

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas
SOCIAL AND REHABILITATION SERVICES
CHILDREN AND YOUTH
ADVISORY COMMITTEE

NOTICE OF MEETING

Notice is hereby given to all interested parties that the statutorily created Children and Youth Advisory Committee will hold its regular meeting on January 17, 1983, at 1:00 p.m. in the Judicial Administrator's Conference Room (#337), Judicial Center, 310 West 10th, Topeka, KS. For further information, contact Mr. Warren J. Bell, Chairman, State Department of Education, 120 East 10th, Topeka, KS 66612, telephone 913-296-2306.

WARREN J. BELL, Chairman
 Children and Youth Advisory Committee

Doc. No. 000852

State of Kansas
PARK AND RESOURCES AUTHORITY

NOTICE TO BIDDERS

Sealed bids for an AGRICULTURAL LEASE at Cheney State Park and for MOWING, BALING AND REMOVING HAY from tracts within most Kansas State Parks will be received by the Kansas Park and Resources Authority, 503 Kansas Avenue, P. O. Box 977, Topeka, Kansas 66601, until 2:00 p.m., January 31, 1983, and then will be publicly opened and read aloud.

Bid forms and other information may be obtained from each State Park Manager. For referral assistance, contact the Kansas Park and Resources Authority at the address given above or by telephone at (913) 296-2281.

LYNN BURRIS, JR.
 Director

Doc. No. 000861

State of Kansas
KANSAS PUBLIC DISCLOSURE
COMMISSION

NOTICE OF COMMISSION MEETING

The Kansas Public Disclosure Commission will hold its monthly meeting on Wednesday, January 12, 1983, at 109 West 9th, Topeka, Kansas, Room 504 at 10:00 a.m. For a copy of the meeting agenda call 913-296-4219.

CAROL E. WILLIAMS
 Commission's Administrative Assistant

Doc. No. 000862

State of Kansas
DEPARTMENT OF
HEALTH AND ENVIRONMENT

PUBLIC NOTICE

The following Certificate of Need applications have been filed for review and are available for public inspection at the Office of Health Planning, Kansas Department of Health and Environment, Topeka, Kansas: Shawnee Mission Medical Center, Shawnee Mission, Kansas, Ambulatory Surgery Center; and, Day Surgery, P.A., Shawnee Mission, Kansas, Ambulatory Surgery Center. A public hearing on these applications is scheduled for February 8, 1983, at 9:00 a.m., at the Overland Park Justice Center, Courtroom B, 8500 Antioch, Overland Park, Kansas. Any person will have the opportunity to present oral or written evidence relevant to these applications.

RICHARD J. MORRISSEY
 Acting Secretary

Doc. No. 000859

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PHONE: 913/296-2236

Carol A. Bell
 Publications Director

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of January 1, 1983 through January 31, 1983 shall be 14.339%.

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

JACK H. BRIER
Secretary of State

Doc. No. 000863

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 December 15, 1982 for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

Cancelled 12/15/82 for failure to file the 5/15/82 annual report:

Foreign for Profit

A.S.B. Oil Co., Inc., 311 West Kansas, Independence, MO.

Barter Systems, Inc., 4848 N. MacArthur, Oklahoma City, OK.

Boswell Energy Corporation, 101 Park Avenue, Suite 785, Oklahoma City, OK.

Cable T.V. Properties, Inc., Suite 790, 700 West Airport Freeway, Irving, TX.

California Business Service and Audit Co., 1550 Palmetto Ave. North, Ontario, CA.

Callegari Construction Co., Inc., 7930 State Line, Prairie Village, KS.

Chaparral Minerals, Incorporated, First National Bank Bldg., P.O. Box 2041, Abilene, TX.

C & L Roofing Co., Inc., 1606 Cherry St., Kansas City, MO.

Collanan Enterprises, Incorporated, 201 North Cherry, Box 1000, c/o Peter V. Ruddick, Overland Park, KS.

Commercial Refrigeration and Heating, Inc., 3118 Truman Road, Kansas City, MO.

Communications Systems, Inc., 700 West Airport Freeway, Suite 790, Irving, TX.

Evmar Oil Corp., 450 Park Ave., New York, NY.

Eye Care Consultants of Kansas City, Ltd., 1734 E. 63rd Street, Suite 502, Kansas City, MO.

Finnell Compressor, Inc., 4515 E. Pine, Tulsa, OK.

Garrett-Holmes & Company, Inc., c/o LT Agent Services, 6405 Metcalf, Suite 1, Overland Park, KS.

Kinder-Care Learning Centers, Inc., 4505 Executive Park Drive, Montgomery, AL.

Mercury Mortgage Co., Inc., 1404 South Utica, Tulsa, OK.

Pease Building & Development Co., Inc., 10001 East 147th Street, Kansas City, MO.

PH Mud Incorporated, 1700 Valley Bank Plaza, 300 S. Fourth St., Las Vegas, NV.

Richlin Corporation, c/o C T Corporation System, Republic National Bank Bldg., Dallas, TX.

Rowell and Associate, P.C., North Star Building, Northern Lights Circle, N. Syracuse, NY.

Special Coating Systems of New Mexico, Inc., 5904 Florence Rd., NE Albuquerque, NM.

Tamara Corporation, 922 Mayo Building, 420 South Main, Tulsa, OK.

Techperlco, Inc., P.O. Box 458, Esmeralda Street, Lovelock, NV.

Universal Hydro-Test Corporation, 145 Dino Drive, Ann Arbor, MI.

World of Arts & Crafts of Kansas, Inc., 5660 South Syracuse Circle, Englewood, CO.

Cancelled 12/15/82 for failure to file the annual report due after 9/15/82 extension:

Foreign for Profit

Kansas City Weather-Tite Window Company, 2533 Indiana, Kansas City, MO.

Prior International, Inc., 8330 Lovett Avenue, Dallas, TX.

Three, Three, Three, Inc., Savings & Loan Building, c/o C T Corporation System, Des Moines, IA.

Western Land Company, Seville Square, Suite 408, 500 Nichols Road, Kansas City, MO.

Cancelled 12/15/82 for failure to correct and return annual report:

Foreign for Profit

Barnes Electric Company, Inc., P.O. Box 7163, Pensacola, FL.

Cabot Corporation, 125 High St., Boston, MA.

Citicorp Industrial Credit, Inc., 100 West Tenth Street, Wilmington, DE.

Citicorp Leasing, Inc., c/o Corporation Tax Dept., P.O. Box 662, New York, NY.

Ed Powers Building Company, 1101 Forest, Blue Springs, MO.

Evans Energy, Inc., 1624 Market St., Suite 300A, Denver, CO.

Executive Properties, Inc., 1402 Mercantile Tower, 1101 Walnut, Kansas City, MO.

The Geograph Company, P.O. Box 25246, Oklahoma City, OK.

Hendrie Company, 4646 Riverside Drive, Murray, UT.

Home Health Care Services of America, Inc., 18 West Cheltenham Avenue, Philadelphia, PA.

K & L Electric Service, Inc., 1100 Traders Bank Bldg., Kansas City, MO.

Pep Services, Inc., 8040 Cedar Ave., Minneapolis, MN.

(continued)

Protaal Resources, Inc., 5600 N.E. Antioch, Kansas City, MO.

Remco Enterprises, Inc., 7207 Regency Square Blvd., Suite 120, Houston, TX.

Spector Red Ball, Inc., 3177 Irving Blvd., Dallas, TX.

Thrift Marts, Inc., 2810 Glenda, Fort Worth, TX.

Foreign Not for Profit

United Christian Care Centers, Inc., Four Eureka Circle, Suite 101, Wichita Falls, TX.

JACK H. BRIER
Secretary of State

BY: JOHN R. WINE, JR.
Chief Counsel

Deputy Assistant Secretary of State

Doc. No. 000855

State of Kansas

ATTORNEY GENERAL

OPINION NO. 82-267

Cities and Municipalities—Home Rule Powers—Charter Ordinances. Michael F. Willcott, Lansing City Attorney, Leavenworth, December 28, 1982.

A city of the second class (operating under the mayor-council form of government) may, in the manner prescribed by the city home rule amendment, adopt a charter ordinance which exempts the city from all or part of any enactment, codified within Chapter 14 of Kansas Statutes Annotated, which applies to it. Additionally, such a charter ordinance may contain substitute and additional provisions, which provisions are taken from statutes which are applicable to cities of the third class operating under the mayor-council form of government. Cited herein: K.S.A. 14-101, Kan. Const., Art. 12, § 5. TRH

OPINION NO. 82-268

Procedure, Civil—Liens for Labor and Material—Public Works Bond. Mr. Philip W. Hardman, Attorney, Osborne Housing Authority, Osborne, December 28, 1982.

Mechanics liens of materialmen and laborers may attach to public property where public officials fail to secure a bond for the benefit of the state of Kansas, as is required by K.S.A. 1981 Supp. 60-1111.

Where public officials neglect to obtain and file a public works bond prior to commencement of a project, such a bond may be obtained after work on the project has been completed, and in the amount of the balance of the contract price remaining unpaid. However, a public works bond may not be filed to secure only a specific number of disputed claims. Cited herein: K.S.A. 60-1110, K.S.A. 1981 Supp. 60-1111. TRH

OPINION NO. 82-269

Intoxicating Liquors and Beverages—Cereal Malt Beverages—Suspension or Revocation of Retailer's

License. David W. Andreas, Assistant City Attorney, Winfield, December 28, 1982.

Under K.S.A. 41-2708(j), it is grounds for the suspension or revocation of a cereal malt beverage retailer's license for a licensee to employ a person who has been convicted of driving while under the influence of intoxicating liquor, pursuant to K.S.A. 1981 Supp. 8-1567 (as amended by L. 1982, ch. 144, § 5). Affirming Attorney General Opinion No. 73-394. Cited herein: K.S.A. 1981 Supp. 8-1567 (as amended by L. 1982, ch. 144, § 5), K.S.A. 41-311, 41-2702, 41-2703, 41-2708. WRA

OPINION NO. 82-270

Taxation—Property Valuation, Equalization and Assessment—Powers and Duties of County Appraisers.

