

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS FOR
ARCHITECTURAL AND TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for a contract for sub-soil investigation for an office building for the Kansas Fish and Game Commission at Emporia, Kansas.

Interested parties must be staffed by one or more professional engineers, licensed by the Board of Technical Professions to provide said services. Firms must also be on file with the Division of Architectural Services.

Notice is further given of the commencement of negotiations for contracts for architectural services for the Adaptation of Holton Hall, Kansas State University, Manhattan, Kansas.

This project is for the remodeling and renovation of a 24,552 square feet office and activity building. Approximately fifty percent of the work is expected to be mechanical in nature.

In order to be considered, firms must maintain an office in Kansas staffed by one or more architects who are licensed by the Board of Technical Professions. Firms must also be on file with the Division of Architectural Services.

Any questions or expressions of interest should be directed to Jack Nelson, Division of Architectural Services, 625 Polk, Topeka, Kansas 66603, prior to November 4, 1983.

JOHN B. HIPPI, AIA
Director

Division of Architectural Services

Doc. No. 001563

State of Kansas

STATE BOARD OF PHARMACY

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

TO ALL PERSONS CONCERNED:

You are hereby notified that a public hearing will be held on the proposed permanent regulations K.A.R. 68-7-18 and K.A.R. 68-7-19 on the 4th day of November, 1983 from 9:00 a.m. until 12:00 noon at the Ramada Inn South, Santa Fe Room, I-35 and 87th Street in Overland Park, Kansas. The purpose of this hearing is to receive comments and recommendations with regard to the proposed permanent regulations. Interested parties may present their views in person to the Board or submit written comments to the Board during said hearing.

K.A.R. 68-7-18 deals with health departments and private not-for-profit planning clinics and is specifically concerned with the distribution and control of prescription-only medications within such institutions.

K.A.R. 68-7-19 lists those prescription only medications which may be stored and distributed in health departments and private not-for-profit family planning clinics.

A complete text of the proposed permanent regulations as well as the fiscal impact statement on the regulations can be obtained from the Executive Director of the Kansas State Board of Pharmacy, Joseph G. Shalinsky, at P.O. Box 6150, Kansas City, Kansas 66106.

JOSEPH G. SHALINSKY
Executive Director

Doc. No. 001557

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



PHONE: 913/296-2236

State of Kansas

BOARD OF HEALING ARTS**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Thursday, November 10, 1983, beginning at 11:30 a.m. in the Office of the Board of Healing Arts, 503 Kansas Avenue, Suite 500, Topeka, Kansas. The purpose of the hearing will be to consider the adoption of proposed permanent changes and deletions to the Rules and Regulations of the Board of Healing Arts, relating to the practice of Podiatry.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Board Office at 503 Kansas Avenue, Suite 500, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the proposed changes in the regulations.

A copy of the regulation changes and the fiscal impact statement may be obtained from the Board Office, 503 Kansas Avenue, Suite 500, Topeka, Kansas 66603.

Following is a brief summary of the proposed amendments:

100-49-2 and 100-49-3 were rewritten and a deletion made to eliminate the requirement for an applicant's good moral character. This complies with SB 41.

100-49-4. The examination fee was changed from \$30.00 to \$50.00.

ELIZABETH W. CARLSON
Executive Secretary

Doc. No. 001555

State of Kansas

**BOARD OF HEALING ARTS
KANSAS PHYSICAL THERAPY
EXAMINING COMMITTEE****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Thursday, November 10, 1983, beginning at 10:00 a.m. in the Office of the Board of Healing Arts, 503 Kansas Avenue, Suite 500, Topeka, Kansas.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Executive Secretary of the Board of Healing Arts, 503 Kansas Avenue, Suite 500, Topeka, Kansas 66603. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the proposed amendments in the regulations.

A summary of the regulations to be amended follow. Copies of the amended regulations and the fiscal impact statement may be obtained from the Office of the Board of Healing Arts, address listed above.

The following is a brief summary of the proposed amendments:

100-31-3. President, duties—Revoked.

100-31-4. Vice President, duties—Revoked.

100-33-1. Regular Meetings—Revoked.

100-33-2. Special Meetings—Revoked.

These Rules were all written in the Physical Therapy Act and did not need to be repeated.

100-35-1. Clarification of the granting of registration of certificates and a change in the time application is to be filed before examinations.

100-35-3. A combining of approval of physical therapy and physical therapist assistant programs, under same article.

100-35-6. A rewriting of requirements for physical therapists trained in another country.

100-35-7. A rewording of the scores required to pass the examinations for the physical therapist and physical therapist assistant.

100-37-1. The Rules for Fellowship were struck because there was no authority for the Fellowship in the Physical Therapy Act. In place of the Fellowship, a code of ethics was written for the Physical Therapist and Physical Therapist Assistant.

100-39-1. A change was made in the fee for a duplicate certificate from \$10.00 to \$15.00. Also the Rule was rewritten and the word Committee changed to Board.

100-41-1. This article provided for a listing each year of physical therapist and physical therapist assistants to be mailed to the Department of Health and Environment and was revoked.

100-42-1 and 100-42-2. The Rules for the filing of a petition was rewritten and the word Committee changed to Board. The procedure for hearings shall conform to the provisions of K.S.A. 65-2839 *et seq.* of the Board of Healing Arts.

100-43-1. The Rule for Professional Signs and Letterheads was revoked.

100-45-1. This Rule was revoked and rewritten under 100-35-3.

Article 46 was rewritten changing terms of Committee to Board and physical therapy assistant to physical therapist assistant.

100-46-4. Was revoked and included under 100-35-7.

100-47-1. The Rules for Continuing Education have been clarified and explanations added.

These Rules and Regulations have been promulgated to comply with SB 112 passed by the 1983 Legislature.

ELIZABETH W. CARLSON
Executive Secretary

Doc. No. 001556

State of Kansas**BOARD OF BARBER EXAMINERS****NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

Notice is hereby given to all interested persons that on Monday, November 7, 1983, at 2:00 p.m. in the office of the Board of Barber Examiners, a public hearing shall be held concerning amendments to K.A.R. 61-1-3. Such amendments update wording on sewerage systems and deletes the need for a wet station in the immediate area that a barber is working.

