresses the transport of empty trucks and saddlemounts. Changes were made in the language.

Controlled Access Highways; Use

36-12-1. Contains conditions for the stopping of vehicles on controlled access highways. Added provisions to allow for stopping on the right-of-way.

36-12-2. Prohibits unauthorized ingress or egress

(continued)

from controlled access highways. Deleted reference to the State Highway Commission.

School Bus Transportation

36-13-8. Will be revoked.

36-13-9a. Will be revoked.

36-13-10. Will be revoked.

36-13-11. Will be revoked.

36-13-16. Will be revoked.

36-13-17, 36-13-18. Will be revoked.

36-13-21. Will be revoked.

36-13-30. Establishes school bus chassis and body standards. This regulation contains specifications previously located throughout Article 13.

36-13-31. Stipulates the appointment of a transportation supervisor by school districts and non-public schools and the duties of such individual. Deleted the delegation of authority to school boards.

36-13-32. Defines school bus driver qualifications and duties. Removed excess verbiage and added new driver qualifications.

36-13-33. Stipulates driving procedures to be followed by school bus drivers. Changes were made in the language.

Specifications for Motorcycle Safety Helmets

36-15-23. Sets standards for motorcyclist's eye protection devices. Changes were made in the language.

Highway Relocation Assistance

36-16-1. Addresses relocation assistance to be provided pursuant to the acquisition of real property for state highway purposes. Changes were made in the language.

36-16-4. Addresses the filing of appeals relating to relocation assistance payment. Changes were made in the language.

36-16-5. Provides for the appointment of hearing examiners, designation of hearing times and places and conduct of the hearing by the examiners. Changes were made in the language.

36-16-7. Provides that records shall be kept of relocation assistance hearings. Changes were made in the language.

36-16-16. Stipulates housing replacement by the Department relative to property acquisitions. Changes were made in the language.

36-16-17. Will be revoked.

36-16-18. Authorizes the Department to act as agent for federal agencies in connection with federal programs or projects. Changes were made in the language.

36-16-19. Will be revoked.

36-16-20. Addresses relocation assistance in pro-

grams receiving federal financial assistance. Changes were made in the language.

36-16-21. Applies relocation assistance provisions of 36-16-1 to counties, townships and cities. Changes were made in the language.

36-16-23. Will be revoked.

Warning Lamps for Maintenance and Construction Vehicles

36-18-4. Establishes standards for lights on highway construction and maintenance vehicles. Changes were made in the language.

Standard for Slow-Moving Vehicle Identification Emblem

36-19-9. Adopts the federal standards for the slow-moving vehicle emblem. Changes were made in the language.

Transportation of Hazardous Materials

36-25-1. Will be revoked.

Railroad Grade Crossings

36-26-1. Establishes crossing procedures at railroad grade crossings. Changes were made in the language.

Payment of Moving Expenses

36-29-1. Provides authority to the Secretary of Transportation to pay relocation and moving expenses of employees in accordance with the provisions of K.A.R. 1-16-2a through 1-16-21.

Construction Bidding Procedures

36-30-1. Defines terms to be used in Article 30—Construction Bidding Procedures.

36-30-2. Establishes criteria on bidding procedures to be followed by the Secretary of Transportation in the letting of contracts.

36-30-3. Sets qualifications for bidders on Department contracts.

36-30-4. Stipulates the execution of sworn statements by bidders with proposals.

36-30-5. Provides for the confidentiality of bid proposals.

36-30-6. Addresses the award and execution of contracts.

36-30-7. Addresses the authority of the Secretary of Transportation in awarding contracts.

Debarment and Suspension of Contractors

36-31-1. Defines terms relevant to Article 31—Debarment and Suspension of Contractors.

36-31-2. Establishes conditions and procedures for the debarment of contractors.

36-31-3. Establishes conditions and procedures for the suspension of contractors.

36-31-4. Addresses the effects on current contracts during and after debarment or suspension. (continued)

36-31-5. Provides for the maintenance of a list of debarred or suspended contractors.

36-31-6. Addresses the contract authority of the Secretary of Transportation.