Counties and County Officers—County Appraiser—Removal from Office. John W. Conard, Hamilton County Appraiser, Syracuse, December 28, 1982.

Each county appraiser, in establishing values for various types of personal property, is required by law to conform to the values for such property as shown in the personal property appraisal guides prescribed or furnished by the Director of Property Valuation. A county appraiser may deviate from the values shown in such guides on an individual piece of property only for just cause shown and in a manner consistent with achieving fair market value.

Fair market value is not the amount of money for which an item of property likely could be sold at an auction or forced sale. Instead, it is the amount of money that a well informed buyer would be justified in paying and a well informed seller would be justified in accepting for property in an open and competitive market, assuming neither buyer nor seller was acting under compulsion.

Under the provisions of K.S.A. 19-431, the Director of Property Valuation, after following certain requirements, may enter an order suspending or terminating an appraiser from office. Cited herein: K.S.A. 19-431, 79-501, L. 1982, ch. 391, §§ 2, 3. RJB

OPINION NO. 82-271

State Departments; Public Officers, Employers—Private Investigative or Security Operations—Law Enforcement Officers Ineligible for License. Jerry Harper, Douglas County District Attorney, Lawrence, December 28, 1982.

A firefighter does not fall within the definition of a law enforcement officer in K.S.A. 21-3110(10). Hence, a firefighter is not a law enforcement officer for purposes of K.S.A. 1981 Supp. 75-7b02(c) and is not ineligible to become a licensed private detective. Cited herein: K.S.A. 19-810, 21-3110, 21-4201, 31-145, K.S.A. 1981 Supp. 75-7b01 and 75-7b02. FDD

ROBERT T. STEPHAN
Attorney General

Doc. No. 000858

State of Kansas

DEPARTMENT OF REVENUE

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board December 22, 1982. Will expire May 1, 1983.)

Article 16.—INTANGIBLES TAX

92-16-1. (Authorized by K.S.A. 1975 Supp. 79-3109a, 79-3111, 79-3112, 79-3113b; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1975; amended May 1, 1976; revoked T-83-48, Dec. 22, 1982.)

92-16-2. (Authorized by K.S.A. 1975 Supp. 79-3111, 79-3113b, 79-3120a; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1976; revoked T-83-48, Dec. 22, 1982.)

92-16-3. (Authorized by K.S.A. 1973 Supp. 79-3111, 79-3113a, 79-3113b; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1974; revoked T-83-48, Dec. 22, 1982.)

92-16-4. (Authorized by K.S.A. 79-3111, 79-3113b; effective Jan. 1, 1968; amended Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-5. (Authorized by K.S.A. 1975 Supp. 79-3108, 79-3109, 79-3109a, 79-3112, 79-3113b; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; amended May 1, 1976; revoked T-83-48, Dec. 22, 1982.)

92-16-6. (Authorized by K.S.A. 79-3101, K.S.A. 1975 Supp. 79-3102, 79-3108, 79-3111, 79-3113b, 79-3120a; effective Jan. 1, 1968; amended Jan. 1, 1969; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; amended May 1, 1975; modified by 1976 HB 3062, May 1, 1976; revoked T-83-48, Dec. 22, 1982.)

92-16-7. (Authorized by K.S.A. 79-3108, 79-3113b; effective Jan. 1, 1968; revoked T-83-48, Dec. 22, 1982.)

92-16-8. (Authorized by K.S.A. 79-3113b, K.S.A. 1971 Supp. 79-3108; effective Jan. 1, 1968; amended Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-9. (Authorized by K.S.A. 79-3113b, K.S.A. 1971 Supp. 79-3109; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-12, 92-16-13. (Authorized by K.S.A. 79-3113b, K.S.A. 1971 Supp. 79-3109a; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-14. (Authorized by K.S.A. 79-3113b; effective Jan. 1, 1968; revoked T-83-48, Dec. 22, 1982.)

92-16-15. (Authorized by K.S.A. 79-3113b, 79-304; effective Jan. 1, 1968; amended, E-71-8, Jan. 1, 1971; amended Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-18. (Authorized by K.S.A. 79-3113b, 79-

3115; effective Jan. 1, 1968; revoked T-83-48, Dec. 22, 1982.)

92-16-19. (Authorized by K.S.A. 79-3114, K.S.A. 1974 Supp. 79-3111, 79-3113b; effective Jan. 1, 1968; amended May 1, 1975; revoked T-83-48, Dec. 22, 1982.)

92-16-20. (Authorized by K.S.A. 79-3113b, K.S.A. 1971 Supp. 79-3109a; effective Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-16-21. (Authorized by K.S.A. 79-3113b; effective Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

Article 18.—SPECIAL FUEL TAX

92-18-5. Unlicensed special fuel user; records; inspection; preservation. (a) Each special fuel user issued a permit pursuant to section 2 of chapter 415 of the 1982 Kansas Session Laws shall prepare and maintain those records that are necessary to determine the amount of special fuel tax for which the permittee is liable. The records shall be maintained for a period of three years after the year to which they pertain and shall be available for inspection as provided by K.S.A. 79-3480 and section 2 of chapter 415 of the 1982 Kansas Session Laws.

(b) The records maintained by the permittee shall indicate, for each location where special fuel is dispensed into motor vehicles, the following information:

(1) The inventory of non-taxable special fuel on hand at the beginning of each calendar year;

(2) the inventory of special fuel on which special fuel tax has been paid on hand at the beginning of each calendar year;

(3) the amount of special fuel used for taxable purposes;

(4) the amount of special fuel used for non-taxable purposes;

(5) the amount of non-taxable special fuel purchased;

(6) the amount of special fuel purchased for which the special fuel tax has been paid; and

(7) the odometer readings for motor vehicles owned by the permittee at the beginning and end of the calendar year.

(c) This rule and regulation shall take effect and be in force on and after January 1, 1983. (Authorized by K.S.A. 79-3483, L. 1982, ch. 415, sec. 1; implementing L. 1982, ch. 415, sec. 2; effective T-83-48, Dec. 22, 1982.)

92-18-6. Unlicensed special fuel user; annual report. Each special fuel user issued a permit pursuant to section 2 of chapter 415 of the 1982 Kansas Session Laws shall make a report to the director of taxation on or before January 25 of each year, commencing in 1984, for the last preceding calendar year. The report shall set forth the information required to be maintained by subsection (b) of K.A.R. 92-18-5 and any

(continued)

other information required by the director. The report shall be made on a form furnished by the director. (Authorized by K.S.A. 79-3483, L. 1982, ch. 415, sec. 1; implementing L. 1982, ch. 415, sec. 1 and 2; effective T-83-48, Dec. 22, 1982.)

Article 21.—LOCAL RETAILERS' SALES TAX

92-21-2. (Authorized by K.S.A. 79-3618, 79-3619, K.S.A. 1971 Supp. 79-3603, 79-4425, 79-4426; effective, E-71-21, July 1, 1971; effective Jan. 1, 1972; revoked T-83-48, Dec. 22, 1982.)

92-21-20. Bracket systems for adding and collecting state and local taxes. The following bracket systems are hereby adopted for use by retailers in adding and collecting state and local retailers' sales taxes. The amount of tax corresponding to the lower figure in the sale column shall be added and collected when the gross receipts from a sale fall between that figure and the next higher figure in that column.

3½% COMBINED STATE AND LOCAL SALES TAX BRACKET

Sale	Tax	Sale	Tax	Sale	Tax	Sale	Tax
.01	.00	10.72	.38	21.58	.76	32.43	1.14
.15	.01	11.00	.39	21.86	.77	32.72	1.15
.38	.02	11.29	.40	22.15	.78	33.00	1.16
.65	.03	11.58	.41	22.43	.79	33.29	1.17
.94	.04	11.86	.42	22.72	.80	33.58	1.18
1.21	.05	12.15	.43	23.00	.81	33.86	1.19
1.50	.06	12.43	.44	23.29	.82	34.15	1.20
1.79	.07	12.72	.45	23.58	.83	34.43	1.21
2.13	.08	13.00	.46	23.86	.84	34.72	1.22
2.43	.09	13.29	.47	24.15	.85	35.00	1.23
2.72	.10	13.58	.48	24.43	.86	35.29	1.24
3.00	.11	13.86	.49	24.72	.87	35.58	1.25
3.29	.12	14.15	.50	25.00	.88	35.86	1.26
3.58	.13	14.43	.51	25.29	.89	36.15	1.27
3.86	.14	14.72	.52	25.58	.90	36.43	1.28
4.15	.15	15.00	.53	25.86	.91	36.72	1.29
4.43	.16	15.29	.54	26.15	.92	37.00	1.30
4.72	.17	15.58	.55	26.43	.93	37.29	1.31
5.00	.18	15.86	.56	26.72	.94	37.58	1.32
5.29	.19	16.15	.57	27.00	.95	37.86	1.33
5.58	.20	16.43	.58	27.29	.96	38.15	1.34
5.86	.21	16.72	.59	27.58	.97	38.43	1.35
6.15	.22	17.00	.60	27.86	.98	38.72	1.36
6.43	.23	17.29	.61	28.15	.99	39.00	1.37
6.72	.24	17.58	.62	28.43	1.00	39.29	1.38
7.00	.25	17.86	.63	28.72	1.01	39.58	1.39
7.29	.26	18.15	.64	29.00	1.02	39.86	1.40
7.58	.27	18.43	.65	29.29	1.03	40.15	1.41
7.86	.28	18.72	.66	29.58	1.04	40.43	1.42
8.15	.29	19.00	.67	29.86	1.05	40.72	1.43
8.43	.30	19.29	.68	30.15	1.06	41.00	1.44
8.72	.31	19.58	.69	30.43	1.07	41.29	1.45
9.00	.32	19.86	.70	30.72	1.08	41.58	1.46
9.29	.33	20.15	.71	31.00	1.09	41.86	1.47
9.58	.34	20.43	.72	31.29	1.10	42.15	1.48
9.86	.35	20.72	.73	31.58	1.11	42.43	1.49
10.15	.36	21.00	.74	31.86	1.12	42.72	1.50
10.43	.37	21.29	.75	32.15	1.13	43.00	1.51