Interested persons shall be given reasonable opportunity at the hearing to present their views of the proposed amendments. Anyone wishing to obtain a copy of the full text or fiscal impact statement should write Charles L. Lutz, Board of Barber Examiners, 630 Kansas Avenue, Topeka, KS 66603.

CHARLES L. LUTZ
Administrative Officer

Doc. No. 001551

State of Kansas**OFFICE OF THE
SECURITIES COMMISSIONER****NOTICE OF HEARING
ON PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on the 14th day of November, 1983 at 10:30 a.m. in Conference Room A, 109 West 9th Street, Topeka, Kansas, to consider the adoption of proposed changes in an existing regulation, the proposed revocation of an existing regulation and the adoption of proposed new regulations of the Office of the Securities Commissioner. These regulations will be adopted on both a temporary and permanent basis.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Kansas Securities Commissioner, 109 West 9th Street, Suite 501, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the proposals.

Copies of the full text of the regulations and the fiscal impact statement may be obtained from the Kansas Securities Commissioner. The following is a summary of the proposed changes:

K.A.R. 81-5-6 is being amended to eliminate the prohibition against the use of this regulation for securities offerings that involve undivided fractional oil and gas interests. The provision that allows securities offerors to delete certain information in certain regulation D filings will also be eliminated.

K.A.R. 81-11-1 will be revoked. This regulation contains the existing securities administrative procedure, and will be replaced by K.A.R. 81-11-2 through 81-11-12.

K.A.R. 81-11-2 requires the commissioner to send

notice to a respondent before issuing certain administrative orders. The regulation dictates how this notice is to be given, and allows a respondent to request, within 10 days, that a prior hearing be held.

K.A.R. 81-11-3 requires the commissioner to assign a docket number to all hearings. This number shall be used on all papers and correspondence relating to the matter.

K.A.R. 81-11-4 allows any party to subpoena witnesses to a hearing upon paying witness fees in advance. The regulation establishes witness fees as \$5.00 per day and \$.22 per mile for travel expenses.

K.A.R. 81-11-5 allows a party to appear at a hearing in person and with an attorney. Corporate parties may only appear through counsel.

K.A.R. 81-11-6. This regulation states that if a party fails to attend a hearing, after being properly noticed, the hearing shall proceed in the party's absence, and all allegations shall be considered uncontested by that party.

K.A.R. 81-11-7. This regulation states who shall conduct the hearing, and provides for the making of a record of the proceeding.

K.A.R. 81-11-8. This regulation states that hearings shall be conducted on a trial format, with the commissioner's staff having the burden of proving all allegations by a preponderance of the evidence. Trial briefs may be submitted by the parties. The regulation also states when the evidentiary record may be closed and reopened.

K.A.R. 81-11-9. This regulation covers how evidence may be received, and what rules of evidence will be followed.

K.A.R. 81-11-10 allows for continuances of hearings upon a showing of good cause.

K.A.R. 81-11-11 requires the commissioner to issue final orders with written findings of fact and conclusions of law. The commissioner shall mail all orders to all parties of record.

K.A.R. 81-11-12 covers investigative examinations conducted by the commissioner. It allows a witness to have counsel present, and lists what activities the counsel may perform. A witness may not have as counsel any attorney who may be a material witness in the investigation, or who is a subject of the investigation. Only the commissioner may mechanically record the proceeding. The regulation states who may be present during the proceeding.

JOHN R. WURTH
Securities Commissioner

Doc. No. 001552

State of Kansas

ADJUTANT GENERAL'S DEPARTMENT**NOTICE OF HEARING
ON PROPOSED PERMANENT
ADMINISTRATIVE REGULATIONS**

A public hearing will be held on Monday, November 7, 1983, commencing at 1:00 p.m. in the Conference Room, State Defense Building, 2800 Topeka Avenue, Room 102, Topeka, Kansas, to consider the adoption of proposed permanent amendments to the 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.

Following the hearing on November 7, 1983, 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 amendments.

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.

A summary of the regulations to be amended to include the proposed amendments follow:

56-1-2. Armory Purpose and Funding. Clarifies lawful public uses of the armories and implements fiscal responsibilities concerning these uses pursuant to 1982 Supp. 48-309 and other appropriate laws in Chapter 48.

Proposed Amendment deletes non-regulatory funding procedures in (b)(1) and (3).

56-1-4. Responsibilities. Sets forth authorities and procedures necessary to request public use of any armory.

Proposed Amendment deletes non-regulatory responsibilities in (b).

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.

Proposed Amendment makes minor punctuation changes in (a) as suggested by the Joint Committee on Rules and Regulations.

MAJOR GENERAL RALPH T. TICE, KSARNG
The Adjutant General

Doc. No. 001564

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 hereby gives notice that a public hearing will be held at 1:30 p.m. on November 4, 1983, in the Auditorium of the Topeka-Shawnee County Health Department, 1615 West 8th, Topeka, Kansas to receive written or oral testimony concerning the proposed adoption of new regulations number 28-19-14a and 28-19-14b and the amendment of existing regulations K.A.R. 28-19-7, 28-19-8, 28-19-9, 28-19-14 and 28-19-45. These regulations and amendments are intended to be adopted on a temporary and on a permanent basis.

Any person wishing to present oral or written testimony may do so at the hearing. Written testimony concerning the proposals will also be accepted and considered if it is mailed to the address that is indicated below and postmarked not later than 12:00 midnight on November 9, 1983.

The proposals are intended to require the annual issuance of permits and the payment of an associated fee for the operation of certain types of sources of air contaminant emissions that are located throughout the state. Initial applications for these permits are intended to be mailed to the affected sources before January 1, 1984. Permits and the payment of fees are also proposed to be required for the initial construction and modification of these types of sources that is initiated after the effective date of the regulations and amendments.

