

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

DEPARTMENT OF TRANSPORTATION

SPECIAL NOTICE TO CONTRACTORS

A pre-bid conference for Project 435-46 K 0456-06, Johnson County, is scheduled for Tuesday, March 5, 1985, at 10:00 a.m. at the KDOT Area 6 Office, 309 N. Rogers Road (K-150 and Rogers Road) in Olathe. The project begins approximately at the interchange of I-435 and I-35 in the city of Lenexa, grading, surfacing, concrete pavement, bridges, seeding and signing. Contractors wishing to bid on the project *are* required to attend this pre-bid conference in accordance with the provisions of 8OP-207-R1 dated January 31, 1985. The project is scheduled to be let on March 21, 1985.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002879

State of Kansas

DEPARTMENT OF TRANSPORTATION

SPECIAL NOTICE TO CONTRACTORS

A pre-bid conference for Project 235-87 K-2515-01, Sedgewick County is scheduled for March 7, 1985 at 1:30 p.m. at the Highway Patrol Building, 3200 E. 45th St. N in Wichita. The project begins approximately at the interchange of I-235 and US-54, then northeast on I-235 for approximately 8.899 miles, grading, concrete pavement bridge repair on Bridge Nos. 235-87-16.20, 16.30, 16.90, 17.90, 19.30, 20.40, 21.90, 24.33, 24.40, 24.90 and seeding. Contractors wishing to bid on the project *are required* to attend this pre-bid conference in accordance with the provisions of 80P-207 dated December 19, 1984. The project is scheduled to be let for bid on March 21, 1985.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002863

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State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONSULTING ENGINEERS

The Kansas Department of Transportation (KDOT) is seeking to engage a qualified engineering firm for the design of the following projects.

MONTGOMERY COUNTY

169-63 K-1797-01/F-BRF 083-1(44), reconstruction of US-169 from the state line to the south city limits of Coffeyville, including the replacement of two bridges.

PAWNEE COUNTY

56-73 K-2595-01/F-BRF 020-3(12), replacement of the Arkansas River drainage bridge 1.76 miles southwest of US-156.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by March 1, 1985.

It is the policy of the KDOT to use the following criteria as the basis for selection of engineering consultant firms.

1. Size and professional qualifications of firm.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 002888

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



PHONE: 913/296-3489

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**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., March 21, 1985 and then publicly opened:

DISTRICT I-Northeast

Johnson—56-46 K-1781-01—US-56, Cedar Creek bridge 84, 0.4 mile southwest of Olathe, 0.3 mile, bridge replacement. (Federal Funds)

Johnson—56-46 K-2121-01—US-56, Roe Avenue to Kansas-Missouri state line, 2.0 miles, recycle. (State Funds)

Johnson—56-46 K-2417-01—US-56, junction I-35, east to Roe Avenue, 3.2 miles, recycle. (State Funds)

Johnson—56-46 K-2683-01—US-56, junction of US-56 and I-35 east to Kansas-Missouri state line, 5.0 miles, pavement marking. (Federal Funds)

Johnson—435-46 K-0456-06—I-435, ramps east-north and west-south and bridges on I-35, grading and surfacing. (Federal Funds)

Pottawatomie—75 C-0671-01—US-75, in the city of Onaga, 0.1 mile, bridge replacement. (Federal Funds)

Wyandotte—70-105 K-2483-02—I-70, partial lighting at I-70 and K-132 interchange. (Federal Funds)

Wyandotte—635-105 K-2198-01—I-635, humpyard bridges 40 and 41 in Kansas City, bridge overlay. (Federal Funds)

DISTRICT TWO—Northcentral

Dickinson—4-21 K-1785-01—K-4, east branch Lyon Creek bridge 47, 4.2 miles east of Hope, bridge replacement. (Federal Funds)

Dickinson—4-21 K-1889-01—K-4, west and east Turkey Creek bridges 44 and 46, 3.5 miles east of K-15, 0.4 mile, bridge replacement. (Federal Funds)