Use of Roadside Facilities

36-32-1. Defines terms relevant to Article 32—Use of Railroad Facilities.

36-32-2. Establishes conditions for the use of roadside facilities.

Weight Limits for Trucks

36-33-1. Establishes gross weight limits on wheels and axles of vehicles traveling the national system of interstate and defense highways.

Child Passenger Safety

36-34-1. Addresses the use of and standards for child passenger safety restraints in Kansas.

Transporting of Two Combine Headers

36-35-1. Sets conditions for the transport of two combine headers.

JOHN B. KEMP, P.E.
Secretary of Transportation

Doc. No. 000740

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

NOTICE OF HEARING ON PROPOSED PERMANENT ADMINISTRATIVE REGULATIONS

A public hearing will be held on Monday, November 29, 1982, commencing at 9:00 a.m., in the third floor conference room of the Department of Human Resources, 401 Topeka Avenue, Topeka, Kansas, to consider the adoption of proposed permanent rules and regulations of the Kansas Employment Security Law.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Human Resources, Department of Human Resources, 401 Topeka Avenue, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five (5) minutes.

Following the hearing on November 29, 1982, all written and oral comments submitted by interested parties will be considered by the Secretary of Human Resources as the basis for making changes to these proposed regulations.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statement may be obtained by writing: Chief Counsel, Department of Human Resources, 401 Topeka Avenue, Topeka, Kansas 66603.

The following is a brief summary of the proposed regulations:

K.A.R. 40-1-3 and 50-1-5 are sections of Article 1 of the Kansas Administrative Regulations relating to meaning of terms. K.A.R. 50-1-3(g) is a proposed new regulation to provide a definition to the term "predecessor employer" as it relates to unemployment compensation contributions. K.A.R. 50-1-5 is a proposed new regulation to provide meaning of terms relating to successor classification.

K.A.R. 50-2-3 and 50-2-17 through 50-2-21 are sections of Article 2 of the Kansas Administrative Regulations relating to unemployment insurance contributing, reimbursing and rated governmental employment. Revision of K.A.R. 50-2-3(g) is necessary to allow for timely receipt of payments when the regular payment day falls on a day which is not a work day for the Department of Human Resources. K.A.R. 50-2-17 is a proposed new regulation necessitated by the Kansas Employment Security Law requirement that a standard procedure be set forth in the rules and regulations for classifying employers by industrial activity. K.A.R. 50-2-18 is a proposed new regulation which establishes specific requirements of reimbursing employers as they relate to a required surety bond or surety deposit. K.A.R. 50-2-19 is a proposed new regulation which establishes a contributions' administrative appeal process for employers. K.A.R. 50-2-20 is a proposed new regulation necessitated by the Kansas Employment Security Law requirement that a method for notification of reimbursing employers of the effective date of their election or termination as a reimbursing employer be set forth in the rules and regulations. K.A.R. 50-2-21 is a proposed new regulation which establishes the process for computation of employer contribution rates.

50-3-1. The change in sub-section "h"; "i"; "j" is made to agree with amendments to K.S.A. 44-709. The word "regular" is struck from sub-section j(2) as it was struck from K.S.A. 44-710(c). All other changes are clerical.

50-3-2. The changes replace presently undefined phrase "custom commuting distance" to more specific distance.

50-3-5. Clerical changes only.

HARVEY L. LUDWICK, Ed.D.
Secretary of Human Resources

Doc. No. 000734

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

NOTICE OF HEARING ON
PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be held on Monday, November 29, 1982, commencing at 10:00 a.m., in the Second Floor Conference Room of 512 West Sixth Street, Topeka, Kansas, to consider proposed amendments to the rules and regulations of the Department of Human Resources relating to wage payments and procedures for enforcement.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Secretary of Human Resources, 401 Topeka Avenue, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed amendments. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five (5) minutes.

Following the hearing on November 29, 1982, all written and oral comments submitted by interested parties will be considered by the Secretary of Human Resources as the basis for making changes to these proposed regulations.

