

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 3, No. 16

April 19, 1984

Pages 561-600

IN THIS ISSUE

	<i>Page</i>
<i>Kansas Public Disclosure Commission</i>	
Notice of Meeting	563
<i>Legislative Bills Introduced</i>	563
<i>Board of Examiners in Optometry</i>	
Notice of Examination	563
<i>Attorney General's Opinions</i>	
Opinions No. 84-30 and 84-31	563
<i>Department of Health and Environment</i>	
Notice of Hearing	564
<i>State Board of Education</i>	
Notice of Hearing	564
<i>Department of Revenue</i>	
Requests for Bids for Oil and Gas Leases	565
<i>Department of Transportation</i>	
Notice to Consulting Engineering Firms	565
Notice to Bidders	566
Notice to Contractors	566
<i>Wichita State University</i>	
Notice to Bidders	568
<i>Notice to Bidders for State Purchases</i>	568
<i>Notice of Call for Redemption of Bonds</i>	
City of LaCrosse	570
<i>Notices of Bond Sales</i>	
City of McPherson	570
U.S.D. 407	572
U.S.D. 484	573
<i>Secretary of State</i>	
Notice of Forfeiture	575
<i>Court of Appeals Docket</i>	577

(continued on next page)

Department of Human Resources

Notice of Review of Grant Applications 584

State Corporation Commission

Notice of Motor Carrier Hearings 584

New State Laws Enacted

SB 811: Relating to the recall of elected officials 592
 SB 492: Relating to conflicts of interests 592
 HB 2696: Concerning Social and Rehabilitation Services; placement agreement
 with Secretary of Corrections 594
 HB 2927: Concerning regulation of public utilities 594
 SB 607: Concerning special assessments 596
 SB 403: Concerning dog fighting 596
 SB 562: Relating to water supply and sewage 597
 HB 2920: Concerning crimes and punishments 598
 SB 728: Relating to acceptance of charge credit card tickets for fees, tuition and
 other charges collected by state agencies 598
 HB 2991: Concerning certain claims against the state 599
 HB 2167: Concerning telephone services for emergencies 599

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 1983 Supp. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State; State Capitol; Topeka, Kansas 66612. One-year subscriptions are \$47.50; single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, Kansas.

ISSN No. 0744-2254.

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

© Secretary of State of the State of Kansas 1984. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature, and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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



PHONE: 913/296-2236

State of Kansas

PUBLIC DISCLOSURE COMMISSION

The Kansas Public Disclosure Commission will hold its monthly meeting on Wednesday, April 25, 1984, at 109 W. 9th, Room 504, Topeka, KS, at 10:00 a.m. For a copy of the meeting agenda call (913) 296-4219.

CAROL E. WILLIAMS
Administrative Assistant

Doc. No. 002070

State of Kansas

LEGISLATURE

The following list gives the numbers and titles of bills and resolutions recently introduced in the Legislature.

Copies of bills and resolutions are available free of charge. (Limit: 5 copies of any one item.) Write: Legislative Document Room, State Capitol, Topeka, KS 66612. Or call: (913) 296-7394.

Bills Introduced April 5:

SB 874, by Committee on Ways and Means: An act relating to air quality control; concerning the regulation of air contaminant sources; relating to reporting requirements and fees; amending K.S.A. 65-3002 and 65-3007 and K.S.A. 1983 Supp. 65-3008 and repealing the existing sections.

SB 875, by Committee on Ways and Means: An act relating to city and countywide retailers' sales tax; concerning the situs of cable television services; amending K.S.A. 1983 Supp. 12-191 and repealing the existing section.

SB 876, by Committee on Ways and Means: An act concerning the Kansas retailers' sales tax; relating to exemptions thereto; amending K.S.A. 1983 Supp. 79-3606 and repealing the existing section.

SB 878, by Committee on Ways and Means: An act concerning the state park and resources authority; authorizing and directing the authority to grant an easement in a tract of land located at Crawford state park.

SB 879, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal years ending June 30, 1984, and June 30, 1985, for the department of corrections, state industrial reformatory, Kansas state penitentiary and mental health and retardation services; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, capital improvement projects and acts incidental to the foregoing.

HB 3124, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal years ending June 30, 1984, and June 30, 1985, for the department of corrections, state industrial reformatory, Kansas state penitentiary and mental health and retardation services; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, capital improvement projects and acts incidental to the foregoing.

SCR 1671, by Committee on Ways and Means: A proposition to amend article 7 of the constitution of the state of Kansas by adding a new section thereto relating to a permanent tax levy for state correctional institutions and facilities.

HCR 5099, by Representatives Darrel Webb, Cribbs, Dillon, Fox, Grotewiel, Helgeron, Justice, Peterson, Roper, Schweiker and Wilbert: A concurrent resolution declaring it to be state policy that, if parimutuel wagering or any other type of lottery is made constitutional in the future, the revenues from taxes on such wagering or other lottery should be used to provide relief from rising utility bills, including increases caused by Wolf Creek nuclear power plant.

HCR 5100, by Committee on Ways and Means: A proposition to amend article 7 of the constitution of the state of Kansas by adding a new section thereto relating to a permanent tax levy for state correctional institutions and facilities.

HCR 5101, by Representative Hoagland: A concurrent resolution relating to the 1984 regular session of the Legislature; extending such session beyond ninety calendar days; and providing for adjournment thereof.

SR 1891, by Senator Daniels: A resolution in memory of Edna Buschow.

SR 1892, by Senators Morris, Doyen, Feleciano and Vidricksen: A resolution designating the week of May 27, 1984 through June 3, 1984, as Kansas Tourism Week.

SR 1893, by Senators Karr, Angell, Arasmith, Bogina, Chaney, Doyen, Gaines, Gannon, Gordon, Kerr, Montgomery, Norvell and Warren: A resolution congratulating and commending the thirteen educators to be inducted into the Kansas Teacher's Hall of Fame.

SR 1894, by Senator Talkington: A resolution congratulating and commending Charlie Martin for his 64 years of service as a substitute mail carrier.

SR 1895, by Senator McCray: A resolution commending Martha Hicks and Willa McLean, both of Wichita, on their community service.

HR 6187, by Representative Justice: A resolution declaring certain investments of public moneys in corporations and banks supporting South Africa to be contrary to principles of human rights and social equality and calling on the Pooled Money Investment Board and the Board of Trustees of the Kansas Public Employees Retirement System to disapprove such investments.

HR 6188, by Representative Grotewiel: A resolution commending the Kansas Bar Association and the Kansas Bar Foundation for petitioning the Kansas Supreme Court to allow them to implement a voluntary Interest on Lawyer Trust Account (IOLTA) program.

HR 6189, by Representative R. H. Miller: A resolution congratulating and commending the city of Conway Springs, Kansas, on its centennial anniversary.

State of Kansas

BOARD OF EXAMINERS IN OPTOMETRY

NOTICE OF EXAMINATION

Pursuant to K.S.A. 74-1504, notice is hereby given that the Kansas State Board of Examiners in Optometry will be available for the purpose of examining applicants for certificates of Optometric Registration at the Howard Johnson Motel, 3637 S. Topeka Blvd., Topeka, KS., from June 2-5, 1984.

HAROLD A. FRIEDEN, O.D.
Secretary-Treasurer

Doc. No. 002059

State of Kansas

ATTORNEY GENERAL

OPINION NO. 84-30

Counties and County Officers—Sheriff—Deputies and Undersheriffs; Limitation of Personnel Action. David J. Harding, Trego County Attorney, Wakeney, April 6, 1984.

K.S.A. 1983 Supp. 19-805 provides that any personnel action taken by a sheriff under that section shall be subject to county personnel policies and pay plans established by the board of county commissioners for all county employees except elected officials, collective bargaining agreements, civil service regulations, and the sheriff's budget as approved by the county commissioners. In the absence of personnel policies or agreements affecting personnel, a sheriff retains the power to set salaries of his deputies and assistants, including the undersheriff, within the limits of the approved budget. Cited herein: K.S.A. 19-803; K.S.A. 1983 Supp. 19-805; 79-2925 *et seq.* MFC

OPINION NO. 84-31

Public Health—Barbers—Certificate Restoration; Payment of Fee. Charles L. Lutz, Administrative Officer, State Board of Barber Examiners, Topeka, April 6, 1984.

Any registered barber whose certificate of registration has expired may have the certificate renewed, at any time within three years of the certificate's expiration date, if the registered barber pays the restoration fee prescribed in K.S.A. 1983 Supp. 65-1817. Payment of this fee is a condition precedent to the renewal of any expired certificate of registration. The fact the registered barber is incarcerated at the Kansas State Industrial Reformatory when his certificate of registration expires does not relieve that person from paying the restoration fee, if the certificate of registration for that person is to be renewed. Cited herein: K.S.A. 1983 Supp. 65-1808, 65-1817, 65-1819. RJB

ROBERT T. STEPHAN
Attorney General

Doc. No. 002064

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT****NOTICE OF PUBLIC HEARING**

The Kansas Department of Health and Environment will conduct a public hearing on the Certificate of Need application by Vector, Inc. to build a 90-bed nursing home in Tonganoxie (Leavenworth County). The hearing is scheduled for May 3, 1984, at 1:00 p.m., at the Florence Riffert Senior Club, 6th and Bury St., Tonganoxie. Any interested person is invited to attend to offer testimony or to question the witnesses. For further information, contact the Kansas Department of Health and Environment, (913) 862-9360, ext. 535.

The Kansas Department of Health and Environment will conduct a public hearing on the Certificate of Need application by Vector, Inc. to build a 120-bed adult care home in Olathe (Johnson County). The hearing is scheduled for April 26, 1984, at 9:00 a.m., at the Olathe City Hall, 100 W. Santa Fe, Olathe. Any interested person is invited to offer testimony or to question other witnesses. For further information, contact the Kansas Department of Health and Environment, (913) 862-9360, ext. 535.

BARBARA J. SABOL
Secretary of Health and Environment

Doc. No. 002058

State of Kansas

BOARD OF EDUCATION**NOTICE OF HEARING**

TO ALL TEACHERS, ADMINISTRATORS, BOARDS OF EDUCATION, TRUSTEES AND CONTROL, TEACHER TRAINING INSTITUTIONS, SCHOOL AND COMMUNITY COLLEGE DISTRICTS, AND ALL OTHER PERSONS WHOM IT MAY CONCERN:

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the first floor conference room of the Kansas State Board of Education, Kansas State Education Bldg., 120 E. 10th St., Topeka, KS 66612, May 8, 1984, at 1:30 p.m. The board will consider in substance the changes in the proposed Fiscal Year 1985 one-year supplement to the Kansas Plan for Vocational Education for Fiscal Years 1983-87 and the Kansas Vocational Education Accountability Report for Fiscal Year 1983, both to become effective July 1, 1984, upon approval by the State Board of Education and the Governor.

The 1985 One-Year Supplement to the Five-Year Kansas State Plan for Vocational Education and the 1983 Accountability Report relate particularly to the following:

The yearly supplement to the five-year plan contains updated information and data on projected manpower needs, program emphasis, and funding procedures, and provides the basis for compliance with Public Law 94-482 as it pertains to the use of federal funds for vocational education. The plan is developed

around three goals established for the five-year plan. These goals emphasize the role of vocational education in supporting economic and human resource developments in the state.

The goals and objectives are accompanied by activities and specific staff assignments to carry them out. Other agencies that share responsibilities in carrying out related activities are identified. Staff members responsible for carrying out state plan activities report their progress quarterly to the director of vocational education. The proposed Kansas Vocational Education Accountability Report outlines the activities, accomplishments, and funding allocations and expenditures for Fiscal Year 1983.

Copies of this public hearing notice (along with the state board's public hearing procedures) are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. They are also being mailed to the clerks of local school boards for the attention of school board members. Copies of said proposed supplement to the plan and the accountability report may be obtained by contacting the secretary of the state board of education, Kansas State Education Bldg., 120 E. 10th St., Topeka, KS 66612, prior to May 1, 1984.

On the date of said hearing all interested persons shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said proposed supplement to the plan and accountability report. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the state board of education, at least five (5) days before the hearing, their reactions in favor of or in opposition to said proposed supplement to the plan and accountability report, and any other matters, suggestions or proposals that relate thereto. They may do this by letter form, regular audio cassette tape, or by one-half inch (1/2") VHS video cassette tape. The letter reactions will be read into the record and considered by the state board of education. The video cassette tape or audio cassette tape shall not exceed three (3) minutes in length and shall also be considered by the state board of education. Persons using tapes shall first identify themselves in the tapes and state whether they represent themselves individually or represent a group as other presenters do that appear in person at the hearing; such presentations shall be accompanied by a signed transcript. Said hearing shall be conducted in compliance with the public hearing procedures of the state board of education.

KANSAS STATE BOARD OF EDUCATION

By: Dr. Gordon R. Schultz
Chairman

Certified by: Dr. Harold L. Blackburn
Kansas Commissioner of Education

Doc. No. 002069

State of Kansas**DEPARTMENT OF REVENUE****REQUEST FOR BIDS FOR
OIL AND GAS LEASE**

BY ORDER OF THE DIRECTOR OF TAXATION
OF THE STATE DEPARTMENT OF REVENUE,
FOR THE STATE OF KANSAS.

The Director Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the state of Kansas, described as follows:

That portion of the Arkansas River as it meanders thru Section 35, Twp 34 S., Rg 4 E., and Section 2, Twp 35 S., Rg 4 E., Cowley County, Kansas; containing 50.70 acres, more or less.

The bidding shall be considered upon the amount of bonus annual rental, and the amount of royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100.00 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, 3rd Floor, State Office Bldg., Sand and Oil Lease Section, Topeka, KS 66612.

Lease shall be made on form 88—(Producers) Kansas, Oklahoma, Colorado, 1956 Rev. W. for a term of five years. The successful bidder pays publication costs.

Bids shall be opened at the office of the Director of Taxation at 2:00 p.m., on May 21, 1984.

The Director of Taxation reserves the right to reject any and all bids and to readvertise.

CAROL B. BONEBRAKE
Director of Taxation

Doc. No. 002055

State of Kansas**DEPARTMENT OF REVENUE****REQUEST FOR BIDS FOR
OIL AND GAS LEASE**

BY ORDER OF THE DIRECTOR OF TAXATION
OF THE STATE DEPARTMENT OF REVENUE,
FOR THE STATE OF KANSAS.

The Director Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the state of Kansas, described as follows:

That portion of the Arkansas River as it meanders thru Section 26 & 35, Twp 25 S., Rg 2 W., and Section 2, Twp 26 S., Rg 2 W., Sedgwick County, Kansas; containing 146.80 acres, more or less.

The bidding shall be considered upon the amount of bonus annual rental, and the amount of royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100.00 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, 3rd Floor, State Office Bldg., Sand and Oil Lease Section, Topeka, KS 66612.

Lease shall be made on form 88—(Producers) Kansas, Oklahoma, Colorado, 1956 Rev. W. for a term of five years. The successful bidder pays publication costs.

Bids shall be opened at the office of the Director of Taxation at 2:00 p.m., on May 21, 1984.

The Director of Taxation reserves the right to reject any and all bids and to readvertise.

CAROL B. BONEBRAKE
Director of Taxation

Doc. No. 002056

State of Kansas**DEPARTMENT OF TRANSPORTATION****NOTICE TO CONSULTING
ENGINEERING FIRMS**

The Kansas Department of Transportation is inviting all consulting engineering firms who wish to become prequalified to contact KDOT.

Prequalification is based on the following criteria:

1. Firm principals or employees include qualified and licensed professionals who can be assigned the responsibility of performing the type of projects for which the firm has applied.
2. A staff of sufficient size is available to perform the work required within reasonable timeframes.
3. The firm has met or is willing to meet the statutory requirements to do business in Kansas. (K.S.A. 17-7301 and K.S.A. 60-306)
4. Evidence of work experience of the firm or individuals of the firm which indicates that work of a similar type has been successfully accomplished.
5. Employees include licensed individuals with one or more such individuals licensed with the Kansas State Board of Technical Professions or a willingness to obtain such licensure prior to receiving work. (K.S.A. 74-7001)
6. The firm's willingness to submit to reasonable audits and to maintain accounting systems adequate to isolate and accumulate project costs.

The Kansas Department of Transportation is an equal opportunity employer. It will negotiate contracts with prequalified firms on the basis of the services required and at a just, reasonable fee in accordance with K.S.A. 75-5801.

Prequalification information is available upon request by contacting: Kansas Department of Transportation, State Transportation Engineer, State Office Bldg., Topeka, KS 66612, Attention: Bureau of Management and Budget.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002062

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO BIDDERS

Sealed bids for Contracts for the Highway Mowing and Baling Rights for the Kansas Department of Transportation, located in the Six (6) Districts, will be received until 10:00 a.m., Thursday, May 10, 1984.