Complete copies of the regulations, a summary discussion of their provisions and a financial impact statement concerning them may be reviewed at, or obtained by contacting, the department's air pollution control section at Forbes Field, Topeka, Kansas 66620, (AC 913, 862-9360, ext. 267).

BARBARA J. SABOL
Secretary

Doc. No. 001554

State of Kansas

LEGISLATURE

INTERIM AGENDA

Notice is hereby given to all interested parties that the following legislative committee meetings have been scheduled during the period of October 24 through November 4, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Oct. 24	519-S	9:30 A.M.	Special Committee on Judiciary	Review of bill drafts and committee reports and discussion of proposals 27, 28, 29, 30, and 31.
Oct. 24	313-S	10:00 A.M.	Special Committee on Efficiency in State Government	Conferees on proposal 19; staff reports.
Oct. 25	313-S	9:00 A.M.		
Oct. 24	526-S	10:00 A.M.	Special Committee on Infrastructure	24th: Subcommittee meetings in a.m.—Subcommittee reports in p.m. 25th: Staff reports and committee deliberations. Agenda to be announced.
Oct. 25	526-S	9:00 A.M.		
Oct. 25	527-S	10:00 A.M.	Legislative Educational Planning Committee	Agenda to be announced.
Oct. 26	527-S	9:00 A.M.		
Oct. 25	514-S	10:00 A.M.	Special Committee on Ways and Means	Additional review of proposals 45, 46, and 50. Draft reports on proposals 47, 48, and 49.
Oct. 26	514-S	9:00 A.M.		
Oct. 27	527-S	10:00 A.M.	Task Force on High Technology (Advisory Committee to Legislative Educational Planning Committee)	Agenda unavailable.
Oct. 27	531-N	10:30 A.M.	Health Planning Review Commission	Agenda unavailable.
Oct. 28	531-N	9:00 A.M.		
Oct. 27	519-S	10:00 A.M.	Communication, Computers, and Technology (House Committee)	Agenda unavailable.
Oct. 28	519-S	9:00 A.M.		
Oct. 27	526-S	10:00 A.M.	Special Committee on Corrections	1st Day: Hearings on Proposals 12 and 13. 2nd Day: Committee deliberations on Proposals 12 and 13.
Oct. 28	526-S	9:00 A.M.		
Nov. 1	519-S	10:00 A.M.	Special Committee on Conflict of Interest and Ethics	Further discussion on Proposal 54. Final report.
Nov. 2	519-S	9:00 A.M.		
Nov. 3	519-S	10:00 A.M.	Special Committee on Education	Agenda unavailable.
Nov. 4	519-S	9:00 A.M.		
Nov. 4	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative business.
Nov. 4	531-N	Upon adjournment of LCC	Legislative Budget Committee	Final action on Proposal 52. Review final reports on Proposals 35 and 52; staff report on General Fund receipts.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

State of Kansas

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

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

MONDAY, OCTOBER 31, 1983

#25592 (Supplement)

University of Kansas Medical Center, Kansas City and Statewide—DRESSINGS/PATIENT CARE ITEMS (CLASS 02)

#55572

Kansas State University, Manhattan—COMPUTERIZED PHOTOTYPESETTING EQUIPMENT

#55576

University of Kansas Medical Center, Wichita—HOSPITAL POWER AND EXAM TABLES AND STOOLS

#55577

Department of Revenue, Topeka—ENVELOPES—PRINTED—WINDOW

#55579

Kansas State University, Manhattan—ELECTRICAL SUPPLIES

#55580

Kansas State Historical Society, Topeka—RESTORATION FEASIBILITY STUDY

#55588

Kansas State Industrial Reformatory, Hutchinson—MEAT PRODUCTS

#55603

Department of Administration, Division of Information Systems and Computing, Topeka—SOFTWARE

TUESDAY, NOVEMBER 1, 1983

#25778

Statewide—VALVES

25781

Statewide—SPICES AND MISCELLANEOUS GROCERIES

#55578

Osawatomie State Hospital, Osawatomie—LEASE OF FARM LAND

#55581

Kansas State University, Pecan Experimental Field, Chetopa—PICKUP

#55582

Kansas State University, Manhattan—ULTRACENTRIFUGE ROTOR

#55587

University of Kansas Medical Center, Kansas City—DIAGNOSTIC ULTRASOUND SYSTEM

#55609

University of Kansas Medical Center, Kansas City—MEDICAL DATA ACQUISITION SYSTEM

WEDNESDAY, NOVEMBER 2, 1983

#A-4830

Kansas State School for the Visually Handicapped, Kansas City—REROOF HEALTH CENTER BUILDING, 1100 STATE AVENUE

#25782

University of Kansas, Lawrence—DECEMBER (1983) MEAT PRODUCTS

#55589

University of Kansas, Lawrence—FURNISH AND INSTALL CONDENSATE WATER TANKS

#55591

University of Kansas Medical Center, Kansas City—SURGICAL LASER

#55592

Kansas Fish and Game Commission, Reading—TRAILER

#55593

Kansas Soldiers' Home, Fort Dodge—STATION WAGON

#55594

Wichita State University, Wichita—CLOSED CIRCUIT T-V EQUIPMENT

THURSDAY, NOVEMBER 3, 1983

#A-4853

Kansas State University, Manhattan—ANIMAL FEED MILL ADDITION

#25780

Statewide—FROZEN FOOD

#55602

University of Kansas, Lawrence—TWO-WAY RADIO EQUIPMENT

#55606

Department of Revenue, Topeka—ENVELOPES—GREEN

#55607

University of Kansas, Lawrence—ELECTRONIC POSTAGE METER MAILING MACHINE

#55608

University of Kansas Medical Center, Kansas City—EXTERIOR WINDOW WASHING

#55610

Department of Transportation, Norton—WOOD SIGN POSTS

#55611

Kansas State University, Manhattan—MILO

#55612

Winfield State Hospital and Training Center, Winfield—BONED CHICKEN

#55613

Kansas State University, Garden City Experiment Station, Garden City—HYDRAULIC CHUTE AND HOLDING PEN

#55614

Kansas Technical Institute, Salina—COMPACT SEDAN

THURSDAY, DECEMBER 1, 1983

#25775

Kansas State University, Manhattan—PROPERTY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 001558

(Published in the KANSAS REGISTER, October 20, 1983.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., November 17, 1983 and then publicly opened:

DISTRICT I

Brown—7 C 1603-01—0.189 mile Grading & Bridge, beginning approx. 2.0 miles north & 0.5 mile east of Willis; thence east on FAS-60 (Bridge over Hazel Creek) (Federal Funds).