Ellsworth—156-27 M-1355-01—US-156, near Burlington Northern Railroad and Turkey Creek 15.0 miles northeast of K-4, 0.3 mile, slide repair. (State Funds)

Geary—70-31 M-1360-01—I-70, Safety Rest Area 1505 and 1506, 1.0 mile west of I-70 and US-77, safety rest area. (State Funds)

Geary—70-31 M-1361-01—I-70, Safety Rest Area 1511 and 1512, 4.1 miles west of I-70 and K-177, safety rest area. (State Funds)

Marion—56-57 K-1890-01—US-56, Cottonwood River bridge 15, west edge of Marion, 0.9 mile, bridge replacement. (Federal Funds)

Morris—64 C-1874-01—County Road, 0.2 mile west and 3.0 miles north of Latimer, north, 0.1 mile, bridge replacement. (Federal Funds)

Morris—64 C-1875-01—County Road, 3.0 miles north and 0.3 mile west of Latimer, west, 0.1 mile, bridge replacement. (Federal Funds)

Ottawa—72 C-1859-01—County Road, 3.6 miles

south and 1.0 mile east of Minneapolis, east, 0.1 mile, bridge replacement. (Federal Funds)

Republic—148-79 K-1791-01—K-148, West Creek bridge 32, 0.84 mile east of junction US-81, 0.2 mile, bridge replacement. (Federal Funds)

Republic—79 C-1414-01—County Road, 4.3 miles north and 0.6 mile east of Cuba, east, 0.3 mile, bridge. (Federal Funds)

Republic—79 C-1753-01—County Road, 2.0 miles south and 2.2 miles west of Belleville, west, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT FOUR—Southeast

Anderson—2 C-1760-01—County Road, 2.0 miles north of Lone Elm, west, 0.1 mile, bridge replacement. (Federal Funds)

Chautauqua—C-1067-01—County Road, 12.0 miles north and 0.5 mile east of Cedar Vale, east, 0.4 mile, bridge replacement. (Federal Funds)

DISTRICT FIVE—Southcentral

Barber—4 C-1199-01—County Road, 3.0 miles west and 2.4 miles south of Medicine Lodge, southwest, 3.0 miles, surfacing. (Federal Funds)

Comanche—17 C-1889-01—County Road, 6.0 miles north of Protection, west, 3.0 miles, surfacing. (Federal Funds)

Kingman—42-48 K-1891-01—K-42, Chikaskia River drainage bridge No. 45, 1.6 miles west of Spivey, bridge replacement. (Federal Funds)

Kingman—48 C-1770-01—County Road, 6.0 miles north and 1.2 miles east of Nashville, east, 0.1 mile, bridge replacement. (Federal Funds)

Kingman—48 C-2011-01—County Road, 3.5 miles north and 2.7 miles east of Kingman, east, 5.7 miles, surfacing. (Federal Funds)

Reno—78 C-1763-01—County Road, 0.5 mile north of Willowbrook, west, 0.2 mile, bridge replacement. (Federal Funds)

Rice—80 C-1440-01—County Road, 5.7 miles east and 3.5 miles north of Sterling, north, 5.0 miles, surfacing. (Federal Funds)

Sedgwick—235-87 K-2515-01—I-235, junction US-54 north and east to Broadway, 8.6 miles, pavement. (Federal Funds)

Sedgwick—235-87 K-2689-01—I-235, bridges 67, 68, 71, 72, 74 and 75, over I-235, bridge overlay. (Federal Funds)

Sedgwick—87 C-1549-01, County Road, Valley Center, west, 2.6 miles, surfacing. (Federal Funds)

Sedgwick—254-87 K-1364-02—K-254, Hydraulic, east to end of four-lane, guard fence modification. (Federal Funds)

DISTRICT VI—Southwest

Finney—28 C-2074-01—County Road, 1.0 mile west and 7.5 miles south of Holcomb, south, 3.0 miles, surfacing. (Federal Funds)

Haskell—41 C-1642-01—County Road, 11.0 miles north of Sublette and 7.0 miles east of US-83, east, 3.0 miles, surfacing. (Federal Funds)

Seward—88 C-1001-01—County Road, 21.2 miles

(continued)

north and 6.0 miles west of Liberal, north, 0.2 mile, bridge replacement. (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. 002889

State of Kansas
**SOCIAL AND REHABILITATION SERVICES
ADULT SERVICES ADVISORY COUNCIL**

NOTICE OF MEETING

The Adult Services Advisory Council will meet on Tuesday, March 5, 1985, from 10:30 a.m. to 12:30 p.m., at the Staff Development Training Center, 2700 W. 6th St., Topeka, KS.