Bid blanks may be obtained from H. E. Shubert, Purchasing Agent, 7th Floor, State Office Bldg., Topeka, KS; J. D. Jones, District Engineer, 121 W. 21st St., Topeka, KS; R. L. Anderson, District Engineer, 1006 N. 3rd, Salina, KS; E. L. Olson, District Engineer, 312 S. 2nd, Norton, KS; D. E. Kimbell, District Engineer, 411 W. 14th St., Chanute, KS; M. S. Fry, District Engineer, 500 N. Hendricks, Hutchinson, KS; and E. D. Crockett, District Engineer, East on US-50, Garden City, KS.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002065

(Published in the KANSAS REGISTER, April 19, 1984.)

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., May 17, 1984 and then publicly opened:

DISTRICT ONE—Northeast

Brown—159-7 K-0146-01—0.094 mile grading and bituminous surfacing, beginning approximately at the south city limits of Horton, then south on US-159 (Federal Funds).

Brown—7 C-1568-01—0.161 mile grading and bridge, beginning approximately 2.2 miles south of Reserve, then south on County Highway FAS 1555 (Federal Funds).

Johnson—169-46 K-1360-01—2.877 miles grading, beginning approximately at the Johnson-Miami County Line, then north on new alignment of US-169 (Federal Funds).

Johnson—169-46 K-1310-01—5.392 miles grading and surfacing, beginning approximately 2.82 miles north of the Johnson-Miami County Line, then north on US-169 (Federal Funds).

Johnson—46 U-0859-01—0.246 mile grading and bituminous surfacing at the intersection improvement at Santa Fe Drive and Grant Avenue in the City of Overland Park (Federal Funds).

Leavenworth—92-52 U-0863-01—0.032 mile grading and plant mix (commercial grade) at the intersection improvement at Spruce Street (K-92) and Fifth Street in the City of Leavenworth (Federal Funds).

Lyon—50-56 U-0897-01—grading and surfacing at the intersection improvement at Graphic Arts Road and US-50 in the City of Emporia (Federal Funds).

Osage—75-70 K-0633-01—0.585 mile grading, bituminous surfacing and bridge over Salt Creek, beginning approximately 0.499 mile south of the south city limits of Lyndon, then north on US-75 (Federal Funds).

Pottawatomie—75 C-1679-01—0.189 mile grading and bridge over Vermillion River, beginning approximately 7.0 miles north and 1.0 mile west of Belvue, then west (Federal Funds).

Shawnee—89 C-1269-01—2.308 miles grading, surfacing and two bridges, beginning approximately 4.0 miles east of Auburn, then north on County Highway FAS 616 (Federal Funds).

Shawnee—4-89 K-0829-01—0.284 mile grading, bituminous surfacing and bridge over Mission Creek, beginning approximately 2.0 miles south and 3.0 miles west of the Interchange of K-4 and I-70, then south on K-4 (Federal Funds).

Wyandotte—435-105 K-0988-02—2.410 miles concrete pavement and seeding, beginning approximately 1,000 feet south of the State Avenue and I-435 Interchange, then north on new alignment (Federal Funds).

Wyandotte—435-105 K-0988-03—2.183 miles highway lighting, beginning approximately at the I-435 and State Avenue Interchange, then north on I-435 (Federal Funds).

Wyandotte—670-105 K-1655-03—0.266 mile grading, surfacing and bridge, beginning approximately at 3rd Street and Central Avenue, then south on the 3rd Street Ramp and Access Road in the City of Kansas City (Federal Funds).

DISTRICT TWO—Northcentral

Cloud—15 C-0689-01—0.320 mile grading and bridge, beginning approximately 0.5 mile south and 0.8 mile east of Miltonvale, then east on County Highway FAS 1404 (Federal Funds).

Cloud-Republic—15 C-1617-01—0.151 mile grading and bridge over Salt Creek, beginning approximately 3.5 miles south and 6.5 miles west of Agenda, then west (Federal Funds).

Jewell—36-45 K-2015-01—0.026 mile repair of bridge on US-36 over Limestone Creek located approximately 5.3 miles west of Mankato (Federal Funds).

Mitchell—62 C-1660-01—5.698 miles bituminous surfacing, beginning approximately at the east edge of Hunter, then east on County Highway FAS 463 (Federal Funds).

Saline—85 C-1778-01—0.265 mile grading and bridge over Solomon River, beginning approximately 3.0 miles west and 0.5 mile north of Solomon, then north (Federal Funds).

DISTRICT THREE—Northwest

Cheyenne—12 C-1502-01—bridge, beginning approximately 1.8 miles south and 2.2 miles west of St. Francis, then southwest on County Highway FAS 877 (Federal Funds).

Ellis—26 C-0975-01—0.359 mile grading and bridge over Big Creek, beginning approximately 3.0 miles south and 4.3 miles east of Victoria, then south (Federal Funds).

(continued)

Graham—18-33 K-2318-01—repair of bridge on K-18 over South Fork Solomon River located approximately 0.4 mile north of Bogue (Federal Funds).

Osborne—71 C-1572-01—0.170 mile grading and bridge, beginning approximately 0.5 mile east and 3.0 miles north of Natoma, then north on County Highway FAS 515 (Federal Funds).

DISTRICT FOUR—Southeast

Bourbon—69-6 U-0886-01—traffic signal installation at the intersection of US-69 and 3rd Street in the City of Fort Scott (Federal Funds).

Bourbon—6 C-1614-01—0.170 mile grading and bridge over Paint Creek, beginning approximately 6.7 miles south and 0.5 mile east of Uniontown, then east (Federal Funds).

Chautauqua—10 C-1068-01—0.208 mile grading and bridge, beginning approximately 0.2 mile north of Peru on County Highway FAS 1564, then north (Federal Funds).

Elk—25 C-1364-01—0.976 mile grading and surfacing, beginning at the intersection of Washington Street and K-99, then west on Washington Street in Howard (Federal Funds).

Franklin—59-30 U-0879-01—0.113 mile grading and surfacing at the intersection improvement at Main Street and 15th Street in the City of Ottawa (Federal Funds).

Miami—169-61 K-0590-01—1.741 miles grading, surfacing and bridge, beginning approximately 1.74 miles south of the Miami-Johnson County Line, then north on new alignment of US-169 (Federal Funds).

Montgomery—75-63 U-0913-01—traffic signal installation improvement at the intersection of US-75 and Myrtle Street in the City of Independence (Federal Funds).

Wilson—103 C-1257-01—0.326 mile grading and two bridges, beginning approximately 6.1 miles west and 0.3 mile north of Buffalo, then west on County Highway FAS 664 (Federal Funds).

DISTRICT FIVE—Southcentral

Barber—4 C-1658-01—0.246 mile grading and bridge over Medicine Lodge River, beginning approximately 3.9 miles west of Medicine Lodge, then north (Federal Funds).

Barber—4 C-1899-01—5.500 miles bituminous surfacing, beginning approximately 5.0 miles north and 2.7 miles east of Medicine Lodge, then east on County Highway FAS 978 (Federal Funds).

Barber—4 C-1713-01—0.170 mile grading and bridge over Sand Creek, beginning approximately 0.5 mile south and 1.0 mile west of Isabel, then west (Federal Funds).

Barber—56-5 U-0887-01—0.157 mile grading and surfacing, beginning approximately at 10th Street and Taft Street, then east on 10th Street (US-56) (Federal Funds).

Comanche—17 C-1630-01—0.857 mile grading and bridge over Cimarron River, beginning approximately 11.1 miles south of Protection, then southwest on County Highway FAS 154 (Federal Funds).

Comanche—17 C-1889-01—3.000 miles bituminous

surfacing, beginning approximately 6.0 miles north of Protection, then west on County Highway FAS 711 (Federal Funds).

Kiowa—54-49 M-1332-01—9.501 miles cold milling, beginning approximately at the east city limits of Greensburg, then east on US-54 to the west city limits of Haviland (State Funds).

Reno—78 U-0895-01—0.137 mile grading and bituminous surfacing intersection improvement at 11th Avenue and Severance Street and 25th Avenue and Main Street in the City of Hutchinson (Federal Funds).

Rush—83 C-1911-01—5.113 miles subgrade modification and double bituminous surface treatment, beginning at the south edge of Alexander, then south on County Highway FAS 524 (Federal Funds).

Sedgwick—81-87 K-0768-01—3.524 miles grading, concrete pavement, seeding and bridge, beginning approximately at the intersection of US-81 and Blossum Avenue at Haysville, then north on US-81 (Federal Funds).

Sedgwick—87 U-0882-01—0.192 mile grading and surfacing, beginning approximately at the intersection of 21st Street and Jardine Drive, then east on 21st Street (Federal Funds).

DISTRICT SIX—Southwest

Finney—50-28 K-0302-02—6.209 miles surfacing and seeding, beginning approximately 6.0 miles east of the Finney-Kearny County Line, then east on new alignment of US-50 (Federal Funds).

Finney—50-28 K-0303-02—4.132 miles surfacing and seeding, beginning approximately at the junction of US-83 Spur and US-156, then north and west on new alignment of US-50 (Federal Funds).

Haskell—41 C-1641-01—5.000 miles bituminous surfacing, beginning approximately 11.0 miles north and 1.0 mile east of Sublette, then east on County Highway FAS 942 (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.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002071

State of Kansas

**WICHITA STATE UNIVERSITY
INTERCOLLEGIATE ATHLETIC
ASSOCIATION****NOTICE TO BIDDERS**

Sealed bids for the sealing of joints in Cessna Stadium will be received by the Director of Athletics, Wichita State University, Wichita, KS. 67208, until 2:00 p.m. CDT, Wednesday, May 2, 1984, and then will be publicly opened.

ARMIN L. BRANDHORST
Director, Physical Plant

Doc. No. 002057

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 Bldg., Topeka, KS, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, APRIL 30, 1984

#25948 (Supplement)

University of Kansas Medical Center, Kansas City and Other State Agencies—PHARMACEUTICALS

#56944-A

University of Kansas, Lawrence—MEMORY

#57351

Kansas State University, Manhattan—TERMINALS

#57353

Department of Administration, Division of Personnel, Topeka—MASTERLESS DUPLICATOR

#57355

Department of Transportation—SKID MOUNTED SPRAYER, Topeka and Chanute

#57356

Department of Transportation, Topeka—ASPHALT PAVER

#57357

Department of Transportation, Salina—POTHOLE PATCHER, COMPACTOR AND DRILL

#57358

Department of Transportation, Chanute—SWEEPER

#57388

Department of Social and Rehabilitation Services, Topeka—MUSLIN, Kansas Industries for the Blind

#57396

Department of Human Resources, Topeka—MOVING SERVICES

#57397

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

#57401

Kansas State Industrial Reformatory, Hutchinson—MISCELLANEOUS MEAT

#57402

Kansas State University, Manhattan—LABOR AND MATERIALS TO INSTALL ALUMINUM ENTRANCE DOORS

TUESDAY, MAY 1, 1984

#A-4869

Kansas State University, Manhattan—FURNISH AND INSTALL REPLACEMENT WINDOW UNITS, Holton Hall

#A-4886

Fort Hays State University, Hays—ELEVATOR MODIFICATIONS FOR HANDICAP ACCESSIBILITY, Memorial Union Building

#25994

University of Kansas Medical Center, Kansas City—SMALL ANIMAL FEED

#25995

University of Kansas Medical Center, Kansas City—DRY ICE

#25998

Department of Administration, Division of Architectural Services, Topeka and Other State Agencies—BLUE PRINTING SERVICES

#57367

Department of Social and Rehabilitation Services, Topeka—POLYETHYLENE FOAM BORDER WADING, Kansas Industries for the Blind, Kansas City

#57370

Kansas State University, Manhattan—DOOR CLOSERS

#57371

Emporia State University, Emporia—PRINTERS

#57372

Department of Transportation—ARROW BOARD, TRAILER MOUNTED, various locations

#57385

University of Kansas Medical Center, Kansas City—E.D.P. EQUIPMENT

#57398

University of Kansas Medical Center, Kansas City—RESEARCH MICROSCOPE ACCESSORIES

#57399

Fort Hays State University, Hays—SPECTROPHOTOMETER

#57415

University of Kansas Medical Center, Kansas City—HEMOSTATIC AGENT

#57416

Winfield State Hospital and Training Center, Winfield and Osawatomie State Hospital, Osawatomie—MISCELLANEOUS FOODS

WEDNESDAY, MAY 2, 1984

#A-4914

University of Kansas Law Enforcement Training Center, Hutchinson—FURNISH AND INSTALL WINDOW REPLACEMENT UNITS—PHASE I, Dorm Facility, Old Naval Training Center

#25992

Statewide—SPICES AND MISCELLANEOUS GROCERIES

#25993

Statewide—FROZEN FOODS

#26000

University of Kansas Medical Center, Kansas City and Kansas State University, Manhattan—BLOOD BANK PRODUCTS AND RELATED SPECIALTIES

#57373

Kansas Highway Patrol, Topeka—UNIFORM GARMENTS

#57376

Kansas State University, Manhattan—PATHOLOGY SUPPLIES

(continued)

#57377
University of Kansas, Lawrence—UV SPECTROPHOTOMETER

#57380
University of Kansas Medical Center, Kansas City—C-ARM IMAGE INTENSIFICATION SYSTEM

#57381
Kansas State Penitentiary, Lansing—BARBED TAPE AND TIE WIRES

#57389
Wichita State University, Wichita—COPIER LEASE—PURCHASE

#57390
University of Kansas Medical Center, Kansas City—AUDITORIUM SEATING

#57403
Wichita State University, Wichita—COMPUTER SYSTEM

#57418
University of Kansas, Lawrence—CONSTRUCT DOUBLE WYTHE BRICK WALLS

#57426
Kansas State University, Manhattan—LABORATORY APPARATUS

#57427
Department of Transportation, Topeka—REFLECTIVE SHEETING

#57428
University of Kansas, Lawrence—BUILDING MATERIALS

#57429
Kansas State University, Manhattan—SOYBEAN, MEAL AND MILO

#57431
University of Kansas Medical Center, Kansas City—FLOOR MACHINES

#57432
Department of Transportation, Chanute—CRACK SEAL MACHINE

#57434
Department of Administration, Division of Accounts and Reports, Topeka—CONSULTATION SERVICES FOR A STATEWIDE INDIRECT COST ALLOCATION PLAN

THURSDAY, MAY 3, 1984

#57375
Department of Administration, Division of Buildings and Grounds Services, Topeka—STEAM COOKER

#57378
University of Kansas, Lawrence—CENTRIFUGE/ROTOR

#57379
University of Kansas, Lawrence—BLOOD OXYGEN MEASURING APPARATUS

#57387
Kansas State University, Manhattan—E.D.P. EQUIPMENT

#57411
University of Kansas Medical Center, Kansas City—HPLC SAMPLE HANDLER

#57414
Winfield State Hospital and Training Center, Winfield—DISH MACHINE COMPOUND

#57419
University of Kansas, Lawrence—COOLING TOWER SUPPORT STRUCTURE, Murphy Hall roof

#57421
Department of Administration, Division of Printing, Topeka—ENVELOPES—BROWN KRAFT—PRINTED

#57433
Department of Transportation, Hutchinson—MATERIAL SPREADERS

#57435
Department of Transportation, Salina—MATERIAL SPREADER

#57436
Department of Transportation, Topeka—PULL-TYPE MOWER

FRIDAY, MAY 4, 1984

#57386
Kansas State University, Manhattan—PERCUSSION EQUIPMENT

#57409
Department of Health and Environment, Topeka—FIELD DISSOLVED OXYGEN METERS

#57410
Department of Health and Environment, Topeka—WATER SAMPLERS

#57412
Kansas Technical Institute, Salina—COMPUTER UPGRADE KIT

#57413
Department of Administration, Division of Printing, Topeka—RECORD BUCKRAM

#57425
Kansas State University, Manhattan—LOCK-IN AMPLIFIER

MONDAY, MAY 14, 1984

#57374
University of Kansas Medical Center, Kansas City—BUSS DUCT AND COMPONENTS

TUESDAY, MAY 15, 1984

#57400
Kansas State University, Manhattan—POWER FACTOR CORRECTION CAPACITORS

WEDNESDAY, MAY 16, 1984

#57422
Kansas State Penitentiary, Lansing—TELECOMMUNICATIONS SUPPLIES

#57430
University of Kansas, Lawrence—FURNISH AND INSTALL RADIO/TELEPHONE CONTROL CONSOLE

FRIDAY, MAY 18, 1984

#57420
Department of Revenue, Topeka—REGISTRATION RENEWAL FORMS AND LABELS

MONDAY, MAY 21, 1984

#57417
Kansas Fish and Game Commission, Pratt—NON-DRILLING OIL AND GAS LEASE, Pratt County

FRIDAY, JUNE 1, 1984

#25997
Adjutant General's Department, Topeka—PROPERTY INSURANCE—NATIONAL GUARD ARMORIES

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 002068

(Published in the KANSAS REGISTER, April 19, 1984.)

**NOTICE OF CALL FOR REDEMPTION
TO THE HOLDERS OF
CITY OF LACROSSE, KANSAS
INDUSTRIAL REVENUE
DEVELOPMENT BONDS
SERIES A 1973**

(RUSH COUNTY LIVESTOCK SALES, TENANT)

Notice is hereby given that pursuant to the provisions of Section 9 of Ordinance 582 of the City of LaCrosse, Kansas, that the above-mentioned Bonds, numbered 28 through 70, inclusive, are called for redemption and payment on September 1, 1984, at the Farmers State Bank, Hays, Kansas 67601.