Summaries of the regulations follow. Copies of the proposed amendments and the fiscal impact statement may be obtained by writing: Department of Human Resources, Office of the Chief Counsel, 401 Topeka Avenue, Topeka, Kansas 66603.

The following is a brief summary of the proposed amendments:

K.A.R. 49-20-1 is the definitional section of Article 20 of the Kansas Administrative Regulations relating to wage payments and procedures for enforcement. Revision of this section was necessary to clarify terms used in K.S.A. 44-313 *et seq.* Specifically, the meanings of "deductions accruing to the benefit of the employee" pursuant to K.S.A. 44-319(a)(3), "binding settlement agreement" pursuant to K.S.A. 44-316(b), and "or other basis" as used in K.S.A. 44-313(c) are enlarged upon through the revisions.

K.A.R. 49-21-1 through 49-21-3 provide the procedures whereby wage claims are filed, processed and heard. All revisions of these sections are minor procedural changes which merely aid in clearing up any procedural ambiguities.

HARVEY L. LUDWICK, Ed.D.
Secretary of Human Resources

Doc. No. 000735

State of Kansas

ADJUTANT GENERAL'S DEPARTMENT

NOTICE OF HEARING ON
PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS

A public hearing will be held on Monday, November 29, 1982, commencing at 1:00 p.m. in the Operations Room, State Defense Building, 2800 Topeka Avenue, Room 11, Topeka, Kansas, to consider the adoption of proposed permanent rules and regulations on the use of armories that house units of the Kansas Army and Air National Guard.

All interested parties may submit written comments at any time prior to the hearing by addressing them to The Adjutant General of Kansas, P. O. Box C-300, Topeka, Kansas 66601. All interested parties will be given a reasonable opportunity at the hearing to present their views orally in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentations to not more than five (5) minutes.

Following the hearing on November 29, 1982, all written and oral comments submitted by interested parties will be considered by the Kansas Military Advisory Board as the basis for making changes to these proposed regulations.

A summary of the regulations proposed is set forth below:

56-1-1. Definitions—Contains word definitions used in armory operations that are not defined in Chapter 48, which deals with use and fiscal management of armories.

56-1-2. Armory Purpose and Funding—Clarifies uses of the armories and implements fiscal requirements of these various uses pursuant to L. 1982, Ch. 225, and other appropriate laws in Chapter 48.

56-1-3. Policies—Sets forth the requirements of priorities in use of armories, the freedom of information act, and implements provisions of K.S.A. 1981 Supp. 41-719, which deals with alcoholic beverages in state facilities.

56-1-4. Responsibilities—Sets forth authorities and procedures necessary to use of armories to include the fiscal requirements for their use.

56-1-5. Variance—Sets forth the standard to be used by the Kansas Military Advisory Board in its decision to grant exception to these regulations.

56-1-6. Enforcement—Sets out requirements to enforce these regulations, other armory regulations, and the handling of disputes pursuant to appropriate state laws in Article 2, Chapter 48.

Copies of the proposed regulations and the fiscal impact statement may be obtained by writing to the Recorder, Kansas Military Advisory Board, P. O. Box C-300, Topeka, Kansas 66601.

MAJOR GENERAL RALPH T. TICE, KSARNG
The Adjutant General

Doc. No. 000747

State of Kansas

BOARD OF NURSING**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on December 1, 1982, commencing at 9:00 A.M. in Room 201, Frank Carlson Federal Building, 444 S.E. Quincy, Topeka, Kansas, to consider adoption of proposed permanent regulations.

All interested parties may submit written comments any time prior to the hearing by addressing them to the Board of Nursing, 503 Kansas Avenue, Topeka, Kansas 66601. All interested parties will be given a reasonable opportunity to present their views on the adoption of the proposed regulations during the hearing.

Copies of the full text of the regulations and the fiscal impact statement may be obtained by writing to the Board of Nursing, 503 Kansas Avenue, Topeka, Kansas 66601. The following is a summary of the regulations:

K.A.R. 60-4-101 Fees—For professional and practical nurses—Increase fees to statutory maximums.

K.A.R. 60-8-101 Fees—For Licensed Mental Health Technicians—Increase fees to statutory maximums.