Sales over \$43.00 to be computed at 3½%

4% COMBINED STATE AND LOCAL SALES TAX BRACKET

Sale	Tax	Sale	Tax	Sale	Tax	Sale	Tax
.01	.00	10.88	.44	21.88	.88	32.88	1.32
.13	.01	11.13	.45	22.13	.89	33.13	1.33

.38	.02	11.38	.46	22.38	.90	33.38	1.34
.63	.03	11.63	.47	22.63	.91	33.63	1.35
.88	.04	11.88	.48	22.88	.92	33.88	1.36
1.13	.05	12.13	.49	23.13	.93	34.13	1.37
1.38	.06	12.38	.50	23.38	.94	34.38	1.38
1.63	.07	12.63	.51	23.63	.95	34.63	1.39
1.88	.08	12.88	.52	23.88	.96	34.88	1.40
2.13	.09	13.13	.53	24.13	.97	35.13	1.41
2.38	.10	13.38	.54	24.38	.98	35.38	1.42
2.63	.11	13.63	.55	24.63	.99	35.63	1.43
2.88	.12	13.88	.56	24.88	1.00	35.88	1.44
3.13	.13	14.13	.57	25.13	1.01	36.13	1.45
3.38	.14	14.38	.58	25.38	1.02	36.38	1.46
3.63	.15	14.63	.59	25.63	1.03	36.63	1.47
3.88	.16	14.88	.60	25.88	1.04	36.88	1.48
4.13	.17	15.13	.61	26.13	1.05	37.13	1.49
4.38	.18	15.38	.62	26.38	1.06	37.38	1.50
4.63	.19	15.63	.63	26.63	1.07	37.63	1.51
4.88	.20	15.88	.64	26.88	1.08	37.88	1.52
5.13	.21	16.13	.65	27.13	1.09	38.13	1.53
5.38	.22	16.38	.66	27.38	1.10	38.38	1.54
5.63	.23	16.63	.67	27.63	1.11	38.63	1.55
5.88	.24	16.88	.68	27.88	1.12	38.88	1.56
6.13	.25	17.13	.69	28.13	1.13	39.13	1.57
6.38	.26	17.38	.70	28.38	1.14	39.38	1.58
6.63	.27	17.63	.71	28.63	1.15	39.63	1.59
6.88	.28	17.88	.72	28.88	1.16	39.88	1.60
7.13	.29	18.13	.73	29.13	1.17	40.13	1.61
7.38	.30	18.38	.74	29.38	1.18	40.38	1.62
7.63	.31	18.63	.75	29.63	1.19	40.63	1.63
7.88	.32	18.88	.76	29.88	1.20	40.88	1.64
8.13	.33	19.13	.77	30.13	1.21	41.13	1.65
8.38	.34	19.38	.78	30.38	1.22	41.38	1.66
8.63	.35	19.63	.79	30.63	1.23	41.63	1.67
8.88	.36	19.88	.80	30.88	1.24	41.88	1.68
9.13	.37	20.13	.81	31.13	1.25	42.13	1.69
9.38	.38	20.38	.82	31.38	1.26	42.38	1.70
9.63	.39	20.63	.83	31.63	1.27	42.63	1.71
9.88	.40	20.88	.84	31.88	1.28	42.88	1.72
10.13	.41	21.13	.85	32.13	1.29		
10.38	.42	21.38	.86	32.38	1.30		
10.63	.43	21.63	.87	32.63	1.31		

Sales over \$43.00 to be computed at 4%

4½% COMBINED STATE AND LOCAL SALES TAX BRACKET

Sale	Tax	Sale	Tax	Sale	Tax	Sale	Tax
.01	.00	9.00	.41	18.12	.82	27.23	1.23
.12	.01	9.23	.42	18.34	.83	27.45	1.24
.34	.02	9.45	.43	18.56	.84	27.67	1.25
.56	.03	9.67	.44	18.78	.85	27.89	1.26
.78	.04	9.89	.45	19.00	.86	28.12	1.27
1.00	.05	10.12	.46	19.23	.87	28.34	1.28
1.23	.06	10.34	.47	19.45	.88	28.56	1.29
1.45	.07	10.56	.48	19.67	.89	28.78	1.30
1.67	.08	10.78	.49	19.89	.90	29.00	1.31
1.89	.09	11.00	.50	20.12	.91	29.23	1.32
2.12	.10	11.23	.51	20.34	.92	29.45	1.33
2.34	.11	11.45	.52	20.56	.93	29.67	1.34
2.56	.12	11.67	.53	20.78	.94	29.89	1.35
2.78	.13	11.89	.54	21.00	.95	30.12	1.36
3.00	.14	12.12	.55	21.23	.96	30.34	1.37
3.23	.15	12.34	.56	21.45	.97	30.56	1.38
3.45	.16	12.56	.57	21.67	.98	30.78	1.39
3.67	.17	12.78	.58	21.89	.99	31.00	1.40
3.89	.18	13.00	.59	22.12	1.00	31.23	1.41
4.12	.19	13.23	.60	22.34	1.01	31.45	1.42
4.34	.20	13.45	.61	22.56	1.02	31.67	1.43
4.56	.21	13.67	.62	22.78	1.03	31.89	1.44
4.78	.22	13.89	.63	23.00	1.04	32.12	1.45
5.00	.23	14.12	.64	23.23	1.05	32.34	1.46
5.23	.24	14.34	.65	23.45	1.06	32.56	1.47
5.45	.25	14.56	.66	23.67	1.07	32.78	1.48
5.67	.26	14.78	.67	23.89	1.08	33.00	1.49

(continued)

5.89	.27	15.00	.68	24.12	1.09	33.23	1.50
6.12	.28	15.23	.69	24.34	1.10	33.45	1.51
6.34	.29	15.45	.70	24.56	1.11	33.67	1.52
6.56	.30	15.67	.71	24.78	1.12	33.89	1.53
6.78	.31	15.89	.72	25.00	1.13	34.12	1.54
7.00	.32	16.12	.73	25.23	1.14	34.34	1.55
7.23	.33	16.34	.74	25.45	1.15	34.56	1.56
7.45	.34	16.56	.75	25.67	1.16	34.78	1.57
7.67	.35	16.78	.76	25.89	1.17	35.00	1.58
7.89	.36	17.00	.77	26.12	1.18	35.23	1.59
8.12	.37	17.23	.78	26.34	1.19	35.45	1.60
8.34	.38	17.45	.79	26.56	1.20	35.67	1.61
8.56	.39	17.67	.80	26.78	1.21	35.89	1.62
8.78	.40	17.89	.81	27.00	1.22	36.12	1.63

Sales over \$36.12 to be computed at 4½%

5% COMBINED STATE AND LOCAL SALES TAX BRACKET

Sale	Tax	Sale	Tax	Sale	Tax	Sale	Tax
.01	.00	8.10	.41	16.30	.82	24.50	1.23
.10	.01	8.30	.42	16.50	.83	24.70	1.24
.30	.02	8.50	.43	16.70	.84	24.90	1.25
.50	.03	8.70	.44	16.90	.85	25.10	1.26
.70	.04	8.90	.45	17.10	.86	25.30	1.27
.90	.05	9.10	.46	17.30	.87	25.50	1.28
1.10	.06	9.30	.47	17.50	.88	25.70	1.29
1.30	.07	9.50	.48	17.70	.89	25.90	1.30
1.50	.08	9.70	.49	17.90	.90	26.10	1.31
1.70	.09	9.90	.50	18.10	.91	26.30	1.32
1.90	.10	10.10	.51	18.30	.92	26.50	1.33
2.10	.11	10.30	.52	18.50	.93	26.70	1.34
2.30	.12	10.50	.53	18.70	.94	26.90	1.35
2.50	.13	10.70	.54	18.90	.95	27.10	1.36
2.70	.14	10.90	.55	19.10	.96	27.30	1.37
2.90	.15	11.10	.56	19.30	.97	27.50	1.38
3.10	.16	11.30	.57	19.50	.98	27.70	1.39
3.30	.17	11.50	.58	19.70	.99	27.90	1.40
3.50	.18	11.70	.59	19.90	1.00	28.10	1.41
3.70	.19	11.90	.60	20.10	1.01	28.30	1.42
3.90	.20	12.10	.61	20.30	1.02	28.50	1.43
4.10	.21	12.30	.62	20.50	1.03	28.70	1.44
4.30	.22	12.50	.63	20.70	1.04	28.90	1.45
4.50	.23	12.70	.64	20.90	1.05	29.10	1.46
4.70	.24	12.90	.65	21.10	1.06	29.30	1.47
4.90	.25	13.10	.66	21.30	1.07	29.50	1.48
5.10	.26	13.30	.67	21.50	1.08	29.70	1.49
5.30	.27	13.50	.68	21.70	1.09	29.90	1.50
5.50	.28	13.70	.69	21.90	1.10	30.10	1.51
5.70	.29	13.90	.70	22.10	1.11	30.30	1.52
5.90	.30	14.10	.71	22.30	1.12	30.50	1.53
6.10	.31	14.30	.72	22.50	1.13	30.70	1.54
6.30	.32	14.50	.73	22.70	1.14	30.90	1.55
6.50	.33	14.70	.74	22.90	1.15	31.10	1.56
6.70	.34	14.90	.75	23.10	1.16	31.30	1.57
6.90	.35	15.10	.76	23.30	1.17	31.50	1.58
7.10	.36	15.30	.77	23.50	1.18	31.70	1.59
7.30	.37	15.50	.78	23.70	1.19	31.90	1.60
7.50	.38	15.70	.79	23.90	1.20	32.10	1.61
7.70	.39	15.90	.80	24.10	1.21	32.30	1.62
7.90	.40	16.10	.81	24.30	1.22	32.50	1.63

Sales over \$32.50 to be computed at 5%

(Authorized by K.S.A. 79-3618, 79-3619, K.S.A. 1981 Supp. 12-189, as amended by L. 1982, ch. 64, sec. 3; implementing K.S.A. 1981 Supp. 79-3603, K.S.A. 1981 Supp. 12-189, as amended by L. 1982, ch. 64, sec. 3; effective T-83-48, Dec. 22, 1982.)