ANITA FAVORS
Commissioner of Adult Services

Doc. No. 002892

State of Kansas
**SOCIAL AND REHABILITATION SERVICES
PUBLIC ADVISORY COMMITTEE
ON ENERGY ASSISTANCE**

NOTICE OF MEETING

A meeting of the Public Advisory Committee on Energy Assistance and Conservation will be held on March 5, 1985 at 1:00 p.m. in the SRS Boardroom, 6th Floor North of the State Office Building in Topeka. The meeting is open to the public. Anyone desiring more information should contact Philip P. Gutierrez at 913-296-3349.

DR. ROBERT C. HARDER
Secretary of Social and
Rehabilitation Services

Doc. No. 002893

State of Kansas
SOCIAL AND REHABILITATION SERVICES

NOTICE OF OPEN MEETING

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on March 5, 1985, at 9:00 a.m., in the Staff Development Training Center, 2700 W. 6th St., Topeka, KS.

The scheduled agenda for the Open Meeting includes:

- Initiate budget discussions for FY 1987 for Adult Services, Alcohol and Drug Abuse Services, Income Maintenance and Medical Services, Rehabilitation Services and Youth Services.
- Continued discussion related to Issue Papers.
- Select issues from the public concerning budget matters.
- Solicit public input in regard to proposals concerning temporary administrative regulations.
- Adoption of State Economic Opportunity Office Weatherization Plan.

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

ROBERT C. HARDER
Secretary of Social and Rehabilitation Services

Doc. No. 002891

State of Kansas
EMPLOYEES HEALTH CARE COMMISSION

NOTICE OF MEETING

The Kansas State Employees Health Care Commission will hold its regular monthly meeting on March 1, 1985, at 2:00 p.m., in the Third Floor Conference Room, Insurance Department, 420 S.W. 9th, Topeka, KS.

STEVEN J. PORTER
Health Care Administrator

Doc. No. 002894

(Published in the KANSAS REGISTER, February 21, 1985)

State of Kansas
ABSTRACTERS' BOARD OF EXAMINERS

NOTICE OF EXAMINATION

An examination of persons desiring to secure registration and becoming subject to license to engage in the business of making, compiling or completing and selling abstracts of title to real estate, in the State of Kansas, will be held at the Marcus Center for Continuing Education, Wichita State University, 4201 E. 21st St., Wichita, KS, on Saturday, March 23, 1985, beginning at 8:00 a.m., by the Abstracters' Board of Examiners.

All persons desiring to take such examination shall file with the Executive Secretary of said Board, at her office, P.O. Box 218, Jetmore, KS 67854, on or before March 16, 1985, an application to do so, and at the time of filing such application, shall pay to said Executive Secretary, an examination fee of Twenty-five Dollars (\$25.00).

JOANNE CLARKE
Executive Secretary

Doc. No. 002856

State of Kansas

PARK AND RESOURCES AUTHORITY**NOTICE TO BIDDERS**

Sealed bids for the development, construction, operation and maintenance of a Marina Concession Facility (Bid Identification No. 503-KAN-7012A) at Kanopolis State Park, Ellsworth County, KS will be received by the Kansas Park and Resources Authority, Room 520, 503 Kansas Ave., P.O. Box 977, Topeka, KS 66601, until 2:00 p.m., March 12, 1985, and then will be publicly opened and read aloud.

Bid Forms, plans, specifications, and other project information may be obtained from the Kansas Park and Resources Authority, at the address given above.

There will be a charge of \$10.00 per set for the documents with no refund.