On such redemption date, there shall be due and payable for each Bond the principal amount together with interest accrued to redemption date. Interest will cease to accrue on the Bonds from and after September 1, 1984.

CITY OF LACROSSE, KANSAS
By: JOAN DREHER
City Clerk

Doc. No. 002060

(Published in the KANSAS REGISTER, April 19, 1984.)

**NOTICE OF BOND SALE
\$595,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF McPHERSON, KANSAS**

The CITY OF McPHERSON, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, McPHERSON, KANSAS, until 8:30 o'clock A.M., C.S.T., on

MONDAY, APRIL 23, 1984

for \$595,000.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series A, 1984 Bonds will be dated as of May 1, 1984, and shall mature on the 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 not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1985, and each June 1 and December 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:

Principal Amount	Maturity Date
\$45,000.00	December 1, 1985
75,000.00	December 1, 1986
75,000.00	December 1, 1987
75,000.00	December 1, 1988
75,000.00	December 1, 1989
50,000.00	December 1, 1990
50,000.00	December 1, 1991
50,000.00	December 1, 1992
50,000.00	December 1, 1993
50,000.00	December 1, 1994

Redemption

Bonds maturing December 1, 1993, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the City on and/or after December 1, 1992, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at a redemption price of 101%, plus accrued interest to the redemption date.

Notice of any call for redemption will be mailed to the registered owners of such bonds to be redeemed at the address shown on the registration books maintained by the Bond Registrar not less than 30 days prior to the date fixed for such redemption and payment. Interest on the Bonds so called for redemption and payment will cease to accrue after the redemption date, provided notice has been given and funds are then available to pay the full redemption price thereof.

Interest Rate

Proposals will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed three and one-half percent (3-1/2%). 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 (April 16, 1984), 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, McPHERSON, KANSAS 67460, ATTENTION: WILLIAM J. GOERING, 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

(continued)

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 McPHERSON, 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 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 MAY 15, 1984. 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 MAY 31, 1984, 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 various park, street and other internal improvements in the City of McPherson, 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 McPherson, Kansas, for the year 1983, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$32,083,008
Tangible Valuation of Motor Vehicles	\$ 3,751,654
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 246,087
Assessed Valuation of Farm Machinery and Equipment (1982)	\$ 243,765
Assessed Valuation of Business Aircraft (1982)	-0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$36,324,514

Bonded Indebtedness

The total bonded indebtedness of the City of McPherson, Kansas, at the date hereof, including this \$595,000.00 proposed issue of Bonds, is in the amount of \$2,617,000.00. The City will retire \$678,000.00 of outstanding Temporary Notes 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 the office of the City Clerk, City Hall, McPherson, Kansas 67460.

DATED April 10, 1984.

CITY OF McPHERSON, KANSAS
By: WILLIAM J. GOERING
City Clerk

Doc. No. 002053

(Published in the KANSAS REGISTER, April 19, 1984.)

NOTICE OF BOND SALE
\$750,000.00
GENERAL OBLIGATION CAPITAL
OUTLAY BONDS
OF
UNIFIED SCHOOL DISTRICT NO. 407
RUSSELL COUNTY
STATE OF KANSAS (RUSSELL)

The BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 407, RUSSELL COUNTY, STATE OF KANSAS (RUSSELL), will receive sealed bids at its office located at 802 MAIN STREET, RUSSELL, KANSAS, until 7:00 o'clock P.M., C.D.T., on TUESDAY, MAY 1, 1984

for \$750,000.00 par value GENERAL OBLIGATION CAPITAL OUTLAY BONDS of the School District, at which time and place said bids will be publicly opened. No oral or auction bids will be considered.

The Series 1984 Bonds will be dated as of MAY 1, 1984, and shall mature on the first day of SEPTEMBER in each of the years and in the amounts set forth below.

The Bonds shall consist of fully registered certificated Bonds; each in the denomination of \$5,000, or integral multiple thereof, not exceeding the principal amount of Bonds maturing in each year.

Interest will be payable semiannually, commencing MARCH 1, 1985, and on each SEPTEMBER 1 and MARCH 1 thereafter (the "Interest Payment Dates"). The principal of 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, as Paying Agent (the "Paying Agent" and the "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 fifteenth (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 School District.

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

<i>Principal Amount</i>	<i>Maturity Date</i>
\$155,000	September 1, 1985
\$185,000	September 1, 1986
\$200,000	September 1, 1987
\$210,000	September 1, 1988

Interest Rate

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding FOUR (4) different interest rates, as may be specified by the bidder. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified

in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by *The Credit Market* (formerly *The Weekly Bond Buyer*) in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus two percent (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 School District, and shall be addressed to: BOARD OF EDUCATION, USD #407, RUSSELL COUNTY, 802 MAIN STREET, RUSSELL, KANSAS 675665, ATTENTION: JULIE STAHL, 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 School District 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, USD #407, RUSSELL COUNTY, 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 School District as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bonds

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 School District 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 School District; 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 School District; 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 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 THURSDAY, MAY 3, 1984. 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

(continued)

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 about May 22, 1984, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the School District. Delivery elsewhere will be made at the expense of the purchaser.

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 the reverse side of each Bond; and a manually signed original opinion 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 School District. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the School District, 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 School District; 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.

Use of Proceeds and Authority for Bonds

The proceeds of the Bonds will be used to pay the costs of making certain improvements and repairs to school buildings in the School District. The Bonds will be issued pursuant to the authority of K.S.A. 72-8801 *et seq.*

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the Bonds. All expenses in relation to printing of such CUSIP numbers on the 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 School District.

Assessed Valuation

Assessed valuation figures for Unified School District No. 407, Russell County, State of Kansas (Russell), for the year 1983, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$86,902,030.00
Taxable Value of Motor Vehicles and Assessed Valuation of Motor Vehicle Dealers' Inventory	6,787,288.00
Assessed Valuation of Farm Machinery and Equipment and Business Aircraft (1982)	<u>2,529,800.00</u>
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations ...	\$96,219,118.00

Bonded Indebtedness

The total general obligation bonded indebtedness of Unified School District No. 407, Russell County, State of Kansas (Russell), at the date hereof, consists only of this \$750,000.00 proposed issue of Bonds.

Official Statement

Additional copies of this Notice of Bond Sale, or copies of the School District's Official Statement relating to the Bonds, or further information, may be

received from UNITED SECURITIES, INC., 444 One Twenty Building, Wichita, Kansas 67202 (Telephone: 316/265-9421), financial advisors to the School District.

DATED April 19, 1984.

BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 407, RUSSELL COUNTY STATE OF KANSAS (RUSSELL)

By: JULIE STAHL, Clerk

Doc. No. 002084

(Published in the KANSAS REGISTER, April 19, 1984.)

**NOTICE OF BOND SALE
\$500,000
GENERAL OBLIGATION BONDS
OF**

**UNIFIED SCHOOL DISTRICT NO. 484
WILSON COUNTY, KANSAS (FREDONIA)**

UNIFIED SCHOOL DISTRICT NO. 484, WILSON COUNTY, KANSAS (FREDONIA) will receive sealed bids at THE OFFICE OF THE BOARD OF EDUCATION, 517 NORTH 7TH, P.O. BOX 539, FREDONIA, KANSAS, until 7:30 o'clock P.M., C.D.T., on

MONDAY, APRIL 30, 1984

for \$500,000 par value GENERAL OBLIGATION BONDS of the District, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series 1984 Bonds will be dated as of May 1, 1984, and shall mature on October 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 not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing April 1, 1985, and each October 1 and April 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 District.

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

Principal Amount	Maturity Date
\$ 75,000	October 1, 1985
100,000	October 1, 1986
100,000	October 1, 1987
100,000	October 1, 1988
125,000	October 1, 1989

(continued)

Interest Rate

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding four (4) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being 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 (April 23, 1984), 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 District, and shall be addressed to THE OFFICE OF THE BOARD OF EDUCATION, at 517 NORTH 7TH, P.O. BOX 539, FREDONIA, KANSAS 66736, ATTENTION: DEBRA L. MARSHALL, BOARD 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 District 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 UNIFIED SCHOOL DISTRICT NO. 484, WILSON COUNTY, KANSAS (FREDONIA). 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 District 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 District 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 District; 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 District; 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 NAMES OF THE INITIAL REG-

ISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN MAY 15, 1984. 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 JUNE 1, 1984, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the District. 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 District. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the District, 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 District; 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 pursuant to a favorable vote of the electors of the District, for the purpose of constructing and equipping a vocational education building, constructing and equipping access for handicapped and making other improvements at the high school, constructing and equipping an addition to and remodeling and equipping the existing industrial arts building, and constructing and equipping a multi-purpose area and making other improvements at Lincoln Elementary School.

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 District.

Assessed Valuation

Assessed valuation figures for Unified School District No. 484, Wilson County, Kansas (Fredonia), for the year 1983, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$25,082,394.00
---	-----------------

(continued)

Tangible Valuation of Motor Vehicles . . .	\$ 2,837,181.68
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 82,500.00
Assessed Valuation of Farm Machinery and Equipment (1982)	\$ 3,168,685.00
Assessed Valuation of Business Aircraft (1982)	\$ 46,175.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$31,216,935.68

Bonded Indebtedness

The total bonded indebtedness of the District, at the date hereof, includes only this proposed issue of Bonds in the amount of \$500,000.

Official Statement

Additional copies of this Notice of Bond Sale, or copies of the District's Official Statement relating to the Bonds, or further information may be received from the Office of the Board of Education, 517 North 7th, P.O. Box 539, Fredonia, Kansas 66736, or First Securities Company of Kansas, Inc., Suite 200, One Main Place, Wichita, Kansas 67202 (316/262-4411), the District's financial consultants.

DATED April 9, 1984.

UNIFIED SCHOOL DISTRICT NO. 484
WILSON COUNTY, KANSAS (FREDONIA)
By: DEBRA L. MARSHALL
Board Clerk

Doc. No. 002066

State of Kansas**SECRETARY OF STATE****NOTICE OF FORFEITURE**

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of the state of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited on March 15, 1984, for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

Cancelled 3/15/84 for failure to file the 8/31/83 annual report:

Domestic for Profit

Adcock Cattle Co., Inc., Hays, KS.
Advanced Medical Systems, Inc., Leavenworth, KS.
A-E of Kansas, Inc., Topeka, KS.
The Alpin Suisse Corporation, Leawood, KS.
American C-B Sales, Inc., Overland Park, KS.
Bluestem Bowl, Inc., Wichita, KS.
The Brunswick Hotel Corporation, Lindsborg, KS.
Calvert Construction Company, Inc., Wichita, KS.
Cannon Computer Service, Inc., Olathe, KS.
Centennial Glass of Leavenworth, Inc., Leavenworth, KS.
Central Gun Shop, Inc., Fort Scott, KS.
Central Kansas Oil, Inc., Moundridge, KS.
Central Plains Management Co., Inc., Lawrence, KS.
Commercial Insulation Service—KC, Inc., Overland Park, KS.
Corporate business Services, Inc., Olathe, KS.
Cover-All Inc., Wichita, KS.

D and R Supply, Inc., Salina, KS.
Developers Unlimited Lawrence Inc., Lawrence, KS.
Donell Roofing Company, Inc., Wichita, KS.
Double T Western Store, Inc., Wichita, KS.
E-A, Inc., Parsons, KS.
E & E, Inc., Bird City, KS.
Equibank Corporation, Fairway, KS.
Four-Way, Inc., Fort Scott, KS.
F.S.F., Inc., Wichita, KS.
Gift Shops, Inc., Paola, KS.
Good Time Charlie's, Inc., Prairie Village, KS.
Hays Self-Store, Inc., Hays, KS.
Imperial Palace West, Inc., Leawood, KS.
J and J Cycle Center, Inc., Kansas City, KS.
J, J, & K, Inc., Lenexa, KS.
Kansas Coal Exchange, Inc., Topeka, KS.
Kansun Inc., Wichita, KS.
Kansys, Inc., Lawrence, KS.
Kellogg Medical Laboratories, Inc., Wichita, KS.
The Koda Corporation, Hays, KS.
Larry Miller, Inc., Chanute, KS.
Larry's House of Eyewear, Inc., Manhattan, KS.
Linesman Lounge, Inc., Wichita, KS.
L-I of Kansas, Inc., Topeka, KS.
L. W. Enterprises, Inc., Caldwell, KS.
Management, Inc., Hays, KS.
Manhattan Foam Co., Inc., Chapman, KS.
Matador, Inc., Hanover, KS.
Medi-Rents, Inc., Wichita, KS.
Mid-Central Leasing, Inc., Kingman, KS.
N & A Corporation, Shawnee, KS.
Noonan, Inc., Wichita, KS.
The Old J & J Club, Inc., Stilwell, KS.
P-D of Kansas, Inc., Topeka, KS.
Peerless Plastics, Inc., Garden City, KS.
Photographic Specialists, Inc., Shawnee, KS.
Prime Beef Feeders, Inc., Ulysses, KS.
Progress Builders, Inc., Wichita, KS.
Progress Leasing, Inc., Wichita, KS.
Ralph' Floyd Associates, Inc., Wichita, KS.
RAM Exploration & Mining Inc., Maize, KS.
R.C.P., Inc., Kansas City, KS.
Republic County Abstracting, Inc., Pratt, KS.
R. J. Printing, Incorporated, Burlingame, KS.
R-O-S, Inc., Conway Springs, KS.
Safety Clamp Mfg., Inc., Chanute, KS.
Sarge's Service and Auto Repair, Inc., Lebo, KS.
Service Products, Inc., Leawood, KS.
Sloan Printing, Inc., Mission, KS.
S & N Fast Foods, Inc., Wichita, KS.
S. Nichols, Inc., Ottawa, KS.
SO-GO Corporation, Overland Park, KS.
Southwest Carbon Paper Mfg. Co., Parsons, KS.
Supreme Feeders, Inc., Liberal, KS.
Suted, Inc., Pittsburg, KS.
Town & Country Service Center, Inc., Prairie Village, KS.
Universal Systems, Inc., Kansas City, KS.
WAA HOO, It's a Gusher Oil Company, Ltd., Wichita, KS.
W-W Dirt Contractors, Inc., Pratt, KS.

(continued)

Foreign for Profit

Accord Management and Distribution Company, Atlanta, GA.
 All-Safe Battery Clamp, Inc., Chanute, KS.
 Applied Power Inc., Brookfield, WI.
 Baker Chemicals, Inc., Houston, TX.
 Barber Painting, Incorporated, Kansas City, MO.
 Calvert Drilling Company, Oklahoma City, OK.
 G W Oil Field Cementers Inc., Nowata, OK.
 Kord Resources, Inc., Kelowna, British Columbia.
 Laidlaw Industries, Inc., Wilmington, DE.
 McCubbin Seed Farm Inc., Green Mountain, IA.
 Peckham Guyton Albers & Viets, Inc., Kansas City, MO.
 Permanent Enterprises of Tulsa, Inc., Perry, OK.
 Pure Plant Food International Limited, Sioux Falls, SD.
 Railroad Liquidators, Inc., Los Angeles, CA.
 Replica Associates, Inc., Philadelphia, PA.
 R & R Engineering, Inc., Lubbock, TX.
 Sand Dollar Energy Corporation, Denver, CO.
 Schwindler Brokerage Company, Food Service Division, Kansas City, MO.
 Shaw-Ross International Importers, Inc., Miami, FL.
 Stand-Buys, Ltd., Southfield, MI.
 Stimco Oil Company, Bartlesville, OK.
 Strange and Coleman, Inc., Granite City, IL.
 Terra Corporation, N.E. Albuquerque, NM.
 Tomlinson Refining, Inc., Wichita, KS.
 Zephyr Resources, Inc., Reno, NV.

Limited Partnership

Downtown Medical Group, Kansas City, KS.
 Royal Testing Company, Hays, KS.

Professional Association

Anderson, Granger, Nagels and Lastelic, Chartered, Overland Park, KS.
 John F. Chimienti, D.D.S., P.A., Overland Park, KS.

Cancelled 3/15/84 for failure to file the annual report due after 12/15/83 extension:

Domestic for Profit

American Keystone Limited, Lawrence, KS.
 Applied Resources, Inc., Shawnee Mission, KS.
 Auto Data Systems, Inc., Overland Park, KS.
 Bateman, Inc., Norton, KS.
 Carem Corporation, Leawood, KS.
 Codell Grain, Inc., Codell, KS.
 Dorin Corp., Topeka, KS.
 E. & D. Oil Field Supply & Equipment, Inc., Hays, KS.
 Gene Chamberlain & Associates, Inc., Wichita, KS.
 Kansas Business Systems, Inc., Wichita, KS.
 Lynwood Homes, Inc., Wichita, KS.
 Park Hill Motel, Inc., Washington, KS.
 Rent-A-Vision Corporation of America, Inc., Topeka, KS.