Article 25.—TRANSIENT GUEST TAX

92-25-1. Effective date for levy, repeal or change

in rate of transient guest tax. The effective date for the levy, repeal or change in the rate of a city or county transient guest tax shall not precede the first day of the month following the 60th day after the date that the governing body of the city or county provided the department of revenue with a certified copy of an ordinance or resolution authorizing the levy, repeal or change of rate by the city or county. Any levy, repeal or change of rate of a transient guest tax shall commence on the first day of a month. (Authorized by K.S.A. 1981 Supp. 12-1694, 12-1698; implementing K.S.A. 12-1693, K.S.A. 1981 Supp. 12-1694, 12-1697, 12-1698; effective T-83-48, Dec. 22, 1982.)

Article 52.—MOTOR VEHICLE DRIVERS' LICENSES

92-52-10. Qualifications for class D driver's license. An applicant for a class D driver's license shall not be permitted to take the examination necessary to obtain that license unless the applicant is the holder of a valid class A, B or C driver's license or has satisfactorily completed all of the requirements for a class A, B or C driver's license. (Authorized by K.S.A. 1981 Supp. 8-234b, as amended by L. 1982, ch. 40, sec. 1; implementing K.S.A. 1981 Supp. 8-234b, as amended by L. 1982, ch. 40, sec. 1; effective T-83-48, Dec. 22, 1982.)

MICHAEL LENNEN
Secretary of Revenue

Doc. No. 000853

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board December 22, 1982. Will expire May 1, 1983.)

Article 46.—UNDERGROUND INJECTION CONTROL REGULATIONS

28-46-2. Definitions. (a) 40 CFR Part 122.3; 40 CFR Part 124.21 and 40 CFR Part 146.3, as in effect on October 1, 1982, are adopted by reference.

(b) "Fracture pressure" means that wellhead pressure which may cause vertical or horizontal fracturing of rock along a well bore.

(c) "Injection well" means a well designed for the purpose of the subsurface emplacement of fluids.

(d) "Injection well facility" means all land, structures, appurtenances or improvements on which one or more injection wells are located, and that are within the same well field or project.

(e) "Major facility" means a facility capable of producing hazardous waste identified or listed by the secretary under K.A.R. 28-31-3.

(f) "Major permit" means a permit for the underground injection of wastes produced by or stored on a major facility.

(continued)

(g) "Maximum allowable injection pressure" means the maximum wellhead pressure not to be exceeded as a permit condition, as opposed to fracture pressure.

(h) "Secretary" means the secretary of the Kansas department of health and environment or duly authorized designee. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-3. Classification of injection wells. 40 CFR Part 122.32 and 40 CFR Part 146.5, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-5. Application for injection well permits. 40 CFR Part 122.4 and 40 CFR Part 122.38, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-6. Conditions applicable to all permits. 40 CFR Part 122.7 and 40 CFR Part 122.41, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-7. Draft permits. 40 CFR Part 124.6, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-8. Fact sheets. 40 CFR Part 124.8, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; T-83-49, Dec. 22, 1982.)

28-46-9. Establishing permit conditions. 40 CFR Part 122.8 and 40 CFR Part 122.42, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-10. Term of permits. (a) Class I and class V permits shall be effective for a term of 10 years. A new permit application must be filed for each 10 year term.

(b) Class II and III permits shall be issued for the operating life of the facility.

(c) The secretary shall review each permit at least once every five years to determine whether it should be modified, revoked and reissued, or terminated.

(d) Modification of permits shall not include extension of the maximum duration specified in (a). At the end of the permit term, application shall be filed for a new permit. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-11. Schedules of compliance. 40 CFR Part 122.10, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-12. Requirements for recording and reporting of monitoring results. 40 CFR Part 122.11, as in effect on October 1, 1982, is adopted by reference.

(Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-13. Effect of a permit. 40 CFR Part 122.13, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-14. Transfer of permits. 40 CFR Part 122.14, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-15. Modification or revocation and reissuance of permits. 40 CFR Part 122.15, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-16. Termination of permits. 40 CFR Part 122.16, as in effect on October 1, 1982, is adopted by reference. (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-165; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-17. Minor modifications of permits. 40 CFR Part 122.17, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-18. Area permits. 40 CFR Part 122.39, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-19. Emergency permits. 40 CFR Part 122.40, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-20. Corrective action. 40 CFR Part 122.44, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-21. Public notice of permit actions and public comment period; public comments and request for hearings; public hearings; response to comments. (a) 40 CFR Part 123.7; 40 CFR Part 124.10 through 40 CFR Part 124.12; and 40 CFR Part 124.17, as in effect on October 1, 1982, are adopted by reference.

(b) Any provisions of Kansas law which provide additional opportunity for public comment or public hearing shall control over the provisions of the federal regulations. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-22. Signatories to permit applications and reports. 40 CFR Part 122.6; 40 CFR Part 122.38; and 40 CFR Part 123.7, as in effect on October 1, 1982, are

(continued)

adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-24. Requirements for wells injecting hazardous wastes. 40 CFR Part 122.45, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-26. Authorization to continue to inject into wells which carry existing state permits and into class V wells. (a) All injection wells which carry valid state permits on the effective date of these regulations may continue to operate for a maximum period of four years if all program elements listed in 40 CFR 122.37 are satisfied. All existing permits shall be terminated at that time, and continued operation of injection wells shall be allowed only upon application for and approval of underground injection control permit by the secretary.

(b) Class V injection wells shall be authorized to operate until the time that regulations concerning that class of injection wells are adopted. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-27. Prohibition of movement of fluid into underground sources of drinking water. 40 CFR Part 122.34 and 40 CFR Part 123.7, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-29. Construction requirements. 40 CFR Part 146.12, governing Class I wells; 40 CFR Part 146.22, governing Class II wells; and 40 CFR Part 146.32, governing Class III wells, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-30. Operating, monitoring and reporting requirements. 40 CFR Part 146.13, regulating Class I wells; 40 CFR Part 146.23, regulating Class II wells; and 40 CFR Part 146.33, regulating Class III wells, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-31. Information to be considered by the secretary. 40 CFR Part 146.14, for Class I wells; 40 CFR Part 146.24, for Class II wells; and 40 CFR Part 146.34, for Class III wells, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-33. Mechanical integrity testing. (a) A downhole mechanical integrity test shall be required of each permittee on each injection well every five years. The test shall be conducted in accordance with 40 CFR Part 146.08, as in effect on October 1, 1982.

(b) The secretary shall notify the permittee 30 days in advance that a mechanical integrity test must be performed; or a permittee may notify the secretary that

a voluntary mechanical integrity test will be performed at least 14 days in advance of the test.

(c) When the secretary believes that, due to an apparent downhole problem, the continued use of an injection well constitutes a threat to human health or to waters of the state, the permittee shall be required to cease injection operations immediately and to conduct a mechanical integrity test. Injection operations shall not be resumed until such a test is conducted.

(d) The secretary shall provide for a qualified state inspector to witness at least 25 percent of the mechanical integrity tests performed.

(e) The permittee shall submit results of all mechanical integrity tests to the secretary, in writing, within 30 days after conducting the test. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-34. Plugging and abandonment. 40 CFR Part 122.41(e); 40 CFR Part 122.42(f), and 40 CFR Part 146.10, as in effect on October 1, 1982, are adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-36. Waiver of requirements by secretary. 40 CFR Part 122.43, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-37. Non-compliance reporting by the secretary. 40 CFR Part 122.18, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-38. Inventory and assessment of Class V injection wells. 40 CFR Part 146.52, as in effect on October 1, 1982, is adopted by reference. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-39. Mid-course evaluation reports. The secretary shall submit reports to the regional administrator of the United States environmental protection agency at six month intervals during the first two years of operation of the underground injection control program. The data submitted shall be in accordance with that required by 40 CFR Parts 146.15, 146.25, and 146.35, as in effect on October 1, 1982. (Authorized by, and implementing, K.S.A. 65-171d; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

28-46-41. Sharing of information. 40 CFR Part 123.10, as in effect on October 1, 1982, is adopted by reference. (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-170g; effective May 1, 1982; amended T-83-49, Dec. 22, 1982.)

Article 47.—USE OF OIL AND GAS FIELD SALT WATER IN ROAD CON- STRUCTION AND MAINTENANCE PROJECTS.

28-47-1. Scope. This article regulates the spreading of salt water, originating from the production of oil

(continued)

and gas, in road construction and maintenance projects. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-2. Definitions. (a) "Person" means any state, county, township or municipal governing body, and any individual, firm, corporation, partnership, or other association of persons.

(b) "Road" means any highway, county road, township road, or oil or gas company lease road, or any private road under jurisdiction of the applicant.

(c) "Road construction" means any activity connected with developing a subgrade or base during the construction of a road or segment of road.