ROBERT ENSLEY
Chief of Fiscal Division

Doc. No. 002896

State of Kansas

**DEPARTMENT OF
HEALTH AND ENVIRONMENT
BUREAU OF WATER PROTECTION**

NOTICE OF AVAILABLE REPORTS

The Kansas Department of Health and Environment, Bureau of Water Protection, currently has a supply of the following reports. They may be ordered by calling Mariellen Butler, 913-862-9360, ext. 248 or by writing to:

Mariellen Butler
KDHE, Bureau of Water Protection
Bldg. 740, Forbes Field
Topeka, KS 66620

Water Year Reports 1968-1983
Report to the 1984 Legislature
Revisions to Water Quality Management Plan
Management of Construction Activity Nonpoint Source Pollutants
Fishkills Caused by Pollution 1960-1975
208 Plans: Benefit Assess. of Ks. Water Qual. Mgmt. Plan
Siting Criteria Hydrol. Inv. & Mgmt. of Sanitary Landfills
Water Quality Analysis
Mineral Resource Activities and Management Report
Recommended Management Plans
Agricultural Runoff
Assessment of Aquatic Environment
Groundwater Qual. Effects Association with Residual Waste
Groundwater Pollution
Rural and Urban Stormwater Runoff
Construction Erosion and Management
Municipal, Industrial and Agricultural Point Sources

CHARLES V. HAMM
Special Assistant to the Secretary

Doc. No. 002897

State of Kansas

ATTORNEY GENERAL**Opinion No. 85-14**

Federal Jurisdiction—Federal Property—Investigation of Alleged Child Abuse on Fort Leavenworth Reservation.

Infants—Code for Care of Children—Investigation of Alleged Child Abuse on Federal Reservations. Senator Edward F. Reilly, Jr., Third District, Leavenworth, February 7; 1985.

The United States government has exclusive jurisdiction over crimes committed on Fort Leavenworth property, which may be exercised in investigating child abuse pursuant to 18 U.S.C. § 13. Local governmental officials may enter into an agreement with its authorizing concurrent jurisdiction in matters of police protection. Cited herein: K.S.A. 12-2904; 27-101; 27-102; 27-104; 18 U.S.C. § 13. MBM

Opinion No. 85-15

Constitution of Kansas—Miscellaneous—Lotteries

Crimes and Punishments—Code; Crimes Against Public Morals—Gambling. Gene M. Olander, District Attorney, Third Judicial District, Topeka, February 8, 1985.

The purchase of Missouri lottery tickets by a ticket service business using Kansans' money and subsequent distribution of the tickets to customers within Kansas violates K.S.A. 21-4306. If Kansans wish to buy Missouri lottery tickets, they must personally purchase the ticket in Missouri, in that resale or redistribution of lottery tickets within Kansas is illegal. Cited herein: K.S.A. 21-4302; 21-4306; Kan. Const., Art. 15, § 3; 18 U.S.C.A. § 1301. MBM

Opinion No. 85-16

Public Health—Meat and Poultry—Inspection of Animals Before Slaughter; Exceptions. Senator Robert G. Frey, Thirty-Eighth District, Liberal, February 8, 1985.

The Kansas Meat and Poultry Inspection Act, K.S.A. 65-6a18 *et seq.*, provides for the inspection of various meat and poultry products which are used in intrastate commerce, in order to insure that no adulterated products are sold for human consumption. The act does not apply to meat which is donated for consumption at a church dinner, even if a free will offering is taken, in that such activities are not a part of intrastate commerce. Cited herein: K.S.A. 1984 Supp. 65-6a18; K.S.A. 65-6a20; 65-6a27; K.A.R. 1983 Supp. 4-16-1. JSS

Opinion No. 85-17

Insurance—Automobile Injury Reparations Act—Motor Vehicle Liability Insurance Coverage; Display of Proof of Financial Security. Representative Herman G. Dillon, Thirty-Second District, Kansas City, February 12, 1985.