Foreign for Profit

F. C. D. Oil Corporation, Enid, OK.

Limited Partnership

The Park, Wichita, KS.

Cancelled 3/15/84 for failure to correct and return an annual report:

Domestic for Profit

B. P. and O. Ltd., Topeka, KS.
 The Close Out Store, Inc., Olathe, KS.
 Halpin Sales, Inc., Topeka, KS.
 Southwestern Livestock, Inc., Cimarron, KS.
 Thayer Communications, Inc., Thayer, KS.
 Thayer Companies of Kansas, Inc., Chanute, KS.

Foreign for Profit

Martin & MacFarlane, Inc., Paso Robles, CA.
 P R C Realty Systems, Inc., McLean, VA.
 Simplex Time Recorder Co., Gardner, MA.
 Suburban Propane Gas Corporation, Morristown, NJ.
 Vita-Stat Systems, Inc., St. Petersburg, FL.

Domestic not For Profit

The Baker Arts Foundation, Liberal, KS.
 First Baptist Church of Ottawa, Kansas, Ottawa, KS.

Professional Association

Dr. Arthur H. Fromm, P.A., Wichita, KS.

Cancelled 3/15/84 for failure to submit a certificate of good standing with the annual report:

Foreign for Profit

McNeil & Milliken, Inc., Clayton, MO.
 Meredith Drilling Co., Inc., Denver, CO.
 Ranch Stores, Inc., Harahan, LA.
 Stolz Advertising Company, Clayton, MO.
 Tulsa-Houston, Inc., Owasso, OK.

Cancelled 3/15/84 for failure to designate a new resident agent within 60 days of resignation of previous resident agent:

Domestic for Profit

Tractor 1184, Inc., Fort Scott, KS.
 Tractor 8244, Inc., Fort Scott, KS.
 Tractor 8246, Inc., Fort Scott, KS.
 Tractor 8287, Inc., Fort Scott, KS.
 Tractor 8344, Inc., Fort Scott, KS.
 Tractor 8389, Inc., Fort Scott, KS.
 Tractor 8410, Inc., Fort Scott, KS.
 Tractor 8429, Inc., Fort Scott, KS.
 Tractor 8481, Inc., Fort Scott, KS.
 Tractor 8580, Inc., Fort Scott, KS.
 Tractor 8596, Inc., Fort Scott, KS.
 Tractor 8598, Inc., Fort Scott, KS.
 Tractor 8611, Inc., Fort Scott, KS.

JACK H. BRIER

Secretary of State

By: JOHN R. WINE, JR.

Legal Counsel

Deputy Assistant Secretary of State

Doc. No. 002061

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION

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 ABBOTT, P.J., MEYER, J., and RICHARD W. WAHL, District Judge, Assigned

Monday, April 30, 1984

Case No.	Case Name	Attorney	County
9:00 a.m.			
56,178	Bennie F. Kolb, appellant, v. Rounds & Porter Co. & Continental Cas. Co., Appellees.	James B. Zongker. Stephen J. Jones.	Sedgwick
55,436	State of Kansas, appellee, v. William Earl Tucker, Jr., appellant.	Atty. Gen.; Roger C. Kidd, Asst. D.A.	Sedgwick
55,769	State of Kansas, appellee, v. Thomas A. Roberts, appellant.	Dominic J. DeSandro. Atty. Gen.; John Roberts, Asst. D.A.	Sedgwick
55,620	State of Kansas, appellee, v. Robert L. Sweat, appellant.	David L. Nelson. Atty. Gen.; David Moses, Asst. D.A.	Sedgwick
55,481	H & L Equipment, Inc., appellant, v. ABF Freight Systems, Inc., appellee.	Norman I. Cooley. Paul V. Dugan.	Sedgwick
55,860	State of Kansas, appellee, v. Robert R. Dickson, appellant.	William R. Sampson. Atty. Gen.; James W. Modrall, Co. Atty.	Harvey
1:30 p.m.			
55,771	Hydro-Gro Commercial Hydroponic Management, Inc., appellee, v. J. Carlyle Symns, Donna C. Symns, Central State Bank & W. M. Atkinson Const. Co., appellants.	Raymond F. Berkley. Charles K. Hyter; Kenneth E. Peirce; D. Stewart Oswald.	Reno
55,992	State of Kansas, appellee, v. Wayman George, appellant.	Atty. Gen.; Francis E. Meisenheimer, Co. Atty.	Reno
55,399	Farmland Industries, Inc., appellee, v. David L. Faulkner, d/b/a Faulkner Construction, appellant.	Paul W. Brown. Bill R. Cole.	Reno
55,891	Inez Marcus (now Lovener), appellee, v. Neil Marcus, appellant.	Michael O'Neal. Jeff Griffith. Stephen E. Robison.	Reno Sedgwick

(continued)

Tuesday, May 1, 1984

9:00 a.m.

56,079	State of Kansas, appellee, v. Carl S. Hollins, Appellant.	Atty. Gen.; Gregory L. Waller, Asst. D.A.	Sedgwick
55,465	State of Kansas, appellee, v. Richard L. Kelly, a/k/a Richard L. Kelley, appellant.	Richard Sanborn. Atty. Gen.; Gregory L. Waller, Asst. D.A.	Sedgwick
55,981	State of Kansas, appellee, v. Kirby E. Coleman, Appellant.	N. Trip Shawver. Atty. Gen.; James D. Hall, Asst. D.A.	Sedgwick
56,126	C. Rita Arie, Claimant/appellant, v. The Boeing Co., Respondent, & Aetna Casualty & Surety, Ins. Carrier, appellees.	Brent I. Anderson. James P. Johnston. Frederick L. Haag.	Sedgwick
55,609	Ronald Fergeson II (son), Elizabeth Fergeson (wife), (Ronald Fergeson, Dec'd, Claimant), v. Kansas Brick & Tile, Respondent, & Federated Mut. Ins. Co. Ins. Carrier, appellees.	Stephen E. Robison; Gary Winfrey. Frederick L. Haag.	Sedgwick
55,484	Ealon S. Hocutt, Adm. Estate Thomas—Robert Thomas, Intervening, appellants, v. Defenders Townhouse, Inc. and Otis Elevator Co., appellees.	John C. Frank. Eldon Boisseau; Fleeson, Gooing, Coulson & Kitch.	Sedgwick

1:30 p.m.

56,174	State of Kansas, appellant, v. Rodney E. Green, appellee.	Atty. Gen.; R. Scott McQuin, Co. Atty.	Barber
55,851	State of Kansas, appellee, v. Julius D. Richardson, appellant.	Alan C. Goering. Atty. Gen.; William P. Ronan, Co. Atty.	Butler
55,358	Glenn H. Knowles & Jo Knowles, appellants, v. Burks Waterproofing, Inc., appellee.	Olin Stansbury. F. Greg Mathias.	Butler
55,967	State of Kansas, appellee, v. Jack R. Dull, Jr., appellant.	Wallace F. Davis. Atty. Gen.; James R. Spring, Deputy Co. Atty. Orvel Mason.	Cowley

(continued)

Wednesday, May 2, 1984

9:00 a.m.

55,318	Farmco, Inc., a Kansas Corporation, v. Explosive Specialists, Inc., John M. Coon & Anderson Excavating & Wrecking Co., appellees, v. California Union Ins. Co., a corporation & Canadian Universal Ins. Co., Lt'd, a corporation, appellants.	Calvin McMillan.	Wichita
55,615	Paul E. Monson, appellee, v. J. N. Davis, ABC Const. Co., Inc. & Crest Homes, Inc., appellants.	J. Eugene Balloun; H. W. Fanning; William Tinker. C. Dean Homolka II.	Sedgwick
55,642	Peggy J. Tanner, appellee, v. Robert H. Tanner, appellant.	Nicholas S. Daily. Thomas A. Wood.	Sedgwick
56,093	In the Matter of the Appeal of R & R Janitor Service from a Decision of the Director of Taxation.	John L. Hampton for appellant. Karl V. Cozad for appellee Cleo Murphy	Board of Tax Appeals

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 2ND FLOOR, KANSAS JUDICIAL CENTER
301 WEST TENTH, TOPEKA, KANSAS

Before FOTH, C.J., PARKS and BRISCOE, JJ.

Monday, April 30, 1984

9:00 a.m.

55,835 S.C.	Jackie Lee Grant, a/k/a J. L. Grant, appellee, v. Shirley M. Grant, appellant.	Hal E. DesJardins.	Shawnee
55,840	Sara J. Luttjohann, appellant, v. Topeka State Bank & Trust Co., v. Charles R. Tantillo, appellees.	John E. Bohannon. Eugene B. Ralston. Bruce Roby; L. M. Cornish; Myron L. Listrom.	Shawnee
55,788	Vernon O. Wallis, Kirby Vacuum Cleaner Co., Dodge City, Ks., appellee, v. Secretary of Kansas Department of Human Resources, State of Kansas, appellant.	Eldon Ford. H. Dean Cotton.	Ford
55,664	UIC of Delaware Corporation, a Corporation, appellant, v. Wagner Const. Co., Inc., a corporaton, & Ken Payne & Associates, Inc., appellees.	James L. Grimes, Jr. Orlin L. Wagner; Ken Payne.	Shawnee
55,585	J. M. Ford, II, <i>et al.</i> , plaintiffs/appellants, v. Russell W. Willits, <i>et al.</i> , Defendants & Russell W. Willits, Third Party Plaintiff, v. Board of Co. Commissioners, Jefferson Co., Ks. <i>et al.</i> , Third-Party Defendants, appellees.	Larry R. Mears. Peter K. Curran; Milton P. Allen, Jr.; Deanne Watts Hay; M. Dean Burkhead; Glenn D. Cogswell.	Jefferson

(continued)

1:30 p.m.

55,783 56,306 (Con.)	State of Kansas, appellee,	Atty. Gen.; Samuel L. Schuetz.	Brown
	v.		
	Emery Campbell, appellant.	John A. McKinnon.	
55,564	Rebecca Kay Sherrill, appellee,	Michael G. Patton; W. Irving Shaw.	Lyon
	v.		
	Douglas Eugene Sherrill, appellant.	Ronald Roerig, Guardian <i>ad litem</i> .	
55,708	State of Kansas, appellee,	Atty. Gen.; Philip E. Winter.	Lyon
	v.		
	Robert Clinton Smith, appellant.	Ted Hollembeak.	
55,692	State of Kansas, appellee,	Atty. Gen.; Rodney H. Symmonds, Co. Atty.	Lyon
	v.		
	Gerry S. Johnson, appellant.	W. Irving Shaw.	

Tuesday, May 1, 1984

9:00 a.m.

55,760 S.C.	State of Kansas, appellee,	Atty. Gen.; Harry E. Warren, Asst. D.A.	Douglas
	v.		
	Thomas Shelby Pew, appellant.	Martha J. Coffman-Gallagher.	
55,766	Susan L. Yuille & Bernard G. Flaherty, appellees,	Arnold Berman.	Shawnee
	v.		
	Pester Marketing Co., appellant.	Curt T. Schneider.	
55,751	John R. Grieve, d/b/a Grieve Construction Co., appellee,	Wayne Probasco.	Shawnee
	v.		
	B-K of Kansas, Inc., appellant.	Leon B. Graves.	
55,913	American Family Mut. Ins. Co., appellant,	James G. Keller.	Shawnee
	v.		
	Walter L. Griffin, appellee.	Fred Phelps, Jr.	
56,049	Mayre M. Hoffman, appellee,	David A. Hanson.	Shawnee
	v.		
	Karl M. Hoffman, appellant.	Karl M. Hoffman, <i>pro se</i> .	

1:30 p.m.

55,932	State of Kansas, appellee,	Atty. Gen.; William C. O'Keefe, Co. Atty.	Nemaha
	v.		
	Max W. Stallbaumer, appellant.	Richard J. Messieon.	
55,652	State of Kansas, appellee,	Atty. Gen.; William C. O'Keefe, Co. Atty.	Nemaha
	v.		
	William Shockey, appellant,	Charles S. Scott, Jr.	
56,056	State of Kansas, appellee,	Atty. Gen.; Keith Hoffman, Co. Atty.	Dickinson
	v.		
	Jon Timothy McMillan, appellant.	Ralph J. DeZago.	
56,130	In the Interest of Michelle & Mary Ann Turner, Children Under 18 Years of Age.	Michael P. McKone. Lloyd R. Graham, Asst. Co. Atty; Craig Altenhofen.	Geary

(continued)

Wednesday, May 2, 1984

9:00 a.m.

55,973 S.C.	State of Kansas, appellee, v. Steven G. Jager, appellant.	Atty. Gen.; Frank Caro, Asst. D.A.	Shawnee
55,720	State of Kansas, appellee, v. Lenny K. Beck, appellant.	John C. Humpage. Atty. Gen.; Gene Olander, D.A.	Shawnee
55,965	State of Kansas, appellee, v. Ronald D. Buchanan, appellant.	Simon Gonzalez, Legal Intern; David Melusky, Legal Intern; Joel Meinecke, Supervising Atty. Atty. Gen.; Arthur Weiss, Asst. D.A.	Shawnee
55,781	In the Matter of the Estate of Sylvia Pearl Whitehead, Deceased.	William K. Rork. Charles Rooney, Jr.	Shawnee
55,885	D. C. Parker, <i>et al.</i> , appellee, v. B. L. Pringle, appellant.	Ernest Vincent Pease, Jr. William Hergenreter. B. L. Pringle, <i>pro se.</i>	Shawnee
1:30 p.m.			
55,547	In the Matter of the Estate of Eva E. Dale, Deceased.	Marian M. Burns, for appellant. Elvin E. Perkins; Richard O. Skoog.	Franklin
55,656	State of Kansas, appellee, v. Johnny Ray Browning, appellant.	Atty. Gen.; Co. Atty. John D. Conderman; Gregory Kieffer.	Riley
55,500	State of Kansas, appellee, v. John W. Wright, appellant.	Atty. Gen.; Robert M. Socolofsky, Co. Atty.	Riley
56,070	State of Kansas, appellee, v. Larry E. Davis, appellant.	John C. Fay. Atty. Gen.; C. William Ossman, Asst. D.A. Donald R. Hoffman.	Shawnee

KANSAS COURT OF APPEALS

WYANDOTTE COUNTY COURTHOUSE, DIV. #5 COURTROOM
KANSAS CITY, KANSASBefore SWINEHART, P.J., REES, J., and HARRY G. MILLER,
District Judge, Retired, Assigned

Monday, April 30, 1984

9:00 a.m.