LOIS RICH SCIBETTA, PH.D., R.N.
Executive Administrator

Doc. No. 000752

State of Kansas

**DEPARTMENT OF REVENUE
DIVISION OF
ALCOHOLIC BEVERAGE CONTROL****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

The Office of the Alcoholic Beverage Control Division of the Kansas Department of Revenue will hold a public hearing November 29, 1982, at 10:00 A.M., at the Old Supreme Court Chambers, 3rd Floor, Capitol Building, Topeka, Kansas, for the purpose of receiving public comments on *proposed changes* to K.A.R. 13-4-3, 14-1-1, 14-3-1, 14-3-5, 14-3-13, 14-3-19, 14-3-35, 14-3-39, 14-4-7, 14-4-8, 14-4-9, 14-4-13, 14-4-14, 14-6-2, 14-10-1, 14-10-2, 14-8-2, 14-8-10, 14-18-23, 14-18-28, 92-8-1, 92-8-4, 92-8-5, 92-8-14, and on *proposed revocation* of 14-7-9.

K.A.R. 13-4-3 relates to regular meetings of the State Alcoholic Beverage Control Board of Review. The proposed change provides for regular or special meeting of the Board by telephone.

K.A.R. 14-1-1 relates to the definitions of terms used in the rules and regulations. The proposed change includes a definition of "incapacitated" and "intoxicated".

K.A.R. 14-3-1 relates to the location and physical structure of a licensed retail premises. The proposed

changes provide a definition of "vestibule" and prohibits openings of a retail liquor store into certain types of vestibules.

K.A.R. 14-3-5 relates to the obstruction of view of the licensed premises. The prohibition of posters and placards was deleted from this regulation and added to K.A.R. 14-10-1.

K.A.R. 14-3-13 relates to records of purchases to be furnished by distributors. The proposed change provides for the records to be open at all times for inspections by the director or his designee.

K.A.R. 14-3-19 relates to the prohibition of intoxicated persons from a licensed premises. The proposed change deletes the definition of incapacitated.

K.A.R. 14-3-35 relates to retailers selling alcoholic liquor to private clubs. The proposed change allows retailers to make a sale to a private club through a member of the board of directors of a licensed private club.

K.A.R. 14-3-39 relates to signs on or around a retail liquor store premises. The proposed change is a title change which deletes the word "parking" and replaces it with the word "advertising".

K.A.R. 14-4-7 relates to discriminatory practices to distributors by manufacturers, price listings, sales in bulk, schedules of minimum pricing to retailers and penalties. The proposed changes are:

a) subsection (d)(5) delete the word "of" and insert the word "when" in its place.

b) subsection (d)(7) delete the word "of" and insert the word "or" in its place.

c) subsection (d)(8) add the word "chronological" before the word "sequence" and delete the phrases "and order" and "such purchases" which appear thereafter.

d) subsection (h) delete the word "of" and insert the word "or" in its place.

K.A.R. 14-4-8 relates to discriminatory practices by distributors to retailers. The proposed change inserts the word "chronological" in front of the word "sequence" and deletes the words "and order" after "sequence".

K.A.R. 14-4-9 relates to return of original containers to manufacturers, wholesalers and distributors. The proposed change deletes the words "packages or containers" and inserts the word "bottle" in their places.

K.A.R. 14-4-13 relates to distributor's purchase orders for alcoholic liquor. The proposed change allows purchase orders to remain valid until the last day of the second calendar month after the order was placed, also that licensed distributor's orders be filed in chronological sequence in which original orders were received.

K.A.R. 14-4-14 relates to the transportation of alcoholic liquor by distributors. The proposed changes provide for liquor wholesalers to make deliveries to retailers no later than the second day following the date of the order and allows for distributors to offer retailers no less than one day of delivery within an eight day period at the minimum poundage requirement.

K.A.R. 14-6-2 relates to allowable capacities of containers of alcoholic liquor sold at retail. The proposed

(continued)

change allows beer to be sold in two liter containers and for alcoholic liquor other than beer or wine to be sold in 375 milliliter containers.