Douglas—23 C 1666-01—0.057 mile Grading & Bridge, beginning approx. 1.0 mile south of Baldwin City; thence south (Bridge over Spring Creek) (Federal Funds).

Johnson—435-46 K 0457-05—2.484 miles Concrete Pavement & Seeding, beginning approx. 0.378 mile east of I-435 & Lackman Road; thence west & north on I-435 (Federal Funds).

Johnson—435-46 K 1489-03—1.913 miles Highway Lighting, beginning approx. 0.114 mile east of I-435 & Lackman Road; thence west & north on I-435 (Federal Funds).

Johnson—436-46 K 0462-05—2.566 miles Highway Signing and Delineation, beginning approx. at the Santa Fe Trail Drive and I-435 Interchange; thence north and easterly on I-435 (Federal Funds).

Johnson—35-46 K 2486-01—Flashing Beacon Installation located approx. at I-35 N.B. Exit Ramp to N.B. I-635 in the City of Overland Park (Federal Funds).

Johnson—12-46 K 1492-01—3.821 mile Grading, Surfacing & Seeding, beginning approx. at the jct. of K-12 & K-7; thence east on K-12 (State Funds).

Nemaha—66 C 0655-01—0.165 mile Grading, beginning approx. 3.0 miles south & 2.4 miles east of Bern; thence east (Federal Funds).

Osage—35-70 M 1323-01—Concrete Pavement Patching, beginning approx. 3.45 miles east of the Osage-Coffey County line; thence easterly on I-35. Bids for Concrete Pavement Patching on this project will be received only from Small Business Enterprises (State Funds).

Riley—81 C 0674-01—0.913 mile Grading & Bridge, beginning approx. 4.2 miles east & 2.7 miles south of Manhattan; thence southeasterly (Bridge over Deep Creek) (Federal Funds).

Wyandotte—435-105 K 0990-02—2 Bridges on I-435 over K-5 & Missouri Pacific Railroad in the City of Kansas City (Federal Funds).

DISTRICT II

Chase—9 C 1580-01—0.236 mile Grading & Bridge, beginning approx. 0.2 mile west & 2.0 miles south of Cedar Point; thence south on FAS-90 (Bridge over Cedar Creek) (Federal Funds).

Geary—31 C 1563-01—0.113 mile Grading &

Bridge, beginning approx. 1.8 miles south & 4.0 miles west of the jct. of I-70 & K-177; thence westerly on County Highway FAS-2121 (Bridge over McDowell Creek) (Federal Funds).

Saline—85 C 1538-01—0.132 mile Grading & Bridge, beginning approx. 4.3 miles south & 2.8 miles west of Gypsum; thence south on FAS-1059 (Bridge over Stag Creek) (Federal Funds).

Saline—85 C 1588-01—0.320 mile Grading & Bridge, beginning approx. 6.4 miles west & 1.0 mile south of Kipp; thence east (Bridge over Smoky Hill River) (Federal Funds).

Saline—85 C 1589-01—0.128 mile Grading & Bridge, beginning approx. at the south edge of Brookville; thence south on County Highway FAS-447 (Bridge over West Spring Creek) (Federal Funds).

DISTRICT III

Ellis, Gove, Sherman, Thomas & Trego—106 K 2403-01—Highway Lighting at various locations on I-70 (Federal Funds).

Phillips—74 C 1536-01—0.246 mile Grading & Bridge, beginning approx. 2 miles east of the east city limits of Logan; thence south (Bridge over N. Fork Solomon River) (Federal Funds).

DISTRICT IV

Cherokee—11 C 1500-01—0.132 mile Grading & Bridge, beginning approx. 7.4 miles west & 2.9 miles south of Columbus; thence south on FAS-101 (Bridge over Center Creek) (Federal Funds).

Coffey-Franklin—35-16 K 2404-01—Highway Lighting at various locations on I-35 (Federal Funds).

Franklin—30 C 1506-01—0.549 mile Grading & 2 Bridges, beginning approx. 0.2 mile west of Rantoul; thence west on county highway FAS-264 (Federal Funds).

Franklin—30 C 1553-01—0.189 mile Grading & Bridge, beginning approx. 0.5 mile east & 1.6 miles north of Williamsburg; thence north on FAS-260 (Bridge over Coal Creek) (Federal Funds).

Franklin—35-30 M 1324-01—Concrete Pavement Patching, beginning approx. 4.8 miles northeasterly of the Interchange of I-35 & K-273; thence northeasterly on I-35. Bids for Concrete Pavement Patching on this project will be received only from Small Business Enterprises (State Funds).

DISTRICT V

Cowley—18 U 0312-01—1.001 miles Grading & Surfacing, beginning approx. at the intersection of Wheat Road & 19th Street; thence north on Wheat Road in the City of Winfield (Federal Funds).

Harper—39 C 1520-01—0.227 mile Grading & Bridge, beginning approx. 1.2 miles west & 1.0 mile south of Anthony; thence south (Bridge over Bluff Creek) (Federal Funds).

Reno—78 C 1456-01—0.219 mile Grading & Bridge, beginning approx. 2.7 miles east of Langdon; thence south (Bridge over Silver Creek) (Federal Funds).

Rice—80 C 1480-01—0.303 mile Grading & Bridge, beginning approx. 0.3 mile south of Raymond; thence south on FAS-506 (Bridge over Arkansas River) (Federal Funds).

(continued)

Sedgwick—87 K 2406-01—Highway Lighting at various locations in the City of Wichita (Federal Funds).