(continued)

K.S.A. 1984 Supp. 40-3104(d) requires that any person operating a motor vehicle upon the highways of Kansas be able to show, upon demand by a law enforcement official, evidence of financial security. Subsection (e) defines evidence of financial security as including a policy of motor vehicle liability insurance or an identification card or certificate issued by the insurance company which has such a policy in effect on the vehicle. The subsection also provides that a person charged with a violation of K.S.A. 1984 Supp. 40-3104(d) has 20 days to produce such evidence of financial security, either in court or in the office of the arresting officer. By this language, the legislature has permitted a minimum time period in which a person may, at his or her convenience, produce evidence of financial security in one of two different locations. Additionally, the "form" which is forwarded to the department of revenue following the production of such evidence should be filled out at the office of the arresting officer or the court at the time such evidence is produced, and not before. Cited herein: K.S.A. 1984 Supp. 40-3104. JSS

ROBERT T. STEPHAN
Attorney General

Doc. No. 002902

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

NOTICE OF JTPA MEETING

Job Training Partnership Act, Private Industry Council for Service Delivery Area II, will meet at 9:30 a.m., Thursday, February 28, 1985, at the YWCA, 225 W. 12th, Topeka, KS.

CHUCH HERNANDEZ
SDA II PIC Manager

Doc. No. 002899

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

GRANT APPLICATIONS IN REVIEW

Below are listed applications which have been submitted to the Kansas Review Process. For those requiring review, 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. The due date for comments is indicated.

KS850213-001-13600BU—Application to the Department of Health and Human Services for \$5,047 for a Head Start cost of living increase in Butler and Harvey counties. Contact Gerald Franklin, MIDKAP Head Start, 126 E. 2nd, El Dorado, KS 67042, 321-6373. No review required.

KS850213-002-13628BR—Application to the Department of Health and Human Services for \$50,000. This grant application would provide educational/support services for targeted parent groups to prevent removal of Indian children from their home due to child abuse and neglect. Upon completion of

the program outcomes would be compiled, analyzed and presented in research form. This project could be used as a model by other Indian Child Welfare agencies. Contact Delores Miller, Four Tribes Social Services Program, P.O. Box 206, Horton, KS 66439. Comments due by March 25, 1985.

The following grant has been awarded:

KS840614-006-15916SC—The Kansas Department of Park and Resources Authority was awarded \$140,000. This project will consist of a bituminous overlay on existing asphalt roads in Scott county. The construction may include removing the top portion of the existing asphalt and recycling the material with new. Keith Springer, Kansas Park & Resource Authority, Box 977, Topeka, KS 66601, 913/296-2281.

PROGRAM ANNOUNCEMENTS

The Office of Human Development Services announced on January 25, 1985 the availability of financial assistance to establish or expand Head Start projects. Closing date for application is March 11, 1985. \$27.4 million will be distributed on the basis of state allotment formulas, \$2.4 million will be awarded to innovative service projects. For application kits write to Robert Foster, Head Start Bureau, Administration for Children, Youth, and Families, P.O. Box 1182, Washington, D.C. 20013.

The Office of Community Services (OCS) of the Department of Health and Human Services (HHS) is seeking applications from any private or public nonprofit organization for new grants under the Secretary's Discretionary Fund of the CSBG program. Approximately \$27 million will be available to support 80 new grants for FY 85, the average being \$300,000. Projects should promote (1) self-sufficiency in employment; (2) Income and ownership opportunities for low-income community members; (3) A better standard of living in terms of housing, water, and waste water treatment for rural low-income individuals; and (4) The implementation of new and innovative strategies for addressing the special needs of migrant workers. Applications are due March 29, 1985. For more information contact OCS, Office of State and Project Assistance, Division of Discretionary Grants, 1200 19th Street, N.W., Room 518, Washington, D.C. 20506, telephone (202) 632-6634.

The Public Health Service of HHS is seeking applications to distribute \$500,000 to award 5-15 research grants in 8 categories of family planning. Applications are due March 22, 1985 and may be obtained from the Grants Management Office, Office of Family Planning, Department of Health and Human Services, North Building-Room 1351, 330 Independence Avenue, S.W., Washington, D.C. 20201. For more information contact Dr. Patricia Thompson at that address, telephone (202) 245-0151.