K.A.R. 14-10-1 relates to allowable services or items provided by distributors to retailers. The proposed changes specifically defines the allowable kind, value and method of installation of product displays; provide that distributors may "furnish or give" rather than "sell" specifically defined point of sale materials; prohibit manufacturers, distillers, importers, wholesalers or distributors from furnishing specialties, coupons or premium offers or like items.

K.A.R. 14-10-2 relates to trade practices between distributors and private clubs. The proposed changes specify permissible consumer and retail advertising specialties to be provided by distributors to private clubs and limits those items to a \$200.00 limit per brand per year.

K.A.R. 14-8-2 relates to the advertisement of alcoholic liquor. The proposed changes further define what is prohibited in the advertising of alcoholic liquor. Further subsection (A)5 and (A)6 are to be deleted.

K.A.R. 14-8-10 relates to prohibited advertising by manufacturers, distributors or retailers referring to certain holidays. The proposed change includes Father's Day as a prohibited holiday.

K.A.R. 14-18-23 relates to persons prohibited as employees of a private club. The proposed change adds a comma after the word officer.

K.A.R. 14-18-28 relates to reciprocal membership agreements. The proposed changes cite correct legal authority for the regulation.

K.A.R. 92-8-1 relates to the application for a cereal malt beverage license. The proposed change deletes the license fee requirement, as the license fee is prescribed by statute.

K.A.R. 92-8-4 relates to trade names for corporations. The proposed change is a citation of an authorizing statute.

K.A.R. 92-8-5 relates to the storage of cereal malt beverages. The proposed change provides that unpasteurized cereal malt beverage must be stored according to specifications set forth by the brewer or importer.

K.A.R. 92-8-14 relates to the filing of agreements and cancellation of agreements between manufacturers and wholesalers or distributors. The proposed changes provide the filing of agreements with the director of the ABC rather than the director of taxation to comply with the exclusive franchise law for cereal malt beverages.

K.A.R. 14-7-9 is proposed to be revoked.

Interested parties may present their views in writing by sending them to the Office of the Alcoholic Beverage Control Division. Copies of the proposed changes and copies of the fiscal impact statements may be obtained from the Office of the Alcoholic Beverage Control Division, State Office Building, 5th Floor, Topeka, Kansas 66625.

THOMAS J. KENNEDY
Director

State of Kansas

DEPARTMENT OF REVENUE

NOTICE OF HEARING ON PROPOSED TEMPORARY AND PERMANENT ADMINISTRATIVE REGULATIONS

Notice is hereby given that a public hearing will be held on December 1, 1982, at 10:00 a.m., in the Office of the Kansas Department of Revenue, Secretary's Conference Room, State Office Building, Topeka, Kansas to consider the adoption of proposed temporary and permanent regulations of the Department of Revenue.

A copy of the full text of the proposed regulations and the fiscal impact statement may be obtained by contacting William L. Edds, Kansas Department of Revenue, State Office Building, Topeka, Kansas 66625.

All interested parties may submit written comments at any time prior to or at the hearing. All interested parties will be given a reasonable opportunity to present their view orally on the adoption of the proposed regulations during the hearing.

A summary of the proposed regulations is set forth below.

Ch. 92, Art. 2—Legacies, Successions, Estate Tax—92-2-52 concerning estate tax credit for state death taxes and 92-2-55 concerning public inspection of materials adopted by reference are revoked.

Ch. 92, Art. 3—Motor Fuel Tax and Transportation of Liquid Fuel—92-3-13 is amended to increase calibration fees for vehicles hauling fuel.

Ch. 92, Art. 5—Cigarette Tax—92-5-10 is amended to delete a requirement that the director of taxation be notified prior to destruction of damaged cigarettes.

Ch. 92, Art. 9—Minerals and Natural Products Leases—92-9-1 is amended to modify the method of giving notice to prospective bidders and to make grammatical changes. 92-9-3, 92-9-4, 92-9-5 and 92-9-6 are amended to make grammatical changes. 92-9-8 is amended to provide gravel sold to the state or municipalities is exempt from tonnage fees and to make grammatical changes.