Sedgwick—87 U 0820-01—0.089 mile Grading, Concrete Pavement & Bridge, beginning approx. at Market Street & 24th Street; thence north on Market Street in the City of Wichita (Federal Funds).

Sedgwick—87 U 0837-01—0.631 mile Grading & Concrete Pavement, beginning approx. 0.114 mile north of the intersection of Webb Road & Kellogg Avenue; thence north on Webb Road in the City of Wichita (Federal Funds).

DISTRICT VI

Ford—154-29 U 0746-01—1.167 miles Grading & Surfacing, beginning approx. at Trail Street & Road No. 402; thence easterly on Trail Street (US-154) in the City of Dodge City (Federal Funds).

Kearny—47 C 1494-01—2.007 miles Bituminous Surfacing, beginning approx. 7.2 miles north of Deerfield; thence west on county highway FAS-294 (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001559

(Published in the KANSAS REGISTER, October 20, 1983.)

**NOTICE OF BOND SALE
\$132,000.00
GENERAL OBLIGATION
SEWER BONDS
OF THE
CITY OF MAIZE, KANSAS**

The CITY OF MAIZE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, MAIZE, KANSAS, until 7:30 o'clock P.M., C.S.T., on

MONDAY, NOVEMBER 7, 1983

for \$132,000.00 par value GENERAL OBLIGATION SEWER BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series B, 1983 Bonds will be dated as of December 1, 1983 and shall mature on December 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certifi-

cated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except one Bond in the denomination of \$2,000.00, not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1985, and each December 1, and June 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the Interest Payment Dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 7,000.00	December 1, 1985
10,000.00	December 1, 1986
10,000.00	December 1, 1987
15,000.00	December 1, 1988
15,000.00	December 1, 1989
15,000.00	December 1, 1990
15,000.00	December 1, 1991
15,000.00	December 1, 1992
15,000.00	December 1, 1993
15,000.00	December 1, 1994

Interest Rate

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 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 (October 31, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, MAIZE, KANSAS, 67101, ATTENTION: KAREN FITZMIER, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if

(continued)

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 MAIZE, 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.

Award of Bids

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.

Delivery of the Bonds

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. THE NUMBER, DENOMINATION OF BONDS, AND THE NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN DECEMBER 5, 1983. 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. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before DECEMBER 15, 1983, 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.

Legal Opinion

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each Bond and a manually signed original will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that 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; and that, under existing law, the interest on said Bonds is exempt from present Federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

Purpose of Issue

The Bonds are being issued for the purpose of constructing certain sewer improvements in the City of Maize, Kansas.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on said Bonds. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

Assessed Valuation

Assessed valuation figures for the City of Maize, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$2,127,506
Tangible Valuation of Motor Vehicles	\$ 585,270
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 9,320
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations ..	\$2,722,096

Bonded Indebtedness

The total bonded indebtedness of the City of Maize, Kansas, at the date hereof, including this \$132,000.00 proposed issue of Bonds, is in the amount of \$1,141,500.00. The City will retire \$120,000.00 of outstanding Temporary Notes from the proceeds of the Bonds.

Official Statement

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from First Securities Company of Kansas, Incorporated, Suite 200, One Main Place, Wichita, Kansas 67202 (316-262-4411), the City's financial consultants.

DATED OCTOBER 3, 1983.

CITY OF MAIZE, KANSAS
By KAREN FITZMIER, City Clerk

Doc. No. 001549

(Published in the KANSAS REGISTER, October 20, 1983.)

NOTICE OF BOND SALE
\$438,000.00
GENERAL OBLIGATION INTERNAL
IMPROVEMENT BONDS
OF THE
CITY OF AUGUSTA, KANSAS

The CITY OF AUGUSTA, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, AUGUSTA, KANSAS, until 2:00 o'clock P.M., C.S.T., on

MONDAY, NOVEMBER 7, 1983

for \$438,000.00 par value GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series B, 1983 Bonds will be dated as of December 1, 1983 and shall mature on December 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except one Bond in the denomination of \$3,000.00, not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1984, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the Interest Payment Dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$38,000.00	December 1, 1984
40,000.00	December 1, 1985
45,000.00	December 1, 1986
45,000.00	December 1, 1987
45,000.00	December 1, 1988
45,000.00	December 1, 1989
45,000.00	December 1, 1990
45,000.00	December 1, 1991
45,000.00	December 1, 1992
45,000.00	December 1, 1993

Interest Rate

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 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 (October 31, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, AUGUSTA, KANSAS, 67010, ATTENTION: ELSIE E. GEORGE, 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 AUGUSTA, 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.

Award of Bids

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.

Delivery of the Bonds

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. THE NUMBER, DENOMINATION OF BONDS, AND THE NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN DECEMBER 5, 1983. 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

(continued)

or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before DECEMBER 15, 1983, 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.

Legal Opinion

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each Bond and a manually signed original will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present Federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

Purpose of Issue

The Bonds are being issued for the purpose of constructing certain internal improvements in the City of Augusta, Kansas.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on said Bonds. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

Assessed Valuation

Assessed valuation figures for the City of Augusta, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$13,949,969
Tangible Valuation of Motor Vehicles	\$ 3,802,506
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 87,045
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .	\$17,839,520

Bonded Indebtedness

The total bonded indebtedness of the City of Augusta, Kansas, at the date hereof, including this \$438,000.00 proposed issue of Bonds, is in the amount of \$2,582,000.00. The City also has Temporary Improvement Notes outstanding in the amount of \$1,508,395; \$397,395 of which will be retired from the

proceeds of the Bonds, special assessments which have been collected in cash, and other available funds.

Official Statement

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from First Securities Company of Kansas, Incorporated, Suite 200, One Main Place, Wichita, Kansas 67202 (316-262-4411), the City's financial consultants.

DATED OCTOBER 3, 1983.

CITY OF AUGUSTA, KANSAS
By ELSIE E. GEORGE, City Clerk

Doc. No. 001550

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, "Rules of Practice and Procedure Before the Commission."