(d) "Road maintenance" means any activity related to stabilization of the surface of any publicly traveled road or segment of road after construction activities have ceased.

(e) "Lease road" means any formally maintained access road to wells, tank batteries and petroleum and oil field and salt water storage facilities areas under control and operation of a company actively engaged in the production, storage or transportation of oil, gas or disposal of salt water. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-3. Request for the use of salt water in road construction or maintenance. Any person desiring to use salt water, brought to the surface during the production of oil and gas, for purposes of road maintenance or road construction shall submit a request for the approval of such activity to the department of health and environment. The request shall be submitted 10 days prior to the time work is to begin and shall be accompanied by a plan meeting the requirements of K.A.R. 28-47-4. The request for approval may be submitted to the appropriate district office of the department. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-4. Plan for use of salt water. A plan shall be submitted to the department prior to using salt water for road maintenance or road construction. The department shall, in writing, approve, deny or require any modification the department deems necessary in order to assure that the maintenance or construction operation will not cause surface or subsurface water pollution or soil pollution. A plan shall not be required for individual lease road maintenance projects which are limited to stabilizing lease roads. Each plan shall include at least the following: (a) A map outlining the roads included in the maintenance or construction project;

(b) a description of the method to be used in salt water spreading or incorporation;

(c) the amount of salt water estimated to be used per mile or fraction of a mile;

(d) the frequency of salt water use for each route described in (a);

(e) security methods to be used by the applicant to prevent unauthorized spraying, dumping, or discharge of salt water;

(f) a copy of any local or county regulation which also affects the applicant's activities; and

(g) the name of each authorized salt water hauler. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-5. Notification to department. Any authorized person spreading salt water in connection with road construction or maintenance shall notify the department, in writing, when any of the following situations arise: (a) The person ceases to use salt water in maintaining any or all of the roads designated on the plan submitted in fulfilling requirements set forth in K.A.R. 28-47-4(a);

(b) the person desires to amend the plan submitted under K.A.R. 28-47-4(a) to include additional roads not covered in the original plan;

(c) the person desires to use a salt water hauler other than the one designated in the original plan;

(d) upon completion of any designated phase of road construction during which the use of salt water was approved;

(e) upon discovery that an illegal act of salt water dumping, spraying, or discharge has occurred on or adjacent to the road or road right-of-way covered under the plan; or

(f) when an accidental discharge of salt water occurs during road construction or road maintenance operations. In such a case, the applicant or contractor shall provide the appropriate district office of the department of health and environment with a written report of the incident. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-6. Discontinuance of salt water spreading. The secretary may order the discontinuance of salt water spreading if:

(a) A violation of the provisions of K.A.R. 28-47-5 occurs; or

(b) the potential exists for water pollution, due to conditions which were not apparent at the time the request to spread salt water was made. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

28-47-7. Waiver of specific requirements. The secretary may grant an exception to a requirement provided in these regulations if a person desiring a waiver can show good cause for the granting of such an exception, and the person presents an alternative to the requirements which will insure that the objectives of these regulations will be achieved. Requests for an exception shall be made, in writing, to the secretary. The secretary shall grant or deny the request within 15 days from the receipt of the request and shall notify the person requesting the exception, in writing, of the decision. If the request is denied, the secretary shall specify in the notice the reasons for the denial of the request. (Authorized by and implementing K.S.A. 1981 Supp. 55-904, as amended by L. 1982, ch. 229, sec. 1; effective T-83-50, Dec. 22, 1982.)

JOSEPH F. HARKINS
Secretary

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

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

MONDAY, JANUARY 17, 1983

#52401

Wichita State University, Wichita—PLAIN PAPER COPIER

#52407

Kansas State University, Manhattan—FERTILIZER, for the Southeast Kansas Experiment Station, Parsons, Kansas

#52408

University of Kansas Medical Center, Kansas City—MICROPROCESSOR EQUIPMENT

#52419

Kansas State University, Manhattan—VOLTAGE REGULATING ISLATION TRANSFORMER

#52429

Wichita State University, Wichita—INFRARED SPECTROPHOTOMETER

#52450

University of Kansas Medical Center, Kansas City—WORD PROCESSING SYSTEMS

TUESDAY, JANUARY 18, 1983

#52409

Kansas State University, Manhattan—CPU BOARD AND MEMORY

#52415

Youth Center at Beloit, Beloit—PLAIN PAPER COPIER

#52421

Fort Hays State University, Hays—4-WHEEL DRIVE PICKUP

#52422

Emporia State University, Emporia—STATION WAGON

#52437

Kansas Correctional Industries, Lansing—CHEMICALS

#52449

Kansas Judicial Center, Topeka—ELECTRONIC TYPEWRITERS

WEDNESDAY, JANUARY 19, 1983

#25442

Social and Rehabilitation Services, Pratt—TELEPHONE SERVICE AND MAINTENANCE CONTRACT

#25443

Kansas State Agencies—COFFEE AND TEA

#52416

Department of Human Resources, Topeka—WORD PROCESSING EQUIPMENT

#52426

University of Kansas, Lawrence—SALE OF USED PRINTING EQUIPMENT

#52438

Kansas Correctional Industries, Lansing—CHEMICALS

#52439

Kansas Correctional Industries, Lansing—DETERGENT

#52440

Kansas Correctional Industries, Lansing—SOAP BASE AND SOAP CHIPS

#52441

University of Kansas Medical Center, Kansas City—FLUOROPTIC THERMOMETER

#52442

University of Kansas Medical Center, Kansas City—SPECTROGRAPHIC PLATE READER

#52443

Kansas Department of Revenue, Topeka—BROWN PREPAINTED COILED ALUMINUM, for Center Industries Corporation, Wichita

#52444

Wichita State University, Wichita—TOWELS

THURSDAY, JANUARY 20, 1983

#52424

University of Kansas, Lawrence—MICROCOMPUTER SYSTEM

#52446

Department of Administration, Division of Printing, Topeka—ENVELOPES-WHITE-WOVE-PRINTED

#52447

University of Kansas Medical Center, Kansas City—FLOW DETECTOR

#52448

Kansas State University, Manhattan—LABORATORY ELECTROBALANCE

FRIDAY, JANUARY 21, 1983

#52423

Kansas State University, Manhattan—MICROCOMPUTER SYSTEM

#52425

Wichita State University, Wichita—ATHLETIC SUPPLIES

MONDAY, JANUARY 24, 1983

#25397-A

Kansas State Agencies—BLANKET EMPLOYEES BOND

#25441

Department of Administration, Division of Printing, Topeka—REFUSE COLLECTION

FRIDAY, FEBRUARY 11, 1983

#52417

University of Kansas School of Medicine, Wichita—TELECOMMUNICATIONS SYSTEM

TUESDAY, MARCH 1, 1983

#25444

University of Kansas Medical Center, Kansas City—PROFESSIONAL LIABILITY INSURANCE

FRIDAY, MARCH 4, 1983

#52418

Pittsburg State University, Pittsburg—TELECOMMUNICATIONS SYSTEM

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 000857

State of Kansas

STATE CORPORATION COMMISSION**NOTICE PERTAINING TO
MOTOR CARRIER HEARINGS
BEFORE THE****STATE CORPORATION COMMISSION**

Applications set for hearing are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, Kansas, commencing at 10:00 a.m. unless otherwise noticed.*

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka, Kansas 66612, or telephone (913) 296-3352 or 296-2110.

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

**Applications set for February 15, 1983—
TOPEKA, KANSAS****Application for Certificate of Convenience
and Necessity:**

United Petroleum) Docket No. 135,843 M
Transports, Inc.)
4312 S. Georgia Place)
Oklahoma City, OK 73129)
Applicant's Attorney: Erle W. Francis, 719 Capitol
Federal Bldg., Topeka, KS
66603

Petroleum, petroleum products & chemicals,

Between all points & places in KS, except those in the Counties of Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove & Trego.

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

Joseph A. Landreth, dba) Docket No. 135,844 M
Walnut Automotive)
Box 22)
Walnut, KS 66780)
Applicant's Attorney: None

Wrecked & disabled vehicles,

Between all points & places in KS located within the following described territory: bounded on the north by KS Hwy 39, on the west by U.S. Hwy 59, on the south by U.S. Hwy 160 & on the east by KS Hwy 7, including all points located on said portion of highways named.

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

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

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

**Pipe, steel, steel products, culvert pipe & building
materials,**

Between points in Wyandotte & Johnson counties, KS, on the one hand, & all points & places in the state of KS, on the other hand;

Building materials,

Between Humboldt, Wichita, Newton & Salina, KS, on the one hand, & all points & places in Allen & Bourbon counties, KS, on the other hand;

Bag feed,

Between Muncie, KS, on the one hand, & all points & places in Allen County, KS, on the other hand;

Fertilizer,

Between Lawrence, KS, on the one hand, & all points & places in Allen County, KS, on the other hand;

Salt,

Between Lyons & Hutchinson, KS, on the one hand, & all points & places in Allen & Neosho counties, KS, on the other hand;

Steel products & building material,

Between Hutchinson, KS, on the one hand, & all points & places in Allen & Neosho counties, KS, on the other hand;

Bean meal,

Between Girard & Fredonia, KS, on the one hand, & all points & places in Allen & Neosho counties, KS, on the other hand;

New & used machinery & equipment,

Between Hesston, Hutchinson, Wichita, Dodge City, Spearville, Kansas City, KS, & Salina, KS, & all points & places in Allen County, KS.

**Applications set for February 16, 1983—
TOPEKA, KANSAS****Application for Intrastate Contract Carrier Permit:**

Southwest Truck Service) Docket No. 135,933 M
P.O. Box A.D.)
Watsonville, CA 95076)

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

**Meat, meat products, meat by-products & articles
produced &/or distributed by meat packing houses,**
Between all points & places in KS. Under contract with
Iowa Beef Processors of Dakota City, NE.