Ch. 92, Art. 11—Withholding and Estimated Tax—92-11-4 is amended to modify the withholding tax formula. 92-11-5, 92-11-7, 92-11-8, 92-11-9, 92-11-11 and 92-11-12 are amended to make grammatical changes and to delete statutory duplication.

Ch. 92, Art. 12—Income Tax—92-12-53 explaining methods of determining income allocable to Kansas business is revoked. 92-12-56 providing where returns are available and 92-12-67 concerning extensions of time for filing returns are amended to delete the department's box number.

Ch. 92, Art. 13—Interstate Motor Fuel Use Tax—92-13-6 concerning credits and refunds on fuel purchased within Kansas is revoked.

Ch. 92, Art. 14—Liquified Petroleum Fuel Tax—92-14-9 concerning taxation of compressed natural gas is amended to modify the conversion formula.

Ch. 92, Art. 15—Nonresident Contractors—92-15-1,

(continued)

92-15-2, 92-15-5, 92-15-7, and 92-15-9 to 92-15-12 are revoked. 92-15-6 and 92-15-8 concerning the bond's effective period and release are amended to make grammatical changes.

Ch. 92, Art. 16—Intangibles Tax—The entire article is revoked.

Ch. 92, Art. 17—Tobacco Products—92-17-6 concerning refunds or credits is amended to make grammatical changes.

Ch. 92, Art. 18—Special Fuel Tax—92-18-5 and 92-18-6 are new regulations concerning record keeping requirements and annual reports of unlicensed special fuel users.

Ch. 92, Art. 19—Kansas Retailers' Sales Tax—92-19-1 setting out the bracket schedule is amended. 92-19-10 concerning repossessed property is amended to delete application to finance companies and to make grammatical changes. 92-19-31 concerning installation or application of tangible personal property is amended to make grammatical changes and to delete the form for an affidavit. 92-19-33 concerning permanent extensions for filing returns is amended to make grammatical changes and to update the interest provisions to reflect prior statutory changes. 92-19-34 concerning isolated or occasional sales is amended to reflect prior statutory change. 92-19-43 is new to cover application of sales tax to vehicles registered by dealers.

Ch. 92, Art. 21—Local Retailers' Sales Tax—92-21-2 setting out the bracket system is revoked. 92-21-20 is new to set forth a bracket system for each of the various rates of local retailers sales tax that may be levied.

Ch. 92, Art. 22—Homestead Property Tax Refund—92-22-4, 92-22-5, 92-22-8, 92-22-11, 92-22-14, 92-22-17, 92-22-18, 92-22-19 and 92-22-25 are amended to make grammatical changes and to delete statutory duplications. 92-22-6, 92-22-7, 92-22-9, 92-22-10, 92-22-13, 92-22-15, 92-22-16, 92-22-20, 92-22-21 and 92-22-26 to 92-22-31 are revoked.

Ch. 92, Art. 23—Bingo—92-23-38 is amended to make grammatical changes and to make record keeping requirements more specific.

Ch. 92, Art. 25—Transient Guest Tax—92-25-1 is new to provide the effective date for the levy, repeal or change in rate of transient guest taxes.

Ch. 92, Art. 51—Titles and Registration—92-51-21 concerning the staggered registration system is amended to delete outdated material. 92-51-23 is amended to modify requirements concerning transfer of number plates. 92-51-32 concerning 6,000 mile registration requirements is amended to make terminology and grammatical changes.

Ch. 92, Art. 52—Motor Vehicle Drivers' Licenses—92-52-9 is amended to modify the definition of moving violations. 92-52-10 is new to require qualifications for class D driver's license.

Ch. 93, Art. 2—Institute of Certified Kansas Assessors—The entire article is revoked.