55,936	Edward J. Nasternak, appellant, v. Simmons U.S.A., appellee.	William W. Hutton. Lynn Hursh.	Wyandotte
56,076	State of Kansas, appellant, v. Remzi Y. Orhan, appellee.	Atty. Gen.; Paul J. Morrison, Asst. D.A. James Lindquist; Stephen Bolton.	Johnson

(continued)

55,793	State of Kansas, appellee, v. Deborah Marsh, appellant.	Atty. Gen.; Paul J. Morrison, Asst. D.A.	Johnson
55,723	In the Matter of the Estate of Beulah Henderson Wadley.	Douglas J. Walker, Jr. John C. Amorosa.	Johnson
55,675	William Gary Hildebrant, appellee, v. George B. Hildebrandt, Jr., appellant.	Stuart D. Mitchelsen; Michael H. Farley. Lynn E. Ebel. Robert D. Beall.	Leavenworth
<i>1:30 p.m.</i>			
55,799 S.C.	Porter Oil & Gas Co., Inc., appellee, v. Donald J. Fos, appellant.	John C. Tillotson. James P. Lugar.	Leavenworth
55,732	State of Kansas, appellee, v. Robert H. Giles, appellant.	Atty. Gen.; Robert E. Davis, Co. Atty. Michael E. Kelly.	Leavenworth
55,536	State of Kansas, appellee, v. David Michael Payne, appellant.	Atty. Gen.; David King, Asst. Co. Atty. Ruben Jorge Kristal.	Leavenworth
55,537	State of Kansas, appellee, v. David Michael Payne, appellant.	Atty. Gen.; David King, Asst. Co. Atty. Ruben Jorge Kristal.	Leavenworth
<i>Tuesday, May 1, 1984</i>			
<i>9:00 a.m.</i>			
56,134	State of Kansas, appellee, v. Cedric Quinton Tripp, appellant.	Atty. Gen.; Jerome A. Gorman, Asst. D.A. William L. Roberts.	Wyandotte
56,066	State of Kansas, appellee, v. Paul E. Sharp, appellant.	Atty. Gen.; Jerome Gorman, Asst. D.A. Rosie M. Quinn.	Wyandotte
56,055	State of Kansas, appellee, v. Waymon Leon Young, appellant.	Atty. Gen.; Richard Guinn, Asst. D.A. Thomas F. McGraw III.	Johnson
56,137	Fred Allen Cox, appellant, v. State of Kansas, appellee.	Howard Washburn. Atty. Gen.; Nick Tomasic, D.A.	Wyandotte
56,171	State of Kansas, appellee, v. Toni M. Teagues, appellant.	Atty. Gen.; Mary Ann Slattery, Asst. D.A. Kevin E. Koch.	Wyandotte
<i>1:30 p.m.</i>			
56,025 S.C.	Citicorp Person to Person, appellee, v. Gary Andrew Rickman, <i>et al.</i> , appellant.	Douglas E. Wood. Gary Andrew Rickman; R. Michael Latimer.	Miami

(continued)

- | | | | |
|--|---|--|-----------|
| 55,927 | Teresa Vance, appellant,
v.
Kansas Color Press & United States
Fidelity & Guaranty Co., appellees. | John K. Bork.
Dennis L. Horner;
James R. Shetlar. | Douglas |
| 55,752 | Michael E. Whitsitt, appellee,
v.
The L. C. Trust, James L. Larsen,
Trustee, appellant. | Michael E. Whitsitt.
L. Stephen Garlow. | Johnson |
| 55,631 | Mark A. Hogan, appellee,
v.
Tandy Corporation, appellant. | Gary Sloan. | Johnson |
| 55,238 | Alfred R. Endsley, appellee,
v.
C & H Transportation Co., appellant, &
Vigilant Ins. Co., appellants & Kansas
Workers' Comp. Fund, appellees. | Marc A. Elster.
George E. Mallon.
Daniel P. Hanson;
J. Paul Maurin III. | Wyandotte |
| <i>Wednesday, May 2, 1984</i>
9:00 a.m. | | | |
| 55,707 | Cheryl J. Asbury, appellant,
v.
Leonard Mauk & Jane Mauk, appellees. | Mark T. Jeffers.
G. William Hankins. | Johnson |
| 55,916 | M. Duane Drew & Diana L. (Miller)
Drew, appellants,
v.
Powell Dairy Farm, Inc., & Nolan
Associates, Inc., appellees. | Frank D. Covell. | Johnson |
| 55,880 | In the Matter of the Marriage of Sheila A.
Mendenhall, appellant,
v.
Monte D. Mendenhall, appellee. | Nathan C. Harbur;
Rodney V. Hipp.
Gary Robert Mathews. | Wyandotte |
| 54,332 | Capitol Federal Savings & Loan
Association, Inc., appellee,
v.
Robert S. Reno & Mary Reno, appellants,
& Minnesota Mut. Life Ins. Co. | Kristen G. Stroehmann.
John Anderson III. | Wyandotte |
| 56,159 | State of Kansas, appellee,
v.
Travis Canady, appellant.
State of Kansas, appellee,
v.
Chris Bausby, appellant. | Lawrence Long, Jr.;
Robert D. Benham.
Atty. Gen.;
Wesley K. Griffin.

Karen L. Shelor for appellants. | Wyandotte |

LEWIS C. CARTER
Clerk of the District Courts

State of Kansas
DEPARTMENT OF HUMAN RESOURCES

NOTICE OF REVIEW
OF GRANT APPLICATIONS

The following applications for federal monies are in the process of review. More information can be obtained from the contact person, listed. Comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Kansas Department of Human Resources, Office of the Secretary, 401 Topeka Ave., Topeka, KS 66603.

DHR040684-001-14221CR—Application for approval of plans to expand Helio Aircraft, Ltd. by coordinating Funds: \$1,700,000 from industry; \$550,000 UDAG grant; \$600,000 for public works and development facilities from EDA; \$500,000 CDBG from KDED; and \$60,000 CDBG from HUD. Retaining 137 jobs; creating 500 new jobs and 40 construction jobs. Contact Mark Turnbull, Community Development and Housing Administrator; 201 W. 4th, Pittsburg, KS 66762, (316) 232-1210. Comments due by May 22, 1984.

DHR840329-001-13600WY—Application to continue operation of five full day centers (Day Care) and seven part day centers (Head Start) to serve 568 children in Kansas City, Kansas and Bonner Springs. Asking for \$1,229,442 to be matched by the applicant with \$307,361. Contact Connie Hadley, Economic Opportunity Foundation, Inc., 1014 Armstrong, Kansas City, KS 66102, (913) 371-7800. Comments due by April 29, 1984.

The following applications for federal monies under federal assistance programs have been reviewed and returned to the applicant for submission to the federal agencies involved:

KS840409-001-11302FI—Economic Development Support for Greater Southwest Kansas Certified Development Co.—\$48,000. Gerald Cooper, Executive Secretary, 1111 Kansas Plaza, Garden City, KS 67846, (316) 275-9176.

KS840410-001-13645KS—Application for \$15,000 funding for program titled "Placement of Special Needs Children Through the Application of Individualized Recruitment Techniques" by Youth Services, Kansas Department of Social and Rehabilitation Services, 2700 W. 6th, Topeka, KS 66606, Attention: Barbara Stodgell, (913) 296-4661.

KS840329-002-13600SG—Application to continue operation of Head Start programs serving 572 children in Wichita/Sedgwick County. Asking for \$1,024,159 to be matched with \$393,374 by the applicant. Rex Stonger, Child Care Association of Wichita/Sedgwick County, 115 Hydraulic, Wichita, KS 67211, (316) 265-0871.

The following federal grant has been awarded:

FAI-133KH40005—Cerebral Palsy Research Foundation of Kansas, John H. Leslie, Jr., Rehabilitation Engineering Center, 2021 N. Old Manor, Wichita, KS 67208, (316) 688-1888; awarded \$725,000.

JERRY SHELOR
Secretary of Human Resources

Doc. No. 002063

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 Bldg., 4th Floor, Topeka, KS, 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, KS 66612, or telephone (913) 296-3808 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."

Applications set for May 10, 1984—
TOPEKA, KANSAS

Application for Abandonment of Certificate of Convenience and Necessity:

Rock Island Motor) Docket No. 17,047 M
Motor Transit Co.)
P.O. Box 1355)
Des Moines, IA 50305) Route No. 790

Applicant's Attorney: Donald F. Neiman, 1119 High St., Des Moines, IA 50308

Liquefied petroleum gases, having a vapor pressure of not less than 40 pounds per square inch nor more than 200 pounds per square inch at a temperature of 100 degrees fahrenheit, in tank truck loads,

Between points & places in KS, in that territory bounded on the north by the KS-NE state line, & on the west by the KS-CO state line & on the east by State Hwy 14 from the KS-NE state line south to the OK state line, including points & places located on said Hwy.

Petroleum products, in bulk,

Between all points & places in the state of KS.

Salt,

Between all points & places in KS.

Refined soybean oil,

Between Wichita, KS, on the one hand, & points & places in KS on the other, over irregular routes.

Application for Abandonment of Certificate of Convenience and Necessity:

Rock Island Motor) Docket No. 17,047 M
Transit Co.)
P.O. Box 1355)
Des Moines, IA 50305) Route No. 790

Applicant's Attorney: Donald F. Neiman, 1119 High St., Des Moines, IA 50308

(continued)

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

Tee-Pee Mobile Home) Docket No. 141,057 M
Sales & Service, Inc.)
10th & Adams Sts.)
Great Bend, KS 67530)

Applicant's Attorney: Robert Bates, 2018 Forest Ave.,
P.O. Box 2026, Great Bend, KS 67530

*Manufactured housing units (mobile homes, house
trailers, pre-fab homes) & equipment,*

Between all points & places in Barton City, KS, on
the one hand, & on the other, all points & places in the
state of KS.

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

Henry Sutton, dba) Docket No. 139,630 M
Henry's Mobile Home)
Service)
R.R. 1, Box 12)
St. George, KS 66535) Route No. 22845

Applicant's Attorney: None

*Manufactured housing units (mobile homes, house
trailers, pre-fab homes) & equipment,*

Between all points & places on or east of US Hwy
281 in KS.

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

Scott J. Anderson, dba) Docket No. 141,230 M
Anderson Body Shop)
R. R. 1)
Clay Center, KS 67432)

Applicant's Attorney: None

*Wrecked, disabled, repossessed & replacement
trailers & vehicles,*

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

**Applications set for May 15, 1984—
TOPEKA, KANSAS**

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

Wichita Air Cargo) Docket No. 141,243 M
Delivery, Inc.)
2211 Air Cargo Rd.)
Wichita, KS 67209)

Applicant's Attorney: David All, 120 E. 5th, P.O. Box
219, Augusta, KS 67010

*General commodities (except explosives, household
goods, items requiring special handling because of
size or weight, items of unusual value & hydrocar-
bons & petroleum products or other
commodities in bulk),*

Between all points & places in the state of KS.

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

Hot Oil Treating, Inc.) Docket No. 56,614 M
211 S. Oak)
P.O. Box 816)
Greensburg, KS 67054) Route No. 5165

Applicant's Attorney: Stanford J. Smith, Jr., Suite 660-
Century Plaza Bldg., 111 W. Douglas, Wichita, KS
67202-3262

*Oilfield equipment, oilfield supplies & oilfield
materials,*

Between all points & places in Barber, Barton, Co-
manche, Clark, Chase, Ellsworth, Ellis, Edwards,
Finney, Ford, Gray, Harper, Harvey, Kingman, Kiowa,
McPherson, Meade, Pratt, Pawnee, Rice, Russell,
Rush, Sedgwick, Stafford & Seward Counties.

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

Leon Baxter, dba) Docket No. 141,220 M
Baxter Fluid Service)
124½ N. Cedar)
Stockton, KS 67669)

Applicant's Attorney: None

Liquid feed ingredients,

Between all points in Rooks, Graham, Ellis, Os-
borne, Phillips, Trego, Russell, Smith & Norton
Counties in KS.

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

5-S Trucking, Inc.) Docket No. 141,081 M
R.R., Box 135)
Ransom, KS 67572)

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

Farm products,

Between points in Thomas, Logan, Trego, Ness,
Ellis, Rush, Gove & Wallace Counties, KS.

Also,

Between Thomas, Logan, Trego, Ness, Ellis, Rush,
Gove & Wallace Counties, on the one hand, & points
in the state of KS, on the other hand.

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

Stewart Mobile Tank) Docket No. 141,231 M
Service, Inc.)
P.O. Box 1153)
Hays, KS 67601)

Applicant's Attorney: William Barker, 641 Harrison
St., Topeka, KS 66601

(continued)

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

Between points in Ellis, Russell, Ness & Rush Counties, KS.

) Route No. 7566
) Docket No. 83,588 M
) Route No. 7849

**Applications set for May 17, 1984—
TOPEKA, KANSAS**

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

Next Day Motor Freight,) Docket No. 141,221 M
Inc.)
9470 Aerospace Dr.)
St. Louis, MO 63134)

Applicant's Attorney: Alex Lewandowski, 6th Floor
Midland Bldg., 1221 Baltimore Ave., Kansas City,
MO 64105-1961

General commodities (except Classes A & B explosives, household goods & commodities in bulk),

Between all points in Cherokee, Crawford, Bourbon, Linn, Miami, Johnson, Leavenworth, Wyandotte, Atchison, Doniphan, Brown, Jefferson, Douglas, Franklin, Anderson, Allen, Neosho, Labette, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Chautauqua, Elk, Greenwood, Lyon, Wabaunsee, Pottawatomie, Marshall, Riley, Geary, Morris, Chase, Butler, Cowley, Washington, Clay, Dickinson, Marion, Harvey, Sedgwick, Sumner, Reno, Rice, McPherson, Ellsworth, Saline, Ottawa, Cloud & Republic Counties in KS.

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

Duane Birk Trucking, Inc.) Docket No. 8,588 M
R.F.D. #5, Box 11BB)
Emporia, KS 66801) Route No. 183

Applicant's Attorney: Stanley Ausemus, 119 N. 3rd St.,
P.O. Box 707, Madison, KS 66801

Livestock & grain,

Between all points & places East of US Hwy 77, on the one hand, & all points & places within the state of KS, on the other hand.

***Application for Consolidation and extension to
eliminate radii description currently in
Routes 654, 1758, 3531, 3718, 7566 and 7849:***

Kindsvater, Inc.) Docket No. 15,559 M
Box 1037) Route No. 654
Dodge City, KS 67801) Docket No. 24,993 M
) Route No. 1758
) Docket No. 37,259 M
) Route No. 3531
) Docket No. 39,747 M
) Route No. 3718
) Docket No. 81,277 M

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

Hay, seed, feed, processed mill feed & mineral feeds,
Between all points & places in KS, on & west of US Hwy 281 & south of KS Hwy 96.

Also,

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

And,

Between all points & places in Mitchell, Cloud, Clay, Ottawa, Lincoln, Geary, Wabaunsee, Saline, Dickinson, Ellsworth, Morris, Osage, McPherson, Marion, Lyon, & Chase Counties; that portion of Jewell County east of KS Hwy 128 & south of US Hwy 36; that portion of Republic County south of US Hwy 36; that portion of Washington County south of KS Hwy 148 & west of KS Hwy 9/15; that portion of Riley County south of US Hwy 24; that portion of Shawnee County west of US Hwy 75; that portion of Coffey County west of US Hwy 75 & north of KS Hwy 57; that portion of Greenwood County north of US Hwy 54; that portion of Rice County east of KS Hwy 14/96 & north of US Hwy 56; & that portion of Osborne County east of US Hwy 281 & south of US Hwy 24, on the one hand, & points & places in the state of KS, on the other hand.

Animal fats,

Between all points & places in KS on & west of US Hwy 281, & north of KS Hwy 96, & points & places in Barton County, KS east of US Hwy 281.

Also,

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

Grain,

Between all points & places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Jewell, Cloud, Mitchell, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Clay, Ottawa, Lincoln, Geary, Wabaunsee, Wallace, Logan, Gove, Trego, Ellis, Russell, Saline, Dickinson, Morris, Osage, Ellsworth, Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Rice, McPherson, Marion, Lyon, Chase, Pawnee, Hodgeman, Stafford, Hamilton, Kearny, Finney, Edwards, Reno, Stanton, Grant, Haskell, Gray, Ford, Kiowa, Pratt, Kingman, Morton, Stevens, Seward, Meade, Clark, Comanche, Barber & Harper Counties; that portion of Republic County west of US Hwy 81 & south of US Hwy 36; that portion of Washington County south of KS Hwy 148 & west of KS Hwy 9/15; that portion of Riley County south of US Hwy 24; that portion of Shawnee County west of US Hwy 75; that portion of Coffey County west of US Hwy 75; that portion of Greenwood County north of US Hwy 54; that portion of Harvey County west of US Interstate Hwy 135; that portion of Sedgwick County west of US Interstate Hwy 135 & US Hwy 81; & that portion of Sumner County west of US Hwy 81.

(continued)

Also,

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

Liquid fertilizers, in bulk,

Between all points & places in KS on & west of US Hwy 281.

Also,

Between all points & places in KS on & west of US Hwy 281, on the one hand, & all points & places in the state of KS, on the other hand.

Anhydrous ammonia,

From Douglas County, Ford County, Clay County, Finney County, & McPherson County, KS, to all points & places in the state of KS.

Farm machinery,

Between all points & places in KS within Lane, Ness, Hodgeman, Pawnee, Finney, Edwards, Gray, Ford, Haskell, Kiowa, Seward, Meade, Clark & Comanche Counties; that portion of Stevens County north of KS Hwy 51 & east of KS Hwy 25; that portion of Grant County east of US Hwy 270 and KS Hwy 25; that portion of Kearny County east of KS Hwy 25; that portion of Scott County south of KS Hwy 96 & east of US Hwy 83; that portion of Rush County west of US Hwy 183 & south of KS Hwy 4; that portion of Barton County south of KS Hwy 96 & west of US Hwy 281; that portion of Stafford County west of US Hwy 281; that portion of Pratt County west of US Hwy 281; & that portion of Barber County west of US Hwy 281.

Also,

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

Farm machinery & irrigation equipment,

Between all points & places within Gove, Trego, Wichita, Scott, Lane, Ness, Rush, Barton, Pawnee, Hodgeman, Kearny, Finney, Edwards, Gray, Ford, Stafford, Pratt, Grant, Haskell, Kiowa, Stevens, Seward, Meade, Clark, Comanche & Barber Counties; that portion of Morton County east of KS Hwy 27; that portion of Stanton County east of KS Hwy 27 & US Hwy 270; that portion of Hamilton County east of US Hwy 270 & KS Hwy 27; that portion of Greeley County east of KS Hwy 27 & south of KS Hwy 96; that portion of Logan County east & south of KS Hwy 25 & south of US Hwy 40; that portion of Ellis County west of US Hwy 183 & south of US Hwy 40; that portion of Russell County south of US Hwy 40 & west of US Hwy 281; that portion of Rice County south of US Hwy 56 & west of KS Hwy 14/96; that portion of Reno County west of KS Hwy 14; & that portion of Kingman County west of KS Hwy 14.

Also,

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

New & used automobiles & trucks,

Between all points & places in KS, on the one hand, & Kinsley in Edwards County & Dodge City in Ford County, KS, on the other.

RESTRICTED, to move no automobiles or trucks on factory Bill of Lading.

Milk,

Between all points & places in KS.