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

Kincaid Coach Lines, Inc.) Docket No. 135,845 M
9207 Woodend Rd.)
Edwardsville, KS 66111)

Applicant's Attorney: Patrick K. McMonigle, Suite
600 Midland Bldg., 1221 Bal-
timore Ave., Kansas City, MO
64105

(continued)

Passengers & their baggage, in the same vehicle with passengers, in special & charter operations,

Between all points & places in KS.

Application to Transfer a Portion of Certificate of Convenience and Necessity:

Fred Grunder) Docket No. 96,415 M
122 S. Main)

St. John, KS 67567) Route No. 9565

TO:

Larry Turner, dba

L & J Trucking

Rt. 1

St. John, KS 67576

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

Grain,

Between all points & places within Pawnee, Edwards, Stafford, Pratt, Barton, Reno counties, Rice County west of Hwy 14 & south of Hwy 56, & Cowley county north of Hwys 160 & 38, on the one hand,

Also,

Between all points & places within Pawnee, Edwards, Stafford, Pratt, Barton, Reno counties, Rice County west of Hwy 14 & south of Hwy 56, & Cowley county north of Hwys 160 & 38, on the one hand, & all points & places in the State of KS, on the other hand.

**Applications set for February 17, 1983—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Vernie Covert, dba) Docket No. 135,846 M
Covert's 24-Hour Wrecker)

Service)

2521 Indiana)

Topeka, KS 66605)

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

Wrecked, disabled & repossessed vehicles,

Between points in Shawnee County, KS, on the one hand, & on the other, all points in KS.

Application for Certificate of Convenience and Necessity:

Grainliner, Inc.) Docket No. 135,847 M
Box 174)

Iuka, KS 67066)

Applicant's Attorney: None

Grain, livestock, gravel & rock,

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

Application for Intrastate Contract Carrier Permit:

Hugh Brownlee) Docket No. 135,934 M
Rt. 1)

Deerfield, KS 67838)

Applicant's Attorney: David J. Heinemann, 206 W. Pine, P.O. Box 1346, Garden City, KS 67846

Seed,

Between points & places in KS. Under contract with Garst Seed Co. of Coon Rapids, IA.

**Applications set for February 22, 1983—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Viking Line, Inc.) Docket No. 135,848 M
4231 Hearnies Blvd.)

Joplin, MO 64801)

Applicant's Attorney: Glenn D. Young, Jr., 923 First National Bank Bldg., Wichita, KS 67202

Passengers, their baggage, express & newspapers,
Between Leon Corners, Butler County, KS & Sedgwick County, KS & return & from Parsons, Labette County, KS to Pittsburg, Crawford County, KS, thence to the MO state line over KS Hwy 57, & return.

Application for Extension of Certificate of Convenience and Necessity:

Red Rider, Inc.) Docket No. 124,823 M
512 Custer)

Delphos, KS 67436)

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

Passengers & light hand baggage, in charter party service & in guided bus tour service,

Between points & places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Sherman, Thomas, Sheridan, Graham, Rooks, Wallace, Logan, Gove, Trego, Ellis, Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Nemaha, Brown, Doniphan, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wabaunsee, Shawnee, Douglas, Johnson, Morris, Osage, Saline, Dickinson & Riley counties, and

Also,

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

Application for Certificate of Convenience and Necessity:

F H & B Contracting Co.,) Docket No. 135,849 M
Inc.)

S. 281 Hwy, Box 187)

Great Bend, KS 67530)

Applicant's Attorney: Warren Kapke, P.O. Box 747, Professional Bldg., 16th & Stone, Great Bend, KS 67530

*Oilfield machinery & related equipment,
materials & supplies,*

(continued)

Between all supply points & all oil field locations in the state of KS.

Applications set for February 23, 1983—
TOPEKA, KANSAS

Amended Application for Extension of Certificate of Convenience and Necessity:

Fleming-Babcock, Inc.) Docket No. 96,239 M
4106 Mattox Rd.)
Riverside, MO 64151) Route No. 9479

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

Dry commodities in bulk, (except cement),

Between points & places in KS.

Application for Certificate of Convenience and Necessity:

Robert Reifschneider, dba) Docket No. 135,850 M
Bob Reifschneider)
Trucking)
410 Peace)
Box 127)
LaCrosse, KS 67548)

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

Livestock & grain,

Between points in Ellis, Rush, Ness, Pawnee & Barton

Counties, KS, on the one hand, & on the other, points in KS.

Amended Application for Certificate of Convenience and Necessity:

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

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

General commodities, except household goods, commodities in bulk; oil field machinery, equipment, materials, & supplies & commodities which by reason of size or weight require the use of special equipment,

(1) Between Doniphan, Atchison, Leavenworth, Wyandotte & Johnson Counties, KS, &

(2) Between those counties named in (1) above, on the one hand & on the other, points in KS on & east of U.S. Hwy 81 & Interstate Hwy 135.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 000856

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET

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

Monday, January 10, 1983

Case Caption	Attorneys	Originating County
9:30 a.m.		
54,778 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Geary Gorup, Asst. Dist. Atty.	Sedgwick
v.		
Michael D. Dupree, a/k/a/ David Brian Rikker, Appellant.	Harold E. Flaigle.	
54,480 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; R. Michael Jennings, Asst. Dist. Atty.	Sedgwick
v.		
Earl W. Starks, Appellant.	Garry L. Howard.	
53,963 Nancy Dugan, et al., Appellants,	Kurt A. Harper.	Sedgwick
v.		
Air Park of Wichita, Inc., Appellees.	Robert M. Siefkin.	
53,459 Lakeview Village, Inc., et al., Appellees,	Robert C. Londerholm.	Johnson
v.		
Board of County Commissioners of Johnson County, Kansas, et al., Appellants.	Lyndus A. Henry; Bernis G. Terry.	PETITION FOR REVIEW

(continued)

1:30 p.m.

- 54,479 State of Kansas, Appellee, Robert T. Stephan, Atty. Gen.; Sedgwick
Geary Gorup, Asst. Dist. Atty.
- v.
James Nolan Aldrich, Appellant. George R. Docking;
David C. McConnell.
- 54,065 American Media, Inc., Appellee, David G. Crockett. Sedgwick
v.
The Home Indemnity Company, Appellant. Paul L. Thomas.
- 54,693 Twin City Fire Insurance Company, et al., Barry E. Warren. Shawnee
Appellants,
v.
Fletcher Bell, Commissioner of Insurance, Robert L. Kennedy, Jr.
- 54,780 Patricia Warden, Appellant, Daniel S. Garrity. Sedgwick
v.
The City of Wichita, a Municipal Corporation, Appellee. John Dekker;
H. E. Jones;
S. A. Issinghoff.

Tuesday, January 11, 1983

9:30 a.m.

- 54,291 State of Kansas, Appellee, Robert T. Stephan, Atty. Gen.; Johnson
Dennis W. Moore, Dist. Atty.
- v.
Chris J. Gillette, Appellant. John P. Gerstle.
- 54,317 State of Kansas, Appellee, Robert T. Stephan, Atty. Gen.; Johnson
Larry McClain, Asst. Dist. Atty.
- v.
Michael E. Finch, Appellant. William F. Dunn.
- 54,238 Duone Hanna and O. D. Pearman, Gene E. Schroer; Sedgwick
Appellees,
v.
Heuer, Johns, Neel, Rivers, and Webb, Frank C. McMaster;
Appellants. Jerry G. Elliott;
E. Lael Alkire.
- 54,756 State of Kansas, Appellant, Robert T. Stephan, Atty. Gen.; Dickinson
Keith D. Hoffman, Co. Atty.
- v.
Janet P. Flinchbaugh, Appellee. Keith Henry.
- 1:30 p.m.
- 54,419 State of Kansas, Appellant, Robert T. Stephan, Atty. Gen.; Johnson
Paul J. Morrison, Asst. Dist. Atty.
- v.
Roland C. Martin, Appellee. Scott Creamer.
- 54,601 Janet D. Hanks, Appellant, Byran E. Nelson. Johnson
v.
Riffe Construction Company, et al., Michael G. Norris;
Appellees. Paul Hasty, Jr.;
William P. Coats, Jr.
- 53,033 Robert Zehring, Appellant, Edward J. Hund. Sedgwick
v.
Gary Wickham, et al., Appellees. Greer Gsell. PETITION FOR REVIEW
- 54,815 Merl Edward Johnston, et al., Appellees, John M. Ostrowski. Saline
v.
Liberty Mutual Insurance Company and Aubrey G. Linville;
Kansas Workmen's Compensation Fund, C. Stanley Nelson.
Appellants.