MICHAEL LENNEN
Secretary of Revenue

Doc. No. 000754

State of Kansas

STATE CORPORATION COMMISSION

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

The State Corporation Commission will hold a public hearing November 30, 1982, at 9:00 a.m., at its offices, 4th Floor, State Office Building, Topeka, Kansas, in Hearing Room "B", for the purpose of receiving public comments on proposed permanent regulations K.A.R. 82-8-100 through 82-8-107 and K.A.R. 82-1-231. Additionally K.A.R. 82-1-231 is a proposed temporary regulation. Any persons wishing to make comments may do so orally or submit written comments at the time of the hearing.

K.A.R. 82-1-231 is being considered as a temporary and permanent regulation and is an update of an existing regulation with one principal modification which will allow electric cooperative distribution systems providing service to less than 15,000 customers to file a more simplified rate case proceeding if this is acceptable to the Commission. K.A.R. 82-8-100 through 82-8-107 is being considered on a permanent basis and adopts portions of the "National Electrical Safety Code" (1981 addition) and sets forth various other standards involving "wire stringing" and filing applications for the construction of electric and communication supply lines. These regulations involve utility applications, exceptions in the case of emergency, notice of construction, the type of circuits, and coordinated location of lines as well as inductive coordination.

Copies of the proposed regulations and the fiscal impact statement may be obtained from the State Corporation Commission, Legal Department, 4th Floor, State Office Building, Topeka, Kansas 66612.

R. RICHARD RIGGS
Acting Executive Secretary

Doc. No. 000755

State of Kansas

**STATE CORPORATION COMMISSION
MINED-LAND CONSERVATION
AND RECLAMATION BOARD**

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

The Mined-Land Conservation and Reclamation Board will hold a public hearing November 29, 1982, at 10:00 a.m., at the Holiday Inn in Pittsburg, Kansas, for the purpose of receiving public comments on proposed permanent regulations K.A.R. 47-2-21, K.A.R. 47-8-10, K.A.R. 47-8-11, and K.A.R. 47-16-1 through 47-16-8.

Any persons wishing to make comments may do so orally or submit written comments at the time of the hearing.

K.A.R. 47-2-21 is being amended to bring it into line with K.S.A. 1981 Supp. 49-404 by eliminating members of the board from the definition of an employee. K.A.R. 47-8-10 implements K.S.A. 1981 Supp. 49-406 which allows mining operations to bond their permits with cash, negotiable bonds, negotiable certificates of deposits and irrevocable letters of credit as well as surety bonds. K.A.R. 47-8-11 defines how bonds forfeited are to be utilized.

K.A.R. 47-16-1 through 47-16-8 describes what lands and water are eligible for abandoned mined land reclamation work; how that work is to be evaluated; the powers of the board or their employees to enter abandoned mined land to make studies and do reclamation work; and how liens can be placed on the property reclaimed if the value of that property is increased because of such reclamation.

Copies of the proposed regulations and the fiscal impact statement may be obtained from John Jay Rosacker, Assistant General Counsel, State Corporation Commission, Legal Department, 4th Floor, State Office Building, Topeka, Kansas, or Delno Bass, Executive Director of the Mined-Land Conservation and Reclamation Board, P.O. Box 1418, 107 W. 11th, Pittsburg, Kansas.

DELNO BASS
Executive Director

Doc. No. 000756

State of Kansas

STATE GRAIN INSPECTION DEPARTMENT

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

A public hearing will be held on Wednesday, December 1, 1982, at 2:00 p.m. in the conference room of the Grain Inspection Department, 535 Kansas Avenue, 8th Floor, Topeka, Kansas, to consider the adoption of a proposed permanent rule and regulation of the Kansas State Grain Inspection Department.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Director, Kansas State Grain Inspection Department, 535 Kansas Avenue, 8th Floor, Topeka, Kansas, 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Copies of the full text of the regulation and the fiscal impact statement may be obtained by writing to the Director, Kansas State Grain Inspection Department, 535 Kansas Avenue, 8th Floor, Topeka, Kansas, 66603. The following is a summary of the regulation:

K.A.R. 25-4-1: Amendment to this regulation adds edible bean inspection services to the Grain Inspection Department's fee schedule and changes the hourly charge for warehouse examiners for special or requested examinations from \$11.00 to \$15.00.

MARVIN R. WEBB
Director

Doc. No. 000757

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