ACTION is soliciting applications from private nonprofit and public agencies for the FY 85 Young Volunteers in ACTION program. Approximately twenty-one \$20,000 grants will be made to projects dealing with services to latchkey children, disabled persons, Native Americans, migrant farmworkers,

substance abuse, and Head Start day care activities. Applications are due March 29, 1985 and may be obtained by writing ACTION State Program Office, 444 S.E. Quincy, Topeka, KS 66683, telephone (913) 295-2540.

Conservation project funds are available from the Institute of Museum Services, Room 609, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506, Attention Kristine Ramaekers, Program Officer, telephone (202) 786-0539. Applications are due May 1, 1985. Activities may include technical examination of material, surveys of environmental and collection conditions, providing optimum environmental conditions, research, and training.

The Office of Developmental Programs, Rehabilitation Services Administration, Office of Special Education and Rehabilitation Services, U.S. Department of Education, Room 3329, Mary E. Switzer Building, 400 Maryland Ave., S.W., (MS2312) Washington, D.C. 20202, is seeking applications for three discretionary grant programs: Handicapped American Indian Vocational Rehabilitation Service Projects, applications due April 29, 1985; Initiating Special Recreation Programs for Handicapped Individuals, applications due May 6, 1985, and Handicapped Migratory Agricultural and Seasonal Farmworker Vocational Rehabilitation Services, applications due May 1, 1985.

U.S. Department of Transportation announces the availability of a 206 page book entitled "Microcomputers in Transit: A Software Handbook. It is designed to introduce management and staff of small to mid-sized transit agencies to the different types of computer programs available to the industry and documents the applications of some of the more common ones. Free copies are available to State and local officials by sending a self-addressed mailing label to the Technology Sharing Program (1-30SH), Office of the Assistant Secretary for Governmental Affairs, U.S. Department of Transportation, Washington, D.C. 20590. Include book title and document number, DOT-I-84-47.

LARRY E. WOLGAST, Ed.D.
Secretary of Human Resources

Doc. No. 002898

State of Kansas

BOARD OF EDUCATION

NOTICE OF PUBLIC HEARING

TO ALL TEACHERS, ADMINISTRATORS, BOARD 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 Building, 120 E. 10th St., Topeka, KS, 66612 on March 12, 1985, beginning at 1:30 p.m. to consider in substance the proposed new Kansas (Beginning Teacher) Internship

Plan for Fiscal Year 1986 which has been submitted to the Kansas Legislature for consideration at its 1985 session pursuant to 1984 H.C.R. 5087, and the proposed new Fiscal Year 1986 three-year Kansas State Plan for Vocational Education which is to become effective July 1, 1985, after submission of the plan to the Kansas Legislature and the Kansas state job training coordinating council for review and comment 60 days prior to submission of the plan along with such comments to the secretary of education in compliance with Sec. 114(a)(1) of the Carl Perkins Vocational Education Act of 1984, upon adoption of the State Board and certification of the Kansas commissioner of education, and the Kansas Vocational Education Accountability Report for Fiscal Year 1984.

The proposed said plans relate generally to the following:

1. The proposed revised plan relates generally to the following: Kansas (Beginning Teacher) Internship Plan—major modifications to the internship plan which was presented in December, 1984. I. Legal Basis—no change; II. Rationale—no change; III. Proposed Program—as a result of the December 11, 1984, public hearing, the same operation as proposed earlier with the following changes: a) excluded from participation in the internship program are speech pathologists, audiologists, school social workers, school psychologists, and school nurses; b) the assistance committee would consist of a senior teacher(s) and a certified practicing administrator. The structure and functions of the assistance committee in areas other than assessment are defined by the local education agency in its plan of internship; c) a school district, either independently or in consortium with other districts, may want to develop, implement, and evaluate seminars designed to meet the needs of interns as determined by a statewide needs assessment. These may be substituted for those offered by the state-approved teacher education institutions, but they are in addition to regularly scheduled district inservice activity. If this alternative is followed, a state-approved teacher education institution must be involved in the planning and/or presentation of the seminar. IV. Estimated Cost—no significant change; there are slight changes in the figures.