Livestock,

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

And,

Between all points & places in Cheyenne, Rawlins, Decatur, Norton, Phillips, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Mitchell, Cloud, Clay, Ottawa, Lincoln, Wallace, Logan, Gove, Trego, Ellis, Geary, Wabaunsee, Ellsworth, Saline, Dickinson, Morris, Osage, Greeley, Wichita, Scott, Lane, Ness, Rush, McPherson, Marion, Chase, Lyon, Pawnee, Hodgeman, Hamilton, Kearny, Finney, Edwards, Stanton, Grant, Haskell, Gray, Ford, Kiowa, Morton, Stevens, Seward, Meade, Clark & Comanche Counties; that portion of Smith County west of US Hwy 281; that portion of Jewell County south of US Hwy 36; that portion of Republic County south of US Hwy 36; that portion of Washington County south of KS Hwy 148 & west of KS Hwy 9/15; that portion of Riley County south of US Hwy 24; that portion of Shawnee County west of US Hwy 75; that portion of Coffey County west of US Hwy 75 & north of KS Hwy 57; that portion of Greenwood County north of US Hwy 54; that portion of Rice County east of KS Hwy 14/96 & north of US Hwy 56; that portion of Russell County west of US Hwy 281; that portion of Barton County west of US Hwy 281; that portion of Stafford County west of US Hwy 281; that portion of Pratt County west of US Hwy 281 & that portion of Barber County west of US Hwy 281.

Also,

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

Gasoline & diesel fuel, in bulk,

From all refineries, pipe lines & pipe line terminals in the state of KS, on the one hand, to all points & places in Haskell, Clark & Ford Counties, & to Jetmore in Hodgeman County, KS, on the other hand.

Oils & greases,

Between all refineries, pipe lines & pipe line terminals in the state of KS, on the one hand, to all points & places in Pawnee, Edwards, Finney, Ford, Gray, Hamilton, Hodgeman, Kearny, Kiowa, Haskell & Clark Counties, KS.

Meats, meat products & meat by-products, & articles distributed by meat packinghouses, as described in Sections A & C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 & 766 (except hides & commodities),

From points in Ford County, KS, to all points in KS.

Food & related products (except flour in bulk),

Between all points & places in KS.

Cement,

All points in KS from the OK state line north on Hwy

(continued)

99 to Emporia, east on the KS Turnpike I-35, on I-35 to Hwy 68, east on Hwy 68 to the MO state line, to all points in KS.

RESTRICTED against shipments destined to the area from the OK state line north on Hwy 99 to the KS Turnpike, east on the KS Turnpike to I-35, east on I-35 to Hwy 68, east on Hwy 68 to the MO state line.

Salt,

From all points in KS west of Hwy 81 to all other points in KS.

RESTRICTED, against shipments destined to the area from the OK state line north on Hwy 99 to the KS Turnpike; east on the KS Turnpike to I-35; east on I-35 to Hwy 68; east on Hwy 68 to the MO state line.

Fertilizer,

Between all points & places in KS west of KS Hwy 99.

RESTRICTED, however, to transport no traffic to points in Chautauqua County.

Between Douglas County, KS, on the one hand, & points in KS on & west of KS Hwy 99, on the other hand.

RESTRICTED, however, to transport no traffic to points in Chautauqua County.

Propane,

From all refineries, pipeline terminals & points of supply in KS to points in KS west of US Hwy 81 & US Interstate Hwy 135.

Grain,

Between all points & places in KS west of US Hwy 81 & US Interstate Hwy 135.

Also,

Between all points & places in KS west of US Hwy 81 & US Interstate Hwy 135, on the one hand, & points & places in the state of KS, on the other hand.

RENOTICED Application for Consolidation and Extension to eliminate radii description currently in Route 1842 and Route 1707. Extension of authority to include dry fertilizer (bulk & bag), liquid fertilizer and anhydrous ammonia):

M. B. Schlegel) Docket No. 24,652 M
R.R. 2) Route No. 1707
Onaga, KS 66521) Docket No. 25,612 M
) Route No. 1842

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

Livestock,

Between all points & places in Pottawatomie, Nemaha, Marshall, Riley, Wabaunsee, Shawnee, Jackson, Jefferson, Atchison & Brown Counties, KS, on the one hand;

Also,

Between all points & places in Pottawatomie, Nemaha, Marshall, Riley, Wabaunsee, Shawnee, Jackson, Jefferson, Atchison & Brown Counties, KS, on the one hand; & all points & places in the state of KS, on the other hand.

Processed mill feed,

Between all points & places in Pottawatomie, Jackson, Nemaha, Riley & Marshall Counties, KS, on the one hand;

Also,

Between all points & places in Pottawatomie, Jackson, Nemaha, Riley & Marshall Counties, KS, on the one hand, & all points & places in Shawnee, Riley, Atchison, Wyandotte, Leavenworth, Johnson & Saline Counties, KS, on the other hand.

Farm machinery,

Between all points & places in Pottawatomie, Jackson, Riley, Nemaha & Marshall Counties, KS, on the one hand;

Also,

Between all points & places in Pottawatomie, Jackson, Riley, Nemaha & Marshall Counties, KS, on the one hand; & all points & places in Smith, Osborne, Russell, Barton, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Washington, Clay, Geary, Morris, Chase, Butler, Wabaunsee, Lyon, Greenwood, Elk, Brown, Shawnee, Osage, Coffey, Woodson, Wilson, Doniphan, Atchison, Jefferson, Douglas, Franklin, Anderson, Allen, Neosho, Leavenworth, Wyandotte, Johnson, Miami, Linn, Bourbon, Crawford, Stafford, Phillips, Rooks & Dickinson Counties, KS, on the other hand.

Salt,

Between all points & places in Reno, Rice & Ellsworth Counties, KS, on the one hand;

Also,

Between all points & places in Reno, Rice & Ellsworth Counties, KS, on the one hand, & all points & places in Pottawatomie, Jackson, Marshall, Nemaha & Riley Counties, KS, on the other hand.

Coal,

To, from & between all points & places in Pottawatomie, Shawnee, Wabaunsee, Lyon & Osage Counties, KS, on the one hand;

Also,

Between all points & places in Pottawatomie, Shawnee, Wabaunsee, & Lyon Counties, KS, on the one hand, & all points & places in Jackson, Riley, Nemaha & Marshall Counties, KS, on the other hand.

Seed & hay,

Between all points & places in Pottawatomie, Nemaha, Washington, Marshall, Riley, Wabaunsee, Atchison, Brown, Shawnee, Jackson & Jefferson Counties, KS, on the one hand;

Also,

Between all points & places within Pottawatomie, Nemaha, Washington, Marshall, Riley, Wabaunsee, Atchison, Brown, Shawnee, Jackson & Jefferson Counties, KS, on the one hand, & all points & places in the state of KS, on the other hand.

Dry feed & feed ingredients,

Between all points & places in Pottawatomie, Nemaha, Marshall, Washington, Riley, Wabaunsee, Jackson, Shawnee & Brown Counties, KS, on the one hand;

(continued)

Also,
Between all points & places in Pottawatomie, Nemaha, Marshall, Washington, Riley, Wabaunsee, Jackson, Shawnee, & Brown Counties, KS, on the one hand, & all points & places in the state of KS, on the other.

Dry fertilizer, liquid fertilizer,

From all points & places in the state of KS (except the counties of Nemaha, Pottawatomie, Marshall, Geary, Riley, Wabaunsee, Jackson & Brown), on the one hand;

Also,
To & between all points & places in Nemaha, Pottawatomie, Marshall, Geary, Riley, Wabaunsee, Jackson & Brown Counties, KS, on the other hand.

Grain,

Between all points & places in Pottawatomie, Marshall, Nemaha, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand;

Also,
Between all points & places in Pottawatomie, Marshall, Nemaha, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand, & all points & places in KS, on the other hand.

Feed & unprocessed farm products,

Between all points & places in Pottawatomie, Marshall, Nemaha, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand;

Also,
Between all points & places within Pottawatomie, Nemaha, Marshall, Riley, Wabaunsee, Shawnee, Jackson & Brown Counties, KS, on the one hand, & all points & places in the state of KS, on the other hand.

Lumber,

Between all points & places within Pottawatomie & Nemaha Counties, KS, on the one hand, & all points & places in Atchison, Leavenworth, Wyandotte, Johnson, Jackson & Shawnee Counties, KS.

**Applications set for May 22, 1984—
TOPEKA, KANSAS**

Application for Transfer of Certificate of Convenience and Necessity:

George F. Callahan) Docket No. 133,734 M
Rt. 1, Box 111A)
Goodland, KS 67735) Route No. 20202
TO:
Callahan, Inc.
Rt. 1, Box 139
Goodland, KS 67735

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

Propane, liquid fertilizer & anhydrous ammonia,
Between points & places in Cheyenne, Rawlins, Decatur, Norton, Sherman, Thomas, Sheridan, Graham, Wallace & Logan Counties, KS, & also, between Cheyenne, Rawlins, Decatur, Norton, Sherman, Thomas, Sheridan, Graham, Wallace & Logan Coun-

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

Application for Certificate of Convenience and Necessity:

Kenneth C. Standlee, dba) Docket No. 141,211 M
Four—S Tank Truck)
Service)
509 N. Humbolt)
Ellinwood, KS 67526)

Applicant's Attorney: None
Crude oil, used in & for production, processing, treating, salvage, construction & for lease road purposes, in bulk; fresh water for drilling, well completion, fracturing & acidizing purposes, & salt water for disposal purposes,

Between the counties of Barton, Russell, Rice, Ellsworth, Stafford, Rush & Pawnee.

Application for Transfer of Certificate of Convenience and Necessity:

Roy Bing, Harvey Blair &) Docket No. 130,258 M
Gary Smalley, dba)
Flinthills Trucking Co.)
Rt. 1, Box 128-A)
Atlanta, KS 67008) Route No. 19042

TO:
Gregg Henderson
R.R.
Atlanta, KS 67008

Applicant's Attorney: None

Grain, livestock, & farm products,

Between all points & places in the counties of Cowley, Butler, Elk, Greenwood & Chautauqua, & between all points & places in those counties, on the one hand, & all points & places in the state of KS, on the other hand.

Application for Transfer of Certificate of Convenience and Necessity:

Paul Mann & Bob) Docket No. 124,534 M
McClintock, dba)
M & M Trucking)
Box 122)
Simpson, KS 67478) Route No. 17593

TO:
Robert H. Shelton, dba
Shelton Trucking
522 N. Central
Beloit, KS 67420

Applicants Attorney: Eugene Hiatt, 627 S. Topeka Ave., Topeka, KS 66603-3294

Grain, hay & livestock,

Between points within a 25-mile radius of Beloit, KS.

(continued)

Also,
Between points within said radius, on the one hand,
& points between the state of KS, on the other.

Dry feed & dry feed ingredients,

Between Asherville, KS & points in KS.

Application for Extension of Certificate of Convenience and Necessity to eliminate radii description:

Robert H. Shelton, dba) Docket No. 124,534 M
Shelton Trucking)
522 N. Central)
Beloit, KS 67420) Route No. 17593

Applicants Attorney: Eugene Hiatt, 627 S. Topeka Ave., Topeka, KS 66603-3294

Grain, hay, feed, feed ingredients & livestock,

Between points in Smith, Jewell, Republic, Cloud, Mitchell, Osborne, Lincoln & Ottawa Counties, KS, on the one hand;

Also,

Between points & places in Smith, Jewell, Republic, Cloud, Mitchell, Osborne, Lincoln & Ottawa Counties, KS, on the one hand, & all points & places within the state of KS, on the other hand.

**Applications set for May 24, 1984—
TOPEKA, KANSAS**

Application for Extension and Consolidation of Certificate of Convenience and Necessity currently in Routes 3248, 3368, 3839, 4347, 5461, 5657, 8744, 10078, 10873, 10889, 14313 and 15227:

Becker Corporation) Docket No. 34,414 M
P.O. Box 1050) Route No. 3248
El Dorado, KS 67042) Docket No. 34,980 M
) Route No. 3368
) Docket No. 41,812 M
) Route No. 3839
) Docket No. 49,689 M
) Route No. 4347
) Docket No. 60,875 M
) Route No. 5461
) Docket No. 60,514 M
) Route No. 5657
) Docket No. 91,189 M
) Route No. 8744
) Docket No. 99,555 M
) Route No. 10078
) Docket No. 98,475 M
) Route No. 10873
) Docket No. 102,685 M
) Route No. 10889
) Docket No. 116,208 M
) Route No. 14313
) Docket No. 119,509 M
) Route No. 15227

Applicant's Attorney: Rodney Peake, 1836 "M" St., Belleville, KS 66935

Acid,

Between Kansas City, KS, on the one hand, & points

& places within KS, on the other, over irregular routes, and,

From the plant site & loading facilities of Vulcan Materials, Inc. at or near Wichita, KS, to all points in KS, over irregular routes.

Agricultural chemicals, (not including fertilizer nor vermiculite in packages & containers, when moving in truck loads or as a part of a mixed load of fertilizer & agricultural chemicals),

Between all points & places in KS.

Chemicals,

Between points & places within Saline County, on the one hand, & points & places within KS, on the other, over irregular routes.

Dry chemicals,

Between Hallowell, KS & Military, KS, on the one hand, & all points & places in KS, on the other.

Alcohol, in bulk, in tank vehicles,

From all alcohol producing & supply to points in KS, to all points & places in KS.

Alcohol, mixed with petroleum products, in bulk, in tank vehicles,

From all alcohol producing & supply to points in KS, to all points & places in KS.

Denatured alcohol,

From all points of supply to all points & places in the state of KS.

Anhydrous ammonia,

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

From the plant site of Farmland Industries, Inc., at or near Dodge City, KS, to all points & places in KS.

From the Terminal located on the Ammonia Pipeline of Mid-America Pipeline Co. located at or near Conway, KS, to all points in the state of KS.

From the facilities of Vulcan Materials Co. (Chemicals Div.), at or near Wichita, KS, to all points & places in KS.

Asphalt products, road asphalt & heavy fuel oil,

Between all points & places in the state of KS.

Boiler condensate (distilled water, in bulk, in tank vehicles),

Between plants of the Kansas Power & Light Co., located in KS, at or near Abilene, Emmett, Hutchinson, Lawrence, Tecumseh & Topeka.

Cement, (bulk or bagged),

Between all points & places in KS over irregular routes.

Coal, coal tar products & coke,

Between all points & places in KS.

Crude oil,

Between all points & places in the state of KS.

Feed & feed ingredients, liquid & dry,

Between all points & places in KS.

Fertilizer (liquid fertilizer in tank vehicles, excluding anhydrous ammonia),

(continued)

Between all points & places in the state of KS.
Fertilizer (dry fertilizer, fertilizer ingredients & materials),

Between all points & places in the state of KS.
Flyash,

Between points & places in KS, over irregular routes.

Fresh water for drilling purposes, salt water for disposal purposes; & crude oil used in & for production, processing, treating; salvage, construction & for lease road purposes,

Between all points & places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Kearny, Grant, Stevens, Decatur, Gove, Scott, Finney, Haskell, Sheridan, Lane, Gray, Seward, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Kiowa, Edwards, Stafford, Pawnee, Rush, Ellis, Rooks, Phillips, Smith, Osborne, Russell, Barton, Pratt, Kingman, Lincoln, Mitchell, Jewell, Republic, Cloud, Ottawa, Ellsworth, Rice, Reno, Sedgwick, McPherson, Harvey, Saline, Clay, Dickinson, Marion, Washington, Riley, Geary, Morris, Chase, Greenwood, Woodson, Coffey, Lyon, Osage, Marshall, Pottawatomie, Wabaunsee, Shawnee, Jackson, Nemaha, Brown & Butler Counties, KS.

Grain,

Between all points & places in KS.

Greases & fats in bulk,

From all slaughter houses, packing plants & rendering works in KS, on the one hand, to Kansas City, KS, on the other.

From all slaughter houses, packing plants & rendering works in KS to Strong City, KS.

From Emporia, KS, to all feedlots in the state of KS.

Kiln dust,

From Humboldt, KS, to all points & places in KS.

Liquefied petroleum gases, having a vapor pressure of not less than 40 pounds per square inch nor more than 200 pounds per square inch at a temperature of 100 degrees fahrenheit, in tank truck loads,

Between points & places in KS, in that territory bounded on the north by the KS-NE state line, & on the west by the KS-CO state line & on the east by State Hwy 14 from the KS-NE state line south to the OK state line, including points & places located on said Hwy.

Petroleum products, in bulk,

Between all points & places in the state of KS.

Salt,

Between all points & places in KS.

Refined soybean oil,

Between Wichita, KS, on the one hand, & points & places in KS on the other, over irregular routes.

Application for Extension of Certificate of Convenience and Necessity:

Becker Corp.) Docket No. 34,414 M
131 N. Haverhill Rd.)
El Dorado, KS 67042) Route No. 3248

Applicant's Attorney: Rodney Peake, 1836 "M" St.,
Belleville, KS 66935

Chemicals & hazardous wastes,

Between points & places throughout KS over irregular routes.