**Application set for November 15, 1983—
TOPEKA, KANSAS**

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

- George R. Winchell, Inc.) Docket No. 32,384 M
- P.O. Drawer 639) Route No. 3019
- Sublette, KS 67877) Docket No. 58,991 M
- TO:) Route No. 5521
- Jack B. & Carol Holloway,) Docket No. 64,807 M
- dba) Route No. 5803
- J. B. Holloway & Sons
- Box 795
- Sublette, KS 67877

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

MEMORANDUM OF AUTHORITY TO BE TRANSFERRED (CONSOLIDATION OF ROUTES 5803, 5521 & 3019)

Livestock,

Between all points & places in Stanton, Grant, Haskell, Morton, Stevens & Seward Counties; that portion

(continued)

of Hamilton County east of US Hwy 270 & south of US Hwy 50; that portion of Kearny County south of US Hwy 50; & that portion of Meade County west of KS Hwy 23.

Also,

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

Unprocessed feeds and grains,

Between all points & places in Morton County; that portion of Stanton County south of US Hwy 160 & that portion of Stevens County west of KS Hwy 25 & south of KS Hwy 51, when moving from farm to farm, farm to town & town to farm.

Also,

Between all points & places in Morton county; that portion of Stanton County south of US Hwy 160 & that portion of Stevens County west of KS Hwy 25 & south of KS Hwy 51, on the one hand, & the markets at Dodge City, Hutchinson, Wichita, Topeka, & Kansas City, KS, on the other.

Farm machinery, new and used, knocked down and set up, in loads of not less than 2,000 pounds,

Between all points & places in Morton County; that portion of Stanton County south of US Hwy 160 & that portion of Stevens County west of KS Hwy 25 & south of KS Hwy 51.

Also,

Between all points & places within the above described territory on the one hand, & Wichita, Hutchinson & Dodge City, KS, on the other.

Emigrant farm movables,

Between all points & places in Morton County; that portion of Stanton County south of US Hwy 160 & that portion of Stevens County west of KS Hwy 25 & south of KS Hwy 51.

Also,

Between all points & places within the above described territory on the one hand, & all points & places within the state of KS EXCEPT that portion of Brown County north of US Hwy 36 & east of US Hwy 73/159; that portion of Atchison county east of US Hwy 73/159; that portion of Leavenworth County north of KS Hwy 16 & US Hwy 24/40; all of Wyandotte County; that portion of Johnson County east of US Hwy 169; & that portion of Miami County east of US Hwy 169, when moving from farm to farm, farm to town or town to farm.

**Application set for December 1, 1983—
TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Lawrence Freight Line,) Docket No. 13,175 M
Inc.)
1321 N. 3rd St.)
Lawrence, KS 66044) Route No. 494

Applicant's Attorney: D. S. Hults, P.O. Box 225, Lawrence National Bank Bldg., Lawrence, KS 66044

To transport general commodities, over irregular routes, except those of unusual value and except dangerous explosives, livestock, household goods, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other landing; commodities in bulk,

Between all points & places in KS.

**Applications set for December 6, 1983—
TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Mid Continent L.P.) Docket No. 26,505 M
Service, Inc.)
3711 N. Main)
P.O. Box 369)
Great Bend, KS 67530) Route No. 1987

Applicant's Attorney: Brad Murphree, 814 Century Plaza Bldg., Wichita, KS 67202

To transport petroleum and related products and liquid fertilizer,

Between all points & places in the state of KS.

RENOTICED Application for Extension of Certificate of Convenience and Necessity:

McCorkle Truck Lines,) Docket No. 110,377 M
Inc.)
1547 S.E. 25th)
Oklahoma City, OK 73109) Route No. 12603

Applicant's Attorney: D. S. Hults, P.O. Box 225, Lawrence National Bank Bldg., Lawrence, KS 66044

Coal,

Between all points & places in Bourbon, Linn & Crawford Counties, KS, on the one hand, & all points & places in Wyandotte, Allen, Linn, Cherokee, Montgomery & Bourbon Counties, KS, on the other hand.

Application for Certificate of Convenience and Necessity:

Donal Transportation Co.,) Docket No. 139,365 M
Inc.)
1530 Erie)
N. Kansas City, MO 64116)

Applicant's Attorney: Donald Quinn II, Commerce Bank Bldg., 8901 State Line, Suite 232, Kansas City, MO 64114

To transport general commodities (except household goods and commodities in bulk),

Between all points & places in KS.

(continued)

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

Max A. Koerner, dba) Docket No. 132,312 M
A-1 Mobile Home Service)
2945 S. Richmond)
Wichita, KS 67217) Route No. 19801

Applicant's Attorney: Larry Gregg, 641 Harrison St.,
P.O. Box 1979, Topeka, KS 66604

*To transport manufactured housing units (mobile
homes, house trailers, pre-fab homes),*

Between all points & places in the state of KS.

**Applications set for December 8, 1983—
TOPEKA, KANSAS**

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

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

Applicant's Attorney: Chuck Briscoe, 1206 W. 10th,
Topeka, KS 66604

To transport persons and their baggage,
Between all points & places in the state of KS.

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

Pat Murray) Docket No. 29,258 M
912 Washington)
LaCrosse, KS 67548) Route No. 2458

TO:
Miller Trucking, Ltd.
32 S. Main
LaCrosse, KS 67548

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

*Livestock; processed and unprocessed feeds, seeds,
grain and hay,*

Between points & places within Rush County; that
portion of Ness County east of US Hwy 283; that
portion of Trego County east of US Hwy 283 & south
of US Hwy 40; that portion of Ellis County south of US
Hwy 40; & that portion of Pawnee County west of US
Hwy 183 & north of US Hwy 156.

Also,

Between points & places within the above de-
scribed territory on the one hand, & points & places in
the state of KS on the other hand.

Building materials,

Between any town within Rush County; that portion
of Ness County east of US Hwy 283; that portion of
Trego County east of US Hwy 283 & south of US Hwy
40; that portion of Ellis County south of US Hwy 40; &
that portion of Pawnee County west of US Hwy 183 &
north of US Hwy 156, on the one hand, & any rural
location within said territory, on the other.