2. The new 1986 three-year State Plan for Vocational Education has been developed for compliance with Public Law 98-524 to allow Kansas to receive federal vocational education funds under the Carl Perkins Vocational Education Act of 1984. The Plan contains two goals for vocational education, accompanied by appropriate objectives and proposed activities to achieve the stated goals. The Plan outlines procedures for distribution of funds to eligible recipients through approved applications based on local and regional plans outlining priorities for improving and expanding vocational education and developing new vocational programs. The Plan has been developed to meet the vocational needs of Kansas and to foster economic growth through better training employees.

The Kansas Vocational Education Accountability Report for Fiscal Year 1984 outlines the activities,

(continued)

accomplishments and funding allocations and expenditures for fiscal year 1984.

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 plans may be obtained by contacting the secretary of the state board of education, Kansas State Education Building, 120 E. 10th St., Topeka, KS 66612, prior to March 1, 1985.

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 plans. 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 plans 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 reactions will be entered 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 per subject 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
Certified by: DR. HAROLD L. BLACKBURN
Kansas Commissioner of Education

By: ROBERT J. CLEMONS
Chairman

Doc. No. 002900

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. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, MARCH 4, 1985

#26410

Statewide—CANNED GOODS

#26434

Department of Social and Rehabilitation Services,
Topeka—LAUNDRY SERVICE, Vocational
Rehabilitation Center, Salina

#26437

Department of Transportation, Topeka—TERMITE
CONTROL SERVICE, Wichita

#26444

University of Kansas, Lawrence—MOLECULAR
BIOLOGICAL ITEMS

#60749

University of Kansas Medical Center, Kansas
City—KITCHEN EQUIPMENT (SHELVING)

#60753

University of Kansas Medical Center, Kansas
City—ROTARY MICROTOME

#60754

Kansas State University, Manhattan—MAILROOM
EQUIPMENT AND FURNITURE

#60755

Department of Transportation, Various
Locations—PLANT MIX BITUMINOUS MIXTURE

#60756

Department of Transportation, Topeka—
INSECTICIDE AND HERBICIDE

#60763

Kansas Fish and Game Commission, Pratt—
CHANNEL CATFISH, Milford Hatchery, Junction
City

#60764

Kansas State Penitentiary, Lansing—BARBED TAPE
WIRE AND TIE WIRES

#60779

Kansas State University, Manhattan—VEHICLES

#60794

Kansas State University, Manhattan—VEHICLES

#60795

University of Kansas, Lawrence—
CHROMATOGRAPHY APPARATUS

#60813

Wichita State University, Wichita—DISK
MODULAR COMPATIBLE TO IBM MODEL
3350-A2

#60814

University of Kansas, Lawrence—COLOR
GRAPHICS TERMINAL

TUESDAY, MARCH 5, 1985

#A-4899

Fort Hays State University, Hays—PROVIDE
EXHAUST/VENTILATION SYSTEM
MODIFICATIONS, Rarick Hall

#A-4989

Parsons State Hospital and Training Center,
Parsons—SURFACE EXISTING DRIVES AND
PARKING LOT

#A-5224

University of Kansas Medical Center, Kansas
City—PROVIDE FIRE PROTECTION SYSTEM,
Robinson Hall ("L" Building)

#26432

Statewide—MEDICAL GASES

#60765

Kansas Fish and Game Commission, Pratt—
ELECTRIC FENCE MATERIALS, Garden City

#60770

Department of Transportation, Various
Locations—AS-1 AGGREGATE OR ALTERNATE
AB-3 AGGREGATE

#60771

Department of Transportation, Various
Locations—MRA-AGGREGATE

#60772

Kansas State University, Manhattan—MILO

#60778

Kansas Fish and Game Commission, Pratt—
VEHICLES

#60780

Kansas State Penitentiary, Lansing—HADITE
BLOCK, WIRE AND CEMENT

#60784

University of Kansas, Lawrence—HPLC
APPARATUS

#60785

Kansas State University, Manhattan—VETERINARY
ULTRASOUND APPARATUS

#60796

Kansas Correctional Industries, Lansing—
FORKLIFT, ELECTRIC

#60803

Department of Social and Rehabilitation Services,
Topeka—ACA STRIPED TICKING, Kansas Industries
For The Blind, Kansas City