(continued)

54,816	CONSOLIDATED WITH Donny Pruyn, et al., Appellees, v. Liberty Mutual Insurance Company and Kansas Workmen's Compensation Fund, Appellants.	John M. Ostrowski Aubrey G. Linville; C. Stanley Nelson.	Saline
<i>Wednesday, January 12, 1983</i>			
<i>9:30 a.m.</i>			
54,695	State of Kansas, Appellee, v. Thomas B. Turner, Appellant.	Robert T. Stephan, Atty. Gen.; Nick A. Tomasic, Dist. Atty. Donald C. Long.	Wyandotte
54,364	State of Kansas, Appellee, v. Frank D. Calderon, Appellant.	Robert T. Stephan, Atty. Gen.; John D. Watt, Co. Atty.	Pottawatomie
54,870	Larry Steele and Joe Smith, Appellants, v. Missouri Pacific Railroad Company, Appellee.	Paul D. Post. K. Mike Kimball. Phillip R. Fields.	Greeley
54,871	CONSOLIDATED WITH Missouri Pacific Railroad Company, Appellee, v. Gano Tschudy, et al., Appellants.	Phillip R. Fields. K. Mike Kimball.	Greeley
54,830	State of Kansas, Appellant, v. Jerry B. Hunter, Appellee.	Jerry L. Harper, Dist. Atty. Wesley Norwood.	Douglas
<i>1:30 p.m.</i>			
54,312	State of Kansas, Appellant, v. Gregory R. Fisher, John F. Geisler, Steven E. Kinder, James P. Ray, Jr., Appellees.	Robert T. Stephan, Atty. Gen.; John C. Laman, Asst. Co. Atty. David D. Swenson; Larry S. Vernon; Leo T. Gensweider; Thomas M. Tuggle.	Cloud
54,329	CONSOLIDATED WITH State of Kansas, Appellant, v. Gregory R. Fisher, John F. Geisler, Steven E. Kinder, James P. Ray, Jr., Appellees.	Robert T. Stephan, Atty. Gen.; John C. Laman, Asst. Co. Atty. David D. Swenson; Larry S. Vernon; Leo T. Gensweider; Thomas M. Tuggle; Larry S. Vernon.	Cloud
53,997	Ultimate Chemical Company, Appellees, v. Surface Transportation Company, Appellant.	Joel K. Goldman; R. Dennis Wright. Brent L. Brown; John M. Edgar; George Maier, Jr.; Paul G. Lane; John J. Bukaty.	Wyandotte
54,539	In the Matter of the Review of the Decision of the Kansas Corporation Commission Granting a Certificate of Need to Providence-St. Margaret Health Center of Kansas City, Kansas.	David K. Fromme. Robert DeCoursey.	Wyandotte

(continued)

Thursday, January 13, 1983

9:30 a.m.

- | | | | |
|--------|---|--------------------------------|-------------|
| 54,167 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; | Leavenworth |
| | v. | Robert E. Davis, Co. Atty. | |
| | Robert W. Prince, Appellant. | Henry W. Green. | |
| 54,476 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.; | Leavenworth |
| | v. | Frank E. Kohl, Asst. Co. Atty. | |
| | Raymond Louis Matlock, Appellant. | Ed Schneeberger. | |
| 54,337 | Bill Stair, Appellant. | Tom Crossan. | Montgomery |
| | v. | | |
| | Rex Gaylord, d/b/a Gaylord Enterprises, et al., Appellees. | Thomas A. DeVore; | |
| | | Robert K. Scovel; | |
| | | Edwin A. Lee. | |
| 54,743 | U.S.D. No. 407 by Virgil E. Boatwright, Superintendent, Appellee. | Don C. Staab; | Russell |
| | v. | John C. Woelk. | |
| | Lee Fisk, Jack Stoller, and Jay B. Thielen, Appellants. | Michael S. Holland. | |

1:30 p.m.

- | | | | |
|--------|--|------------------------------------|----------------|
| 54,647 | State of Kansas, Appellant, | Robert T. Stephan, Atty. Gen.; | Pratt |
| | v. | Philip D. Lunt, Co. Atty. | |
| | Debbie Hennessee, Appellee. | Eldon L. Meigs. | SUMMARY DOCKET |
| 54,170 | State of Kansas, Appellant, | Robert T. Stephan, Atty. Gen.; | Sumner |
| | v. | Kerwin L. Spencer, Asst. Co. Atty. | |
| | Darrel R. Fisher, Appellee. | Charles E. Watson. | |
| 54,244 | In the Matter of the Estate of Owen R. Robinson. | Karl W. Friedel. | Butler |
| | | Robert M. Bond; | |
| | | Robert L. Howard. | |

Friday, January 14, 1983

9:30 a.m.

- | | | | |
|--------|--|-------------------------------------|---------|
| 54,879 | State of Kansas, Appellant, | Robert T. Stephan, Atty. Gen.; | Shawnee |
| | v. | Kenneth R. Smith, Asst. Dist. Atty. | |
| | John N. Boos, Appellee. | John Humpage. | |
| 54,636 | State of Kansas, Appellant, | Robert T. Stephan, Atty. Gen.; | Geary |
| | v. | Steven L. Opat, Co. Atty. | |
| | Peter H. Ransom, Appellee. | Charles A. Chartier. | |
| 54,813 | State of Kansas, ex rel., Attorney General, Appellant, | Wayne E. Hundley, Deputy Atty. Gen. | Shawnee |
| | v. | | |
| | Pepsi-Cola General Bottlers, Inc., Appellee. | Steve R. Fabert. | |

(continued)

COURT OF APPEALS DOCKET

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

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 3rd Floor, OLD SEDGWICK COUNTY COURTHOUSE
541 NORTH MAIN, WICHITA, KANSAS

Before FOTH, C.J., SPENCER and SWINEHART, JJ.

Monday, January 24, 1983

Case No.	Case Name	Attorneys	County
<i>9:00 a.m.</i>			
53,994	Locke Stove Company, Appellant, v. Decker-Johns Construction Co., Inc., Appellee.	Christopher J. Redmond. Roger Sherman; Kurt Harper.	Sedgwick
54,299	Continental American Corp., Appellant, v. Pacific Balloon Company, Inc., Appellee.	Alexander B. Mitchell. Wallace W. Underhill	Sedgwick
54,369	Mid-Kansas Fed. Sav. & Loan Assoc., Appellants, v. James R. Burke, Carole J. Burke, & Board of County Comm. of Sedgwick County, Appellees.	Harry W. Saums. James R. Schaefer.	Sedgwick
54,502	Mid-America Sprayers, Inc., Appellee, v. United States Fire Ins. Co., et al, Appellants, Pratt & Whitney Aircraft of Canada, Ltd., Appellee.	Frank C. McMaster. Randy Trout. Charles W. Harris.	Sedgwick
53,907	Robert Lee Petrus & Sharon Kay Petrus, Appellants, v. Clarence O. Greckel and Mildred L. Greckel, Appellees.	Willis K. Musik; Robert M. Miles. Rick Yoxall.	Seward
<i>1:30 p.m.</i>			
54,561	Ralph Baker, Appellee, v. Ruth Baker, Appellant.	Bill Hampton, Jr. Robert Berkley.	Comanche
54,212	Verda V. Hall, Appellee, v. State Farm Mutual Automobile Ins. Co., Appellant.	Donna L. Whitman. Jerry G. Elliott.	Reno
53,717	Massey-Ferguson Credit Corp., and Massey-Ferguson Inc., Appellees, v. Gary Sage, Appellant, v. Geramatic Company, Appellee.	Robert L. Nicklin. John E. Wilkinson.	Greenwood
54,307	Diane Padgett, Appellant, v. Rubber Supply Inc., Appellee.	Reid Stacey, Asst. Atty. Gen. David L. Dahl.	Sedgwick
<i>Tuesday, January 25, 1983</i>			
<i>9:00 a.m.</i>			
54,550	Johnston & Johnston, P.A., Appellee, v. Gulf Insurance Co., Appellant.	James P. Johnston. William Tinker, Jr.	Sedgwick

(continued)

54,535	Etta J. Swanston and Etta J. Swanston as Adm. of Estate of Raymond R. Swanston, Appellant, v. McCconnell Air Force Base Federal Credit Union, Appellee.	N. Trip Shawver. Byron Brainerd.	Sedgwick
53,957	Ronnie V. Ortner & Joan Ortner, Appellees, v. Liebmann G. Langston dba Langston Realty Co., Appellants, Craig L. Morris, plaintiff, v. Liebmann G. Langston dba Langston Realty and Charles Osborn, Defend.	Jerry L. Berg. Gail A. Jensen. John P. Woolf.	Sedgwick
53,938	Melvin Kitchen, Appellant, v. Citizens State Bank, Appellee.	William L. Fry.	McPherson
54,030	Terry Williams, Appellant, v. Bd. of Trustees of Dodge City Comm. College, Appellee.	William H. Seiler, Jr. Thomas L. Toepfer. David L. Patton.	Ford
<i>1:30 p.m.</i>			
54,696 S.C.	David A. Kliever, Appellant, v. Coastal States Gas Corp./Derby Refining Co. and Hartford Ins. Co., Appellees.	George E. McCullough. Frederick L. Haag.	Sedgwick
54,429 S.C.	Evelyn R. Rouse, Appellant, v. Luther Fewin, Appellee.	Robert B. Wareheim. Craig Kennedy.	Sedgwick
54,021	Everett Cloyd, Adm. CTA of Estate of Bessie B. Coryell, Decd., Appellant, v. Jess C. Nossaman, Individually and as Gdn. and Cons. of Bessie B. Coryell, An Incapacitated Person, Appellee.	Alan C. Goering. Terry T. Messick.	Harper
53,701	Nellie Mae Parsons and Franklin M. Parsons, Appellants, v. Wayne E. Stevens, Appellee.	Ronald D. Albright. Robert S. Wunsch.	Harper

KANSAS COURT OF APPEALS

JOHNSON COUNTY COURTHOUSE, DIV. #6, COURTROOM 300
OLATHE, KANSAS

Before PARKS, P.J., ABBOTT and REES, JJ.