Also,

Between Salina, Wichita, Topeka or Kansas City,
KS, on the one hand, & rural locations within Rush
County; that portion of Ness County east of US Hwy
283; that portion of Trego County east of US Hwy 283
& south of US Hwy 40; that portion of Ellis County
south of US Hwy 40; & that portion of Pawnee County
west of US Hwy 183 & north of US Hwy 156, on the
other.

New and used farm machinery, set up,

Between any towns within Rush County; that por-
tion of Ness County east of US Hwy 283; that portion
of Trego County east of US Hwy 283 & south of US
Hwy 40; that portion of Ellis County south of US Hwy
40; & that portion of Pawnee County west of US Hwy
183 & north of US Hwy 156, on the one hand, & any
rural locations within said territory, on the other.

Also,

Between Salina, Wichita, Topeka or Kansas City,
KS, on the one hand, & rural locations within Rush
County; that portion of Ness County east of US Hwy
283; that portion of Trego County east of US Hwy 283
& south of US Hwy 40; that portion of Ellis County
south of US Hwy 40; & that portion of Pawnee County
west of US Hwy 183 & north of US Hwy 156, on the
other.

Drilling mud,

Between all points within Rush County; that portion
of Ness County east of US Hwy 283; that portion of
Trego County east of US Hwy 283 & south of US Hwy
40; that portion of Ellis County south of US Hwy 40; &
that portion of Pawnee County west of US Hwy 183 &
north of US Hwy 156.

Also,

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

Steel culverts,

Between Kansas City, KS, on the one hand, & rural
locations within Norton, Phillips, Sheridan, Graham,
Rooks, Osborne, Lincoln, Gove, Trego, Ellis, Russell,
Ellsworth, Scott, Lane, Ness, Rush, Barton, Rice,
Pawnee, Hodgeman, Stafford, Edwards, Finney, Ford,
Kiowa & Pratt Counties; that portion of Clark County
north of US Hwy 160/183; that portion of Meade
County north of US Hwy 54 & US Hwy 160; that
portion of Haskell County north of KS Hwy 144 & east
of US Hwy 83; that portion of Kearny County north of
US Hwy 50 & east of KS Hwy 25; that portion of
Wichita County east of KS Hwy 25; that portion of
Logan County east of KS Hwy 25; that portion of
Thomas County east of KS Hwy 25; that portion of
Decatur County south of US Hwy 36; that portion of
Smith Counties west of KS Hwy 8 & south of US Hwy
36; that portion of Mitchell County west of KS Hwy 14
& south of US Hwy 24; that portion of Ottawa County
south of KS Hwy 18 & west of US Hwy 81; that portion
of Saline County west of US Interstate Hwy 135; that
portion of McPherson County west of US Interstate
Hwy 135 & KS Hwy 61; that portion of Reno County
west of US Hwy 61 & KS Hwy 17; that portion of

(continued)

Kingman County west of KS Hwy 17, north of US Hwy 54; west of KS Hwy 14 & north of KS Hwy 42; that portion of Barber County west of US Hwy 281 & north of US Hwy 160; & that portion of Comanche County north of US Hwy 160/183, on the other.

Coal,

Between all points & places within Rush County; that portion of Ness County east of US Hwy 283; that portion of Trego County east of US Hwy 283 & south of US Hwy 40; that portion of Ellis County south of US Hwy 40; & that portion of Pawnee County west of US Hwy 183 & north of US Hwy 156, on the one hand, & rural locations within the above described territory, on the other.

Emigrant farm movables,

Between all points & places within Rush County; that portion of Ness County east of US Hwy 283; that portion of Trego County east of US Hwy 283 & south of US Hwy 40; that portion of Ellis County south of US Hwy 40; & that portion of Pawnee County west of US Hwy 183 & north of US Hwy 156, on the one hand, & points & places within Norton, Phillips, Sheridan, Graham, Rooks, Osborne, Lincoln, Gove, Trego, Ellis, Russell, Ellsworth, Scott, Lane, Ness, Rush, Barton, Rice, Pawnee, Hodgeman, Stafford, Edwards, Finney, Gray, Ford, Kiowa & Pratt Counties; that portion of Clark County north of US Hwy 160/183; that portion of Meade County north of US Hwy 54 & US Hwy 160; that portion of Haskell County north of KS Hwy 144 & east of US Hwy 83; that portion of Kearny County north of US Hwy 50 & east of KS Hwy 25; that portion of Wichita County east of KS Hwy 25; that portion of Logan County east of KS Hwy 25; that portion of Thomas County east of KS Hwy 25; that portion of Decatur County south of US Hwy 36; that portion of Smith County west of KS Hwy 8 & south of US Hwy 36; that portion of Mitchell County west of KS Hwy 14 & south of US Hwy 24; that portion of Ottawa County south of KS Hwy 18 & west of US Hwy 81; that portion of Saline County west of US Interstate Hwy 135; that portion of McPherson County west of US Interstate Hwy 135 & KS Hwy 61; that portion of Reno County west of US Hwy 61 & KS Hwy 17; that portion of Kingman County west of KS Hwy 17, north of US Hwy 54, west of KS Hwy 14 & north of KS Hwy 42; that portion of Barber County west of US Hwy 281 & north of US Hwy 160; & that portion of Comanche County north of US Hwy 160/183, on the other hand, when moving from farm to farm, farm to town or town to farm.

Application for Certificate of Convenience and Necessity:

Earl Pile, dba) Docket No. 139,366 M
 Pile Trucking)
 Rt. 1, W. Hwy 50)
 Garden City, KS 67846)

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

Food or related products,
 Between points & places in KS.