**Application set for June 5, 1984—
TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Clear Water Truck Co.,) Docket No. 99,367 M
Inc.)
9101 N.W. St.)
Valley Center, KS 67147) Route No. 10041

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

Liquid commodities (in bulk), dry chemicals & petroleum related products,

Between all points & places in the state of KS.

**Application set for June 12, 1984—
TOPEKA, KANSAS**

Application for Extension of Certificate of Convenience and Necessity:

Mid Continent L P Service,
Inc.) Docket No. 26,505 M
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

Butane, propane & fertilizer (other than dry),

Between all points in the state of KS on & east of US Hwy 81; & between points & places on east of US Hwy 81, on the one hand, & points & places in the state of KS, on the other hand.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 002085

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 811

AN ACT relating to the recall of elected officials; concerning the recall of local officers; amending K.S.A. 25-4328 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-4328 is hereby amended to read as follows: 25-4328. If the county election officer of the county where petitions are required to be filed determines the petition is properly filed and if the office is not vacant, ~~he or she~~ *such election officer* shall prepare the ballots and shall call a special election to be held on a date not less than ~~sixty (60)~~ 60, nor more than ~~ninety (90)~~ 90, days after the date that notification is given that the petition was properly filed. *If a vacancy occurs in the office held by the local officer sought to be recalled at any time after the date that notification is given that the petition therefor was properly filed, the county election officer, if such officer determines that unnecessary election expenses may be avoided thereby, may cancel such special election. The county election officer shall immediately notify the recall committee and any other county election officer involved of such vacancy and determination and take such other action as may be necessary to withdraw such proposition from submission to election.* If a primary or general election is to be held not less than ~~sixty (60)~~ 60, nor more than ~~ninety (90)~~ 90, days after the date that notification is given that the petition was properly filed, the special election shall be held on the date of the primary or general election. The ballot shall be designed with the question of whether the local officer shall be recalled, placed on the ballot in the following manner: "Shall (name of official) be recalled from the office of _____?" Provision shall be made for marking the question "Yes" or "No." Except as otherwise specifically provided by this act, laws applicable to question submitted elections shall apply to elections held under this section.

Sec. 2. K.S.A. 25-4328 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body March 6, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE April 2, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 11, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 492

AN ACT relating to conflicts of interests; concerning disclosure of and limitations relating to certain outside interests; amending K.S.A. 46-249 and K.S.A. 1983 Supp. 46-229, 46-248, 46-282, 46-283, 46-284, 46-285 and 46-286 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. From and after July 1, 1984, K.S.A. 1983 Supp. 46-229 is hereby amended to read as follows: 46-229. "Substantial interest" means any of the following:

(a) ~~The ownership within the preceding 12 months by~~ *If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.*

(b) ~~the receipt in the preceding calendar year by~~ *If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of such the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.*

(c) ~~the receipt by an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months by an individual of goods or services, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from any person known to have a special interest, the individual has a substantial interest in that person.~~

(d) ~~The holding of~~ *If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual holding any such position; or individual's spouse.*

(e) ~~If an individual's individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, such the individual has a substantial interest in any client or customer who pays fees or commissions to such the business or combination of businesses from which fees or commissions such the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.~~

As used in this subsection, "client or customer" means a business or combination of businesses.

Sec. 2. K.S.A. 1983 Supp. 46-248 is hereby amended to read as follows: 46-248. The statement of substantial interests required by K.S.A. 46-247 ~~to through 46-252, inclusive,~~ and amendments thereto, shall include the substantial interests of the individual making the statement. Campaign contributions reported in compliance with the campaign finance act shall not be included in this statement. ~~Such~~ *The* statement shall include the information required by K.S.A. 46-229, and amendments thereto; in such detail and form as is required by the commission.

(a) The statements of substantial interest shall be filed at the following times by the individuals specified in K.S.A. 46-247 and amendments thereto:

(1) ~~For individuals who are specified in K.S.A. 46-247, and amendments thereto, except candidates, annually on an individual, other than a candidate, who was appointed or took office on or before April 30, 1984, between April 15 and June 1, 1984, and for an individual or other candidate who is appointed or takes office on or before April 30 in any year thereafter, annually between April 15 and April 30, inclusive, so long as the act applies to the individual or if the;~~

(2) ~~for an individual, other than a candidate, who is appointed after April 30 in any year, such statement shall be filed within 15 days after such the appointment and annually thereafter between April 15 and April 30, inclusive, so long as the act applies to the individual;~~

(continued)

(2) for individuals who become candidates, (3) for an individual who becomes a candidate on or before the date prescribed by K.S.A. 1982 Supp. 25-205, and amendments thereto, such statements shall be filed on the date prescribed by K.S.A. 1982 Supp. 25-205 and amendments thereto or within 10 days thereafter, or if the ~~unless~~ within that period the candidacy is officially declined or rejected, or

(4) for an individual who becomes a candidate after the date prescribed by K.S.A. 1982 Supp. 25-205, then and amendments thereto, within five days of becoming a candidate, unless within such that period the candidacy is officially declined or rejected.

(b) Individuals who become subject to paragraph (1) of subsection (a) and who have on file a statement of substantial interests pursuant to this act for the current year shall not be required to file any additional statement of substantial interests for that period.

(c) If an individual serves in more than one capacity for which a statement of substantial interests is required to be filed pursuant to this act, such the individual shall be required to file only a single statement of substantial interests for all capacities for which a statement is required to be filed.

(d) The statements required by this section to be filed shall be filed with the secretary of state in all cases.

Sec. 3. K.S.A. 46-249 is hereby amended to read as follows: 46-249: The statement of substantial interests required by K.S.A. 46-247 to through 46-252, inclusive, shall be dated and signed by the individual making the statement and shall contain substantially the following:

STATEMENT OF SUBSTANTIAL INTERESTS

(name)

(office or position of employment for which this statement is filed)

(address)

(body of statement in form prescribed by commission)

"I declare that this statement of substantial interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that intentional failure to file this statement as required by law or intentionally filing a false statement is a class A B misdemeanor."

(date of filing)

(signature of person making the statement)

Sec. 4. K.S.A. 1983 Supp. 46-282 is hereby amended to read as follows: 46-282. "Designee" means:

(a) Any state officer, employee or member of any agency, department, division, bureau or other unit of state government who holds a position: (1) Defined as a major policy making position; (2) responsible for contracting, purchasing or procurement, *except persons whose sole responsibility is the purchasing of gasoline or emergency repair for a state vehicle assigned to them for their use or persons whose sole responsibility relating to purchasing or procurement includes only transactions pursuant to preexisting state contracts*; (3) responsible for writing or drafting specifications for contracts; (4) responsible for awarding grants, benefits or subsidies *except persons performing purely ministerial functions in the awarding of grants under entitlement programs*; or (5) responsible for inspecting, licensing, or regulating any person or entity; and.

(b) ~~any state officer or employee who in the preceding 12 months while a state officer or employee has been a consultant for any person or entity other than the state for compensation.~~

(b) "Designee" does not include any driver's license examiner of the department of revenue or any person performing ministerial functions.

Sec. 5. K.S.A. 1983 Supp. 46-283 is hereby amended to read as follows: 46-283. "Major policy making" position means (a) the administrative head or heads or executive of a state agency; or (b) the head of each department, division, bureau or other major administrative unit within a state agency; and (c) persons exercising similar authority to the foregoing.

Sec. 6. From and after July 1, 1984, K.S.A. 1983 Supp. 46-284 is hereby amended to read as follows: 46-284. "Consultant" means an expert individual who is called on for professional or technical advice or opinions.

Sec. 7. From and after July 1, 1984, K.S.A. 1983 Supp. 46-285

is hereby amended to read as follows: 46-285. (a) The head of every state agency shall submit a list of designees under ~~their~~ the agency head's jurisdiction, identifying the positions, names and home mailing addresses of all designees of that agency to the commission annually between March 15 and March 31. ~~Such~~, inclusive. The agency head may prepare and submit a separate list for each department, division, bureau or other unit within ~~their~~ the agency head's jurisdiction. ~~Such~~ The agency head shall attach to each list an organizational chart for the agency, department or division to which that list corresponds and shall certify the list to be correct. ~~Such~~ The agency head shall notify the commission of the name, home address and position of any new designee under ~~such person's~~ the agency head's jurisdiction within 10 days of appointment. The commission may request the head of a state agency to make additions to or deletions from the list.

(b) The commission shall transmit promptly copies of all lists received under this section to the secretary of state.

Sec. 8. K.S.A. 1983 Supp. 46-286 is hereby amended to read as follows: 46-286. (a) No state officer or employee may accept a position with an outside organization which is licensed by, inspected by or is regulated by the agency in which the state officer or employee is employed, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

(b) This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member is associated or the holding of a position as a member of an advisory board, council or commission of an outside organization or of a position of a voluntary or charitable nature if the advisory, voluntary or charitable position is taken without any expectation or acceptance of remuneration other than reimbursement of necessary and actual expenses.

Sec. 9. K.S.A. 46-249 and K.S.A. 1983 Supp. 46-248, 46-282, 46-283 and 46-286 are hereby repealed.

Sec. 10. From and after July 1, 1984, K.S.A. 1983 Supp. 46-229, 46-284 and 46-285 are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 21, 1984.

Senate adopted Conference Committee report April 5, 1984.

ROSS O. DOYEN

President of the Senate.

LU KENNEY

Secretary of the Senate.

Passed the HOUSE as amended March 30, 1984.

House adopted Conference Committee report April 5, 1984.

MIKE HAYDEN

Speaker of the House.

GENEVA SEWARD

Chief Clerk of the House.

APPROVED April 16, 1984.

JOHN CARLIN

Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 16th day of April, 1984.

JACK H. BRIER

Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, April 19, 1984.)

HOUSE BILL No. 2696

AN ACT concerning social and rehabilitation services; placement agreement with secretary of corrections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. The secretary of social and rehabilitation services is authorized to enter into an agreement with the secretary of corrections concerning the management and utilization of buildings and land currently not being used at state institutions under the authority of the secretary of social and rehabilitation services for the placement of persons in the custody of the secretary of corrections. The secretary of corrections shall provide supervision and security for persons placed under any such agreement.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 7, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE March 29, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED April 10, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

HOUSE BILL No. 2927

AN ACT concerning regulation of public utilities; amending K.S.A. 66-128 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 66-128 is hereby amended to read as follows: 66-128. ~~Said~~ *The state corporation commission shall have the power and it shall be its duty to ascertain determine* the reasonable value of all *or whatever fraction or percentage of* the property of any common carrier or public utility governed by the provisions of this act *which property is used or* and required to be used in its services to the public within the state of Kansas, whenever ~~it~~ *the commission* deems the ascertainment of such value necessary in order to enable the commission to fix fair and reasonable rates, joint rates, tolls and charges; ~~and~~. In making such valuations ~~they~~ *the commission* may avail ~~themselves~~ *itself* of any reports, records or other things available to ~~them~~ *the commission* in the office of any national, state or municipal officer or board. For the purposes of this act, property of any public utility which has not been completed and dedicated to commercial service shall not be deemed to be used ~~or~~ and required to be used in ~~said~~ *the* public utility's service to the public, except that, any property of a public utility, the construction of which will be *commenced and* completed in one (1) year or less, may be deemed to be completed and dedicated to commercial service.

New Sec. 2. Nothing in sections 3 to 10, inclusive, of this act shall be construed to limit the authority of the state corporation

commission to review and evaluate the efficiency or prudence of any actions, including acquisition of excess capacity, or operating practices of any public utility or common carrier for the purpose of establishing fair and reasonable rates, joint rates, tolls and charges.

New Sec. 3. The commission may require a public utility to defer inclusion of all or any portion of the reasonable value of property determined not currently used and required to be used and may require the phase-in of such value over any period of time and in such increments as it determines to be appropriate. If the commission requires a public utility to defer the inclusion of any portion of such reasonable value and orders a phase-in of such value, it may exclude any or all of the carrying or finance costs incurred after the date of its determination and throughout the period of any deferral or phase-in as so ordered.

New Sec. 4. The state corporation commission, in determining the reasonable value of property under K.S.A. 66-128, and amendments thereto, shall have the power to evaluate the efficiency or prudence of acquisition, construction or operating practices of that utility. In the event the state corporation commission determines that a portion of the costs of acquisition, construction or operation were incurred due in whole or in part to a lack of efficiency or prudence, or were incurred in the acquisition or construction of excess capacity, it shall have the power and authority to exclude all or a portion of those costs from the revenue requested by the utility.

For the purpose of this act, "excess capacity" means any capacity in excess of the amount used and required to be used to provide adequate and reliable service to the public within the state of Kansas as determined by the commission. The commission may in its discretion prohibit or reduce the return on costs which were incurred in constructing, maintaining or operating excess capacity.

New Sec. 5. The state corporation commission may at any time and in its sole discretion, whether or not the facility is still under construction, initiate on its own motion a proceeding to determine in advance whether the costs of such facility were reasonably or prudently incurred, or whether all or a portion of the costs of such facility are or shall be incurred in producing excess capacity under section 4. The proceeding shall be commenced by the commission giving 30 days' written notice of the setting of the hearing of such proceeding to the public utility or utilities involved, and no other motion shall be required, but the procedure, hearing and appeal rights shall otherwise be as specified in K.S.A. 66-101 *et seq.* and amendments thereto.

New Sec. 6. In the event the commission finds that a portion of the costs were attributable either to investment in excess capacity which were incurred due to lack of prudence in facility planning or were incurred due to lack of prudence in plant acquisition, construction or operation, the commission shall exclude that portion of the carrying or finance charges incurred after the date of its finding, and no part of the carrying or finance costs excluded shall ever be or become part of the reasonable value of public utility property so used and required to be used. For the purposes of this section only, a finding of lack of prudence in capacity planning for a facility which in whole or in part represents excess capacity shall not be made by the commission when a siting permit authorizing the construction of the facility has been issued under K.S.A. 66-1,162 and amendments thereto prior to the passage of this act. The commission also shall not authorize the recovery as operating expense or in any other manner of the carrying or finance costs so excluded.

Nothing in this act shall limit the commission's authority to adjust revenue requirements of any public utility if the commission determines the revenue requirement requested results in whole or in part from inefficiency or a lack of prudence.

If the commission determines that a public utility, which generates and sells electricity as its main activity, has borrowed funds in order to pay dividends and such borrowing as the result of lack of prudence, increases the revenue requirement of the utility, the commission may adjust the revenue requirement accordingly.

(continued)

New Sec. 7. Any public utility subject to the provisions of sections 3 to 8, inclusive, of this act which constructs an electric generating facility and was not required to obtain an advance permit under K.S.A. 66-1,159 *et seq.* shall make and send monthly financial reports to the state corporation commission. Such reports shall include the following information, as of the date of the report, the: (a) Actual costs incurred; (b) total estimated cost of the facility; (c) percentage of the facility which is actually completed; (d) estimated date of first commercial operation; (e) copies of informational filings provided federal agencies having regulatory authority over such construction; and (f) any other information required by the commission. Such reports shall be prepared and certified in the manner and form required by the commission. Nothing in this section shall limit the commission's authority to require filing of data in any format by any regulated utility the commission deems necessary to accomplish its regulatory duties.

New Sec. 8. (a) The factors which shall be considered by the commission in making the determination of "prudence" or lack thereof in determining the reasonable value of electric generating property, as contemplated by this act shall include without limitation the following:

(1) A comparison of the existing rates of the utility with rates that would result if the entire cost of the facility were included in the rate base for that facility;

(2) a comparison of the rates of any other utility in the state which has no ownership interest in the facility under consideration with the rates that would result if the entire cost of the facility were included in the rate base;

(3) a comparison of the final cost of the facility under consideration to the final cost of other facilities constructed within a reasonable time before or after construction of the facility under consideration;

(4) a comparison of the original cost estimates made by the owners of the facility under consideration with the final cost of such facility;

(5) the ability of the owners of the facility under consideration to sell on the competitive wholesale or other market electrical power generated by such facility if the rates for such power were determined by inclusion of the entire cost of the facility in the rate base;

(6) a comparison of any overruns in the construction cost of the facility under consideration with any cost overruns of any other electric generating facility constructed within a reasonable time before or after construction of the facility under consideration;

(7) whether the utility having an ownership interest in the facility being considered has provided a method to ensure that the cost of any decommissioning, any waste disposal or any cost of clean-up of any incident in construction or operation of such facility is to be paid by the utility;

(8) inappropriate or poor management decisions in construction or operation of the facility being considered;

(9) whether inclusion of all or any part of the cost of construction of the facility under consideration, and the resulting rates of the utility therefrom, would have an adverse economic impact upon the people of Kansas;

(10) whether the utility acted in the general public interest in management decisions in the acquisition, construction or operation of the facility;

(11) whether the utility accepted risks in the construction of the facility which were inappropriate to the general public interest to Kansas;

(12) any other fact, factor or relationship which may indicate prudence or lack thereof as that term is commonly used.