*Monday, January 24, 1983**9:00 a.m.*

54,624 S.C.	Huxtable-Hammond Co., Inc., Appellant, v. John L. Hayne, Appellee.	Mark A. Johnson. Michael F. Delaney. Barry D. Martin.	Shawnee
54,751 Consoli- dated w/ 54,752	William L. Green, Appellant, v. State of Kansas, Appellee, Milton Porter, Appellant, v. State of Kansas, Appellee.	Donald E. Bucher. Nick Tomasic, D.A., Atty. Gen. Donald E. Bucher. Nick Tomasic, D.A.; Atty. Gen.	Wyandotte Wyandotte

(continued)

54,028	Donald Otis Burnworth, Appellant, v. Bernice Lucille Hughes and United Airlines, Appellees.	H. Reed Walker. LaVone A. Daily.	Wyandotte
53,948 Conso- lidated w/	State of Kansas, Appellee, v. Darrell Dee Maley aka Whitey, Appellant,	Steven Zieber, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen. Michael Lerner. Karen L. Shelor.	Johnson
53,949	State of Kansas, Appellee, v. Franklin J. Witt, Appellant.	Steven Zieber, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen. Michael Lerner; Karen L. Shelor.	Johnson
54,040	State of Kansas, Appellee, v. Gregory Blaine Rose, Appellant.	Larry McClain, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen. J. Steven Schweiker.	Johnson
<i>1:30 p.m.</i>			
54,438	Hobbs Trucking Co., Inc., Appellee, v. Thomas W. Sears, et al, Appellants.	R. Michael Latimer. Don A. Peterson. Robert W. Green.	Franklin
54,264	Amos A. Hermanson, Jr., Appellee, v. Bert Barnes, et al, Appellant.	Lawrence Jarvis. Thomas M. Dawson.	Leavenworth
53,822	Grace L. Muder and Mary E. Wells, et al, Appellees, v. Leroy C. Tombs, et al, Appellants.	Michael J. Peterson. Michael A. Preston.	Wyandotte
54,090	William F. Zimmer, Appellee, v. Faye E. Huscher, Appellant.	Charles Getto. Michael J. Peterson.	Wyandotte
<i>Tuesday, January 25, 1983</i>			
<i>9:00 a.m.</i>			
54,410	Construction Materials, Inc., d/b/a Springhill Lumber, Appellant, v. Eldon W. Becker and Marcia Becker; C. Dennis Reese and Lorene L. Reese; Regional Investment Co. and Federal National Mortgage Assoc., Appellees.	John L. Richeson. Phillip Carson. John J. Blake, Jr. Chris A. Pierson. James R. Borth. Michael H. Farley. J. Russell Dillon.	Johnson
54,609	Standard Sewing Equip. Corp., Appellee, v. Trans-World Sewing Machine Co., Inc., Appellant.	James Phelan. Elwyn L. Grady, Jr. John Fields.	Wyandotte
53,783	Viva K. Hustedt, Appellee, v. Charles D. Hustedt, Appellant.	Robert D. Beall. David W. Carson; John H. Fields.	Leavenworth
54,094 S.C.	Elmer M. Maness, Appellant, v. City of Kansas City, Kansas, et al, Appellee.	J. R. Russell. Annette Eslick, Asst. City Atty.	Wyandotte
54,144	Madalein Odell, et al, dba Odell Properties, Appellant, v. Gregory Johnson and Georgianna Torres, Appellee.	James E. Kunce. Joseph T. Carey.	Wyandotte

(continued)

1:30 p.m.

54,560 S.C.	Ruth M. Medlin, Appellee, v. Walter J. Medlin, Appellant.	Orville J. Cole.	Anderson
54,326 Consol- idated w/ 54,469	State of Kansas, Appellee, v. Rayford Reed, Appellant. State of Kansas, Appellee, v. Willie Floyd, Appellant.	John Anderson, Jr. David Belling, Co. Atty.; Atty. Gen. David R. Heger. David Belling, Co. Atty.; Atty. Gen.	Miami Miami
54,127	Calvin Guillory, Jr., et al, Appellee, v. Ernie F. Pyles, Appellant.	David R. Heger. Karl V. Shawver, Jr.	Miami
54,099	Jacobs, Inc., Appellee, v. City of Lenexa, Appellant.	Mary L. Stuckey. Marvin E. Rainey. R. Scott Beeler.	Johnson

Wednesday, January 26, 1983

9:00 a.m.

54,400	John M. Chivily and Cross-Country Investment Corp., Appellants, v. Indian Creek Village, Inc., Defendant, Indian Creek Assoc. & Valley View State Bank, Intervenors, Appellees.	Joe L. Norton. Ron Bodinson.	Johnson
53,951	Frank J. Herrick, Appellant, v. Florence J. Herrick, Appellee.	Bryan E. Nelson; Mary Ellen Rose. Harold J. Maddox. Felix G. Kancel, Jr.	Johnson
53,895	City of Leavenworth, Appellant, v. Francis W. Williams and Freda A. Williams, Appellees.	Robert D. Beall. L. D. McDonald, Jr.	Leavenworth
54,581	Russell H. Davis, Appellee, v. Owens Corning Fiberglas Corp., and Aetna Life & Cas., Appellants, and Kansas Workmen's Compensation Fund, Appellee.	Steven R. Jarrett. Wade A. Dorothy.	Wyandotte
54,164	Wally Hisle and Maria Hisle, Appellants, v. Charles T. Stubblefield, M.D., Appellee.	Patricia E. Riley. M. Warren McCamish.	Wyandotte

1:30 p.m.

54,588	Gary O. Hobbs, Appellee, v. Consolidated Transfer & Warehouse, and Trucking Insurance Exch., Appellants.	Gary L. Jordan. John T. Flannagan.	Elk
54,043	State of Kansas, Appellee, v. Floyd Leonard Boldridge aka Leonard Boldridge, Appellant.	Gunnar A. Sundby, Co. Atty.; Atty. Gen. Charles M. Tuley.	Atchison
54,108	State of Kansas, Appellee, v. Jimmie L. Ward, Appellant.	Daniel F. Meara, Co. Atty.; Atty. Gen. Patrick Bishop	Bourbon

(continued)

- 54,504 Siefers Chemicals, Inc., Appellant, Phillip A. Miller; David C. Ruyle; Johnson
Curtis E. Woods.
v.
Packer Plastics, Inc., Appellee. John W. Lungstrum.

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 2nd FLOOR, KANSAS JUDICIAL CENTER
301 W. 10th Street, TOPEKA, KANSAS

Before FOTH, C.J., ABBOTT and MEYER, JJ.

Thursday, January 27, 1983

9:00 a.m.

- 54,557 Robert C. Dahlstrom, Appellant, J. Franklin Hummer Shawnee
v.
Robert D. Durst, Jr., Appellee. Roger L. Hiatt.
54,638 (Frank Taff, Appellant) Pro Se. Shawnee
Donald V. Madison, Claimant, Appellee, Reginald LaBunker.
v.
Goodyear Tire & Rubber Co., and
Travelers Ins. Co., Appellees. C. K. Sayler.
54,362 Martha A. Brown, Appellant, James E. Benfer. Shawnee
Gary R. Terrill.
v.
State of Kansas and Kansas Dept. of
Corrections, Appellee. Steven D. Treaster.
54,174 Russell Miller, Appellee, Gary E. Laughlin. Atchison
v.
Randy W. Houchen, and the City of
Atchison, Appellants. Marlin Johanning.
54,243 Alice T. Leiker, Appellant, Terry T. Watson. Shawnee
v.
Employment Security Board of Review
and Josten's American Yearbook Co., Inc.,
Appellees. Marlin White.

1:30 p.m.

- 54,199 Stan Hayes Enterprises, Inc., Appellees, Dan Myers. Riley
v.
S. M. Samarri and Shirley Samarri,
Appellants. Charles D. Green.
54,231 Merlin Dean Stout, Betty Stout, Monte
Drew, Jay C. Williams, Carrie Williams,
Ronald Light and Sharon Light,
Appellants, Jeff Johnson. Shawnee
Winton A. Winter, Jr.
v.
Kansas State Dept. of Health &
Environment et al. William M. Henry, Asst. Atty.
Gen.; Jack Shelton.
Shelley Graybill; Wayne Stratton.
54,421 Jerry L. Phillips, Appellant, John N. Sherman. Neosho
v.
James L. Kastens, Appellee. John R. Toland.

Friday, January 28, 1983

9:00 a.m.

- 54,443 Roland S. Weaver, Jr., Appellant, Pro Se. Shawnee
v.
Glenn D. Cogswell and Roy T. Skaggs, et
al, Appellees. Deanne Hay.
William Hergenreter.
54,524 Rick Runnells, Appellant, Frederick J. Patton, II. Shawnee
v.
General Motors Acceptance Corp.,
Appellee. Jan Leuenberger.

(continued)

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| 54,227 | Jerry Dean Davis, Appellant,
v.
Judith Kay Davis, and New York Life Ins.
Co., Appellees. | Bruce K. McAlister.
John W. Lungstrum.
J. Craig Anderson. | Douglas |
| 54,091 | Federal National Mortgage Assoc.,
Appellee,
v.
Elizabeth Beard, et al, Appellant. | Richard L. Reid.
Jerry L. Harper.
John E. Wilkinson. | Douglas |
| 53,812 | Sam Abbett, Appellant,
v.
Donald Culp, Defendant and Doniphan
County, Appellees. | Jeffrey W. Schemmel.
Robert A. Reeder; Alan M. Boeh. | Doniphan |
| <i>1:30 p.m.</i> | | | |
| 54,512
S.C. | Steven Lee Dramann and Harvey L.
Ludwick, Secy. of Human Resources, as
Assignee, Appellee,
v.
Sutherland Lumber Company, Appellant. | Reid Stacey, Asst. Atty. Gen.; Atty.
Gen.
Nancy Anstaett.
Mark Blondman. | Shawnee |
| 54,664 | State of Kansas, Appellee,
v.
Glenn Richard Carder, Appellant. | William C. O'Keefe, Co. Atty.;
Atty. Gen.
Thomas L. Medill, Jr. | Nemaha |
| 54,646 | State of Kansas, Appellee,
v.
Stanley Vantassel, Appellant. | Edwin H. Bideau, Co. Atty.; Atty.
Gen.
Ronald P. Wood. | Neosho |
| 54,470 | State of Kansas, Appellee,
v.
Dennis Shouse, Appellant. | Doug Baker, Co. Atty.; Atty. Gen.
Richard D. Loffswold, Jr. | Crawford |

LEWIS C. CARTER,
Clerk of the Appellate Court

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