**Applications set for December 13, 1983—
 TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Professional Cargo) Docket No. 124,521 M
 Services, Inc.)
 P.O. Box 9244)
 Wichita, KS 67277) Route No. 16745

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

General commodities, except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment because of size or weight and those injurious or contaminating to other lading,

Between points & places in Sedgwick County on the one hand, & points & places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Trego, Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Reno, Pratt, and Kingman Counties, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

Lanter Company) Docket No. 103,005 M
 3 Caine St.)
 Madison, IL 62060) Route No. 10924

Applicant's Attorney: Don Quinn II, Commerce Bank Bldg., 8901 State Line, Suite 232, Kansas City, MO 64114

To transport general commodities, except household goods and commodities in bulk,

Between all points & places in the state of KS.

Application for Certificate of Convenience and Necessity:

Leroy Helm, dba) Docket No. 139,367 M
 Golden Grain Transport)
 RFD 1, Box 190)
 Hutchinson, KS 67501)

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

Grain, dry feed and dry feed ingredients,

Between points in Rice, Reno, McPherson, & Harvey Counties, KS, on the one hand, & on the other, all points & places in KS.

(continued)

Applications set for December 15, 1983—
TOPEKA, KANSAS

Application for Certificate of Convenience
and Necessity:

D & S Truck Lines, Inc.) Docket No. 139,377 M
P.O. Box 248)
Thayer, KS 66776)

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

Feed and feed ingredients, and feed supplements,

From Wichita in Sedgwick County, KS to points in
KS south of US Interstate Hwy I-70 & east of US
Interstate Hwy 135 & US Hwy 81.

Grain,

From points & places in KS south of US Interstate
Hwy I-70 & east of US Interstate Hwy 135 & US Hwy
81 to points in Sedgwick County, KS.

Application for Contract Carrier Permit:

Floyd Wild, Inc.) Docket No. 139,257 M
R.R. 4, Box 96)
Marshall, MN 56258)

Applicant's Attorney: None

Cabinets and vanity sets,

From Newton, KS, to points in KS. Under contract
with Mid Continent Cabinetry, of Cottonwood, Min-
nesota.

Application for Certificate of Convenience
and Necessity:

Clay Burtin, Jr., dba) Docket No. 139,371 M
Burtin Delivery Service)
3908 College)
Kansas City, MO 64130)

Applicant's Attorney: None

To transport paper and paper products,

From Kansas City, KS to Olathe, Topeka, Lawrence,
Tonganoxie, Leavenworth & Hiawatha, KS.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 001561

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-152

Labor and Industry—Employment Security Law—
Unemployment Compensation; Lock Outs. Repre-
sentative Kenneth W. Green, Seventy-Fifth District,
El Dorado, October 7, 1983.

A lock out is ordinarily a manifestation of a labor
dispute, and where such a dispute exists, an employee
(otherwise qualified) who is refused work by an em-
ployer, through a lock out, is not entitled to unem-
ployment compensation benefits, except as provided
in subsection (d) of K.S.A. 1982 Supp. 44-706 (as
amended). However, an employee is not disqualified
from receiving such benefits where the lock out is a
result of arbitrary actions of an employer, which ac-
tions are unrelated to a recognized labor dispute.
Cited herein: K.S.A. 44-701, 44-702, K.S.A. 1982 Supp.
44-705, 44-706, as amended by L. 1983, chs. 169, 170,
K.S.A. 44-819(m). MWB

OPINION NO. 83-153

Cities and Municipalities—Franchises—Granting of
Franchises.

Cities and Municipalities—Ordinances of Cities—Ap-
plicability of Initiative and Referendum Ordinance to
Municipal Franchise. L. Franklin Taylor, DeSoto
City Attorney, Olathe, October 7, 1983.

K.S.A. 12-824 and 12-2001 *et seq.* provide separate
and distinct alternative procedures which a city may
utilize in granting a franchise to a public utility.

A proposed ordinance which would grant a fran-
chise to sell and distribute electricity within a city,
pursuant to either K.S.A. 12-824 or K.S.A. 12-2001, is
not a proper subject of an initiative petition under the
provisions of K.S.A. 12-3013. Cited herein: K.S.A. 12-
824, 12-2001, 12-3013. TRH

OPINION NO. 83-154

Kansas Constitution—Education—State Board of Ed-
ucation; Authority.

Kansas Constitution—Education—Legislature; Au-
thority. Representative Fred L. Weaver, First Dis-
trict, Baxter Springs, October 7, 1983.

Under Article 6, Section 2(a) of the Kansas Consti-
tution, as interpreted by the Kansas Supreme Court in
State ex rel. v. Board of Education, 212 Kan. 482
(1973) and *NEA-Fort Scott v. U.S.D. No. 234*, 225
Kan. 607 (1979), the State Board of Education is en-
dowed with the authority to exercise general supervi-
sion of public schools and other educational institu-
tions and all the educational interests of the state,
except those functions delegated to the State Board of
Regents. This authority is limited to matters which
will equalize and promote the quality of education for
the students of this state, including such matters as the
accreditation of schools, certification of school per-
sonnel, and establishment of minimum curriculum
and graduation requirements. Within such matters,

(continued)

measures adopted by the State Board have priority over conflicting legislation.

The Kansas Constitution reserves to the legislature the exclusive authority over all other matters relating to education, including the establishment of public schools and other public educational institutions, and the provision for finance of all the educational interests of the state. The State Board of Education has no constitutional authority in regard to these matters. Cited herein: Kan. Const., Art. 6, §§ 1, 2(a) and 6. RJB

OPINION NO. 83-155

Taxation—Kansas Retailers' Sales Tax—Exempt Sales. Laurel D. McClellan, Attorney for Rural Water District No. 11, Wilson County, Fredonia, October 10, 1983.

A rural water district is not a "political subdivision," as said term is defined in K.S.A. 1982 Supp. 79-3602(n), and is not within the exemption from retailers' sales tax prescribed by subsection (b) of K.S.A. 79-3606. Cited herein: K.S.A. 1982 Supp. 79-3602, 79-3603, 79-3606, 82a-615, K.S.A. 82a-616, K.S.A. 1982 Supp. 82a-619. TRH

ROBERT T. STEPHAN
Attorney General

Doc. No. 001534

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