(b) The portion of the cost of a plant or facility which exceeds 200% of the "original cost estimate" thereof shall be presumed to have been incurred due to a lack of prudence. The commission may include any or all of the portion of cost in excess of 200% of the "original cost estimate" if the commission finds by a preponderance of the evidence that such costs were prudently incurred. As used in this act "original cost estimate" means:

(1) For property of an electric utility which has been constructed without obtaining an advance permit under K.S.A. 66-

1,159 *et seq.*, and amendments thereto, the "definitive estimate"; and

(2) for property of an electric utility which has been constructed after obtaining an advance permit under K.S.A. 66-1,159 *et seq.*, and amendments thereto, the cost estimate made by the utility in the process of obtaining the advance permit.

New Sec. 9. (a) If any portion of an electric generating facility is determined to be excess capacity and if the facility is a nuclear fission power plant, the state corporation commission shall determine whether there has been approved by the United States government through its authorized agency, a proven technology or means for the disposal of high-level nuclear waste which is available for use at or by the plant.

If the commission finds that no such technology for disposal exists, it shall be presumed that the costs of acquisition, construction or operation of the facility were incurred due to a lack of prudence and the commission shall not include such costs in the reasonable value of the public utility property.

(b) When used in this section, "technology or means for the disposal of high-level nuclear waste" means temporary on-site storage of high-level nuclear waste or an approved process for the retrieval of such waste.

New Sec. 10. If a fine or penalty for a safety or quality assurance violation is assessed by the nuclear regulatory commission against a public utility governed by the provisions of this act, it shall be presumed that the act or omission of the public utility causing the assessment of the fine or penalty occurred due to a lack of prudence and the commission may reduce the revenue requirements accordingly.

New Sec. 11. When a public utility sells electric power to other than its retail customers or disposes of, sells or retires from service any facility, the commission may evaluate the efficiency or prudence of such electric power sale or disposition, sale or retirement from service, and if it finds that any such action was inefficient or imprudent, or caused a reduction of electric power available to its retail customers or in electrical generating capacity, the commission may reduce the revenue requirement resulting therefrom.

New Sec. 12. The provisions of this act are declared to be severable, and if any section, sentence, clause or phrase of this act shall for any reason be held to be invalid or unconstitutional, the validity or application of the other provisions of the act shall not be affected, it being the intent of the legislature that the act shall stand notwithstanding the invalidity of any part.

Sec. 13. K.S.A. 66-128 is hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 2, 1984.

HOUSE concurred in SENATE amendments March 30, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended March 28, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED April 13, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 16th day of April, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 607

AN ACT concerning special assessments; relating to certain actions challenging the validity thereof.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) It is in the public interest to allow local units of government to finance the costs of public improvements by levying special assessments against the property which benefits from the improvements. It also is in the public interest, following timely notice and the opportunity to protest the levying of special assessments at a public hearing, that all challenges to the validity of the special assessments or to the proceedings relating thereto be commenced and resolved in a prompt and timely manner in order to avoid delay and increased public expense for the public improvements.

(b) No suit, brought under any federal civil rights statute, to set aside any special assessments levied against property pursuant to the laws of this state or to otherwise question the validity of the proceedings relating thereto shall be brought after the expiration of 90 days from the publication of the ordinance, resolution or other order fixing the special assessments.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 21, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE April 2, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 10, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 403

AN ACT concerning dog fighting; amending K.S.A. 1983 Supp. 21-4315 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1983 Supp. 21-4315 is hereby amended to read as follows: 21-4315. (a) Unlawful conduct of ~~pit~~ dog fighting is: (1) Causing, for amusement or gain, any dog to fight with or injure another dog; or, (2) knowingly permitting such fighting or injuring on premises under one's ownership, charge or control, or (3) training, owning, keeping, transporting or selling any dog for the purpose or with the intent of having it fight with or injure another dog.

(b) Unlawful conduct of ~~pit~~ dog fighting is a class E felony.

(c) Attending the unlawful conduct of ~~pit~~ dog fighting is a class ~~C~~ B misdemeanor.

(d) This section and sections 2 and 3 shall be part of and supplemental to the Kansas criminal code.

New Sec. 2. (a) When a person is arrested under K.S.A. 1983 Supp. 21-4315 and amendments thereto, a law enforcement agency may take into custody any dog on the premises where the

dog fight is alleged to have occurred and any dog owned or kept on the premises of any person arrested under subsection (a) or (c) of K.S.A. 1983 Supp. 21-4315 and amendments thereto.

(b) When a law enforcement agency takes custody of a dog under this section, such agency may place the dog in the care of a duly incorporated humane society or licensed veterinarian for boarding, treatment or other care. If it appears to a licensed veterinarian that the dog is diseased or disabled beyond recovery for any useful purpose, such dog may be humanely killed. Except as provided in subsection (c), if it appears to the licensed veterinarian by physical examination that the dog has not been trained for aggressive conduct or is a type of dog that is not commonly bred or trained for aggressive conduct, the district or county attorney shall order that the dog be returned to its owner when the dog is not needed as evidence in a case filed under K.S.A. 21-4315 or 21-4310. The owner or keeper of a dog humanely killed under this subsection (b) shall not be entitled to damages unless the owner or keeper proves that such killing was unwarranted.

(c) If a person is convicted of unlawful conduct of dog fighting or attending the unlawful conduct of dog fighting under K.S.A. 1983 Supp. 21-4315 and amendments thereto, a dog taken into custody pursuant to subsection (a) shall not be returned to such person and the expenses incurred for the care, treatment and boarding of such dog prior to conviction of the owner or keeper shall be assessed to the owner or keeper. Disposition of such dog shall be in accordance with K.S.A. 21-4311 and amendments thereto.

New Sec. 3. (a) Illegal ownership or keeping of a dog is owning or keeping on one's premises a dog by a person convicted of unlawful conduct of dog fighting under K.S.A. 1983 Supp. 21-4315 and amendments thereto within five years of the date of such conviction.

(b) Illegal ownership or keeping of a dog is a class B misdemeanor.

Sec. 4. K.S.A. 1983 Supp. 21-4315 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 2, 1984.

SENATE concurred in HOUSE amendments April 2, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended March 29, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 11, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 12th day of April, 1984.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 562

AN ACT relating to water supply and sewage; defining certain terms; concerning the application of acts of the legislature and administrative rules and regulations to agencies of the United States government; amending K.S.A. 65-161, 65-165 and 65-167 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-161 is hereby amended to read as follows: 65-161. *The term As used in this act:*

(a) "Waters of the state," ~~wherever used in this act, shall include means~~ all streams and springs, and all bodies of surface and subsurface waters within the boundaries of the state;

(b) "discharge" means, when used without qualification, the causing or permitting of sewage to enter, either directly or indirectly, into waters of the state;

(c) "indirect discharge" means the introduction of pollutants into a publicly owned treatment works from any non-domestic source; and

(d) "direct discharge" means the discharge of sewage into waters of the state.

Sec. 2. K.S.A. 65-165 is hereby amended to read as follows: 65-165. Upon application ~~duy~~ made to the secretary of health and environment by the public authorities having by law the charge of the sewer system of any municipality, township, county, or legally constituted sewer district, or any person, company, corporation, institution, municipality, or federal agency, the secretary of health and environment shall consider the case of such a sewage discharge or sewer system, otherwise prohibited by this act from discharging sewage into any of the waters of the state, or the extension of a sewer system and whenever it is ~~his~~ the secretary's opinion that the general interests of the public health would be ~~suberved served~~ thereby, or that the discharge of such sewage would not detract from the quality of the waters of the state for their beneficial uses for domestic or public water supply, agricultural needs, industrial needs, recreational needs, or other beneficial use and that such discharge meets or will meet all applicable state water quality standards and applicable federal water quality and effluent standards under the provisions of the federal water pollution control act and the ~~1972~~ amendments thereto as in effect on January 1, 1984, the secretary of health and environment shall issue a permit for the extension of a sewer system ~~and/or~~ for the discharge of sewage, or both, and shall stipulate in the permit the conditions on which such discharge will be permitted and shall require such treatment of the sewage as ~~he shall determine determined~~ necessary to protect beneficial uses of the waters of the state in accordance with the statutes and rules and regulations defining the quality of the water affected by ~~said~~ such discharge and may require treatment of the sewage in accordance with rules and regulations predicated upon technologically based effluent limitations. *Indirect dischargers shall comply with all applicable pretreatment regulations and water quality standards.*

Every such permit for the discharge of sewage shall be revocable, or subject to modification and change, by the secretary of health and environment, ~~on due upon~~ notice, ~~being having been~~ served on the public authorities having, by law, the charge of the sewer system any municipality, township, county or legally constituted sewer district or on the person, company, corporation, institution, municipality, or federal agency owning, maintaining or using the sewage system. The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit, but in no case shall it be less than ~~thirty (30)~~ 30 days or exceed two ~~(2)~~ years, and if the length of time is not specified in the permit it shall be ~~thirty (30)~~ 30 days. On the expiration of the period of time prescribed, after the service of a ~~note~~ notice of revocation, modification or change from the secretary of health and environment, the right to discharge sewage into any of the waters of the state shall cease and terminate, and the prohibition of this act against such discharge shall be in full force, as though no permit had been granted, but a new permit may thereafter again be granted, as hereinbefore provided.

Sec. 3. K.S.A. 65-167 is hereby amended to read as follows: 65-167. Upon conviction, the penalty for the willful or negligent discharge of sewage into or from the sewer system of any municipality, township, county, or legally constituted sewer district by the public authorities having, by law, charge thereof or by any person, company, corporation, institution, municipality, or federal agency, into any of the waters of the state without a duly issued permit, as required in *by* this act, or in violation of any term or condition of a permit issued by the secretary of health and environment, or in violation of any requirements made pursuant to K.S.A. 65-164, 65-165 or 65-166, or any and amendments thereto, shall be not less than ~~two thousand five hundred dollars (\$2,500)~~ \$2,500 and not more than ~~twenty-five thousand dollars (\$25,000)~~ \$25,000, and a further penalty of not more than ~~twenty-five thousand dollars (\$25,000)~~ \$25,000 per day for each day the offense is maintained. The penalty for the discharge of sewage into or from any sewage system into any waters of the state without filing a report, in any case in which a report is required by this act to be filed shall be ~~one thousand dollars (\$1,000)~~ \$1,000 per day for each day the offense is maintained.

New Sec. 4. The provisions of K.S.A. 65-161 through 65-171w, and amendments thereto, and any rules and regulations adopted under the authority thereof shall apply to agencies of the United States government.

Sec. 5. K.S.A. 65-161, 65-165 and 65-167 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body February 16, 1984.

SENATE concurred in HOUSE amendments April 2, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended March 29, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 11, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

HOUSE BILL No. 2920

AN ACT concerning crimes and punishments; relating to the crime of giving a false alarm and the crime of desecrating a cemetery; amending K.S.A. 21-4110 and 21-4115 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 21-4110 is hereby amended to read as follows: 21-4110. Giving a false alarm is:

(a) Initiating or circulating a report or warning of an impending bombing or other crime or catastrophe, knowing that the report or warning is baseless and under such circumstances that it is likely to cause evacuation of a building, place of assembly, or facility of public transport or to cause public inconvenience or alarm; or

(b) transmitting in any manner to the fire department of any city, township or other municipality a false alarm of fire, knowing at the time of such transmission that there is no reasonable ground for believing that such fire exists; or

(c) making a call in any manner for emergency service assistance including police, fire, medical or other emergency service provided under K.S.A. 12-5301 et seq., and amendments thereto, knowing at the time of such call that there is no reasonable ground for believing such assistance is needed.

Giving a false alarm is a class A misdemeanor.

Sec. 2. K.S.A. 21-4115 is hereby amended to read as follows: 21-4115. Desecrating a cemetery is knowingly and without authorization of law:

(a) Destroying, cutting, mutilating, effacing, defacing, or otherwise injuring, tearing down or removing any tomb, monument, memorial or marker in a cemetery, or any gate, door, fence, wall, post or railing, or any inclosure for the protection of a cemetery or any property in a cemetery;

(b) obliterating any grave, vault, niche or crypt; or

(c) destroying, cutting, breaking or injuring any building, statuary, ornamentation, tree, shrub or plant within the limits of a cemetery. Desecrating a cemetery is a class C misdemeanor.

Desecrating a cemetery is a class A misdemeanor.

Sec. 3. K.S.A. 21-4110 and 21-4115 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 1, 1984.

HOUSE concurred in SENATE amendments March 29, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE as amended March 27, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED April 10, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 10th day of April, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, April 19, 1984.)

SENATE BILL No. 728

AN ACT relating to acceptance of charge credit card tickets for fees, tuition and other charges collected by state agencies; prescribing powers, duties and functions for the secretary of administration; exempting certain contracts from competitive bidding.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Upon approval of the secretary of administration, a state agency may negotiate directly with a bank having a fee agency account of the state agency under K.S.A. 75-4214 and amendments thereto and enter into a contract providing for the collection of charge credit card tickets accepted by the state agency in payment of fees, tuition and other charges. Any state agency so authorized may allow the bank a discount from the face value of charge credit card tickets to compensate them for services provided in collecting such accounts, except that any discount shall not exceed 3% of the face value of the charge credit card tickets. All contracts entered into under this subsection shall be exempt from the provisions of K.S.A. 75-3739 to 75-3744, inclusive, and any amendments to those sections.

(b) In lieu of the procedure authorized by subsection (a), the secretary of administration may prepare specifications and solicit sealed proposals from banks or other financial institutions for the collection of charge credit card tickets accepted by all state agencies in payment of fees, tuition and other charges or for the sale of charge credit card tickets accepted by all state agencies to banks or other financial institutions. The specifications and sealed proposals shall state the terms, schedules for settlement and conditions under which payment for the charge credit card tickets are to be made. If one or more proposals are adopted by entering into contracts therefor, each state agency covered (1) may pay service charges, if any, for such services from the fee or other special revenue fund in which the receipts are credited or, if the receipts are credited to the state general fund, from appropriations from the state general fund which are available therefor, or (2) may allow discounts from the face value of the charge credit card tickets to compensate the banks or other financial institution for the cost of handling the transactions. No service charges or discounts under a proposal adopted under this subsection shall exceed 3% of the face value of the charge credit card tickets.

(c) The director of accounts and reports shall prescribe within the central accounting system those procedures necessary to implement the provisions of this section.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body March 14, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE March 30, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 10, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, April 19, 1984.)

HOUSE BILL No. 2991

AN ACT concerning certain claims against the state; prohibiting payments on certain claims by subrogees of insured persons; amending K.S.A. 1983 Supp. 46-922 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1983 Supp. 46-922 is hereby amended to read as follows: 46-922. (a) As used in this section and in K.S.A. 46-923 and amendments thereto, the term "state agency" shall have the meaning ascribed thereto in K.S.A. 1982 Supp. 75-3701, and amendments thereto.

(b) The head of any state agency is authorized to make payment to the officers or employees of such state agency for property damage or loss occurring while that officer or employee is acting within the scope of such office or employment if such property loss or damage, in the opinion of the state agency head, did not occur as a result of negligence of the claimant.

(c) The head of any state agency is authorized to make payment to any other person for property damage or loss occurring under circumstances which establish, in the state agency head's opinion, that such damage or loss was caused by the negligence of the state or any agency, officer or employee thereof. The secretary of social and rehabilitation services is authorized to make payment from funds appropriated to the secretary for the homemaker program to any person for property damage or loss caused by an act of a homemaker employed by the secretary.

(d) No payment shall be made under this section on any claim for an amount in excess of \$500 or in any amount on a claim by a person who is an insurer and who is making the claim as a subrogee for all or part of any amount paid to such person's insured.

Sec. 2. K.S.A. 1983 Supp. 46-922 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 28, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE March 29, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED April 10, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 10th day of April, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, April 19, 1984.)

HOUSE BILL No. 2167

AN ACT concerning telephone services for emergencies; relating to the use of funds therefor; amending K.S.A. 12-5304 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 12-5304 is hereby amended to read as follows: 12-5304. (a) Any governing body imposing the tax authorized by this act K.S.A. 12-5302, and amendments thereto, may contract directly with the provider of the emergency telephone service or may contract and cooperate with any public agency or with other states or their political subdivisions or with any association or corporation for their political subdivisions or with any association or corporation for the administration of emergency telephone service as provided by law.

(b) Funds collected from tax imposed pursuant to this act K.S.A. 12-5302, and amendments thereto, shall be spent solely to pay for (1) the monthly recurring charges billed by the service supplier for the emergency telephone service, (2) initial installation, service establishment, nonrecurring startup charges billed by the service supplier for the emergency telephone service, (3) charges for capital improvements and enhancements to the emergency telephone system billed by the service supplier for the emergency telephone service, or (4) any combination thereof.

Sec. 2. K.S.A. 12-5304 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 13, 1984.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

Passed the SENATE April 2, 1984.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

APPROVED April 11, 1984.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11th day of April, 1984.

(SEAL)

JACK H. BRIER
Secretary of State.

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612

Second Class
postage paid
at
Topeka, Kansas

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

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

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

Zip code must be included

**THIS SPACE FOR REGISTER OFFICE
USE ONLY, PLEASE**

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

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

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

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

Indicate change or correction of name or address
here:

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