#60810

Kansas State University, Manhattan—CRT DISPLAY
STATION-IBM 3274 COMPATIBLE

#60811

Kansas State University, Manhattan—CONTROL
UNIT-IBM 4381 COMPATIBLE

WEDNESDAY, MARCH 6, 1985

#A-5117

Adjutant General Department, Topeka—PARTIAL
REROOF OF NATIONAL GUARD ARMORY
BUILDING

#A-5167

Kansas Correctional-Vocational Training Center,
Topeka—REPLACE CARPET FOR
ADMINISTRATIVE OFFICE AREAS

#60781

University of Kansas, Lawrence—PANELING AND
WOOD TRIM

#60782

University of Kansas, Lawrence—COMBINATION
FUEL BURNING SYSTEMS

#60783

Department of Transportation, Various
Locations—BLADES

#60786

Kansas State University, Manhattan—MICROSCOPE

#60792

University of Kansas Medical Center, Kansas City—
MICROSCOPE

#60793

Kansas State Penitentiary, Lansing—USED MOTOR
GRADER

#60812

Kansas State University, Manhattan—ANSI
COMPATIBLE TERMINAL

#60815

Pittsburg State University, Pittsburg—COMPUTER
TERMINALS

THURSDAY, MARCH 7, 1985

#60751

Department of Revenue, Topeka—SALE OF USED
PORTABLE WHEEL SCALES

#60806

University of Kansas, Lawrence—EIA READER,
FRACTION COLLECTOR, ABSORBANCE
DETECTOR

#60809

Kansas State University, Manhattan—FORESTRY
PUMPER TANK UNITS

#60816

Wichita State University, Wichita—APPLE DISK II
FRIDAY, MARCH 8, 1985

#26439

Kansas Fish and Game Commission, Pratt—
VEGETATION CONTROL

#26440

Kansas Fish and Game Commission, Pratt—
NOXIOUS WEED CONTROL

#26449

University of Kansas Medical Center, Kansas City—
FROZEN EGGS

MONDAY, MARCH 11, 1985

#26416

Statewide and University of Kansas Medical Center,
Kansas City—SUTURES AND SURGICAL
SPECIALTIES (CLASS 12)

TUESDAY, MARCH 12, 1985

#26435

University of Kansas Medical Center, Kansas
City—MIST INHALATORS

FRIDAY, MARCH 15, 1985

#26453

Wichita State University, Wichita—FOOD SERVICE
CONTRACT

TUESDAY, MARCH 19, 1985

#26436

Department of Transportation, Topeka—READY
MIX CONCRETE

WEDNESDAY, MARCH 20, 1985

#26443

Statewide—LIGHT OILS

MONDAY, MARCH 25, 1985

#26445

Kansas Fish and Game Commission, Pratt—LEASE
OF LAND, Finney State Park

#26446

Kansas Fish and Game Commission, Pratt—LEASE
OF LAND, Glen Elder Wildlife Area

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 002901

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION

SUPREME COURT DOCKET

(Note: Dates and Times of arguments are subject to change.)

Monday, February 25, 1985

Case Caption	Attorneys	Originating County
	9:30 a.m.	
57,157 State of Kansas, appellee, v. Gerald L. Tillman, appellant.	Robert T. Stephan, Atty. Gen.; Geary N. Gorup, Asst. Dist. Atty.	Sedgwick
56,959 State of Kansas, appellee, v. William L. Wise, appellant.	Eric A. Stahl. Robert T. Stephan, Atty. Gen.; Geary N. Gorup, Asst. Dist. Atty.	Sedgwick
56,718 Ella M. Byrd, appellant, v. Wesley Medical Center, appellee.	Charles A. O'Hara. M. Ralph Baehr.	Sedgwick
57,472 Ford Motor Credit Company, appellant, v. Suburban Ford, et al., appellees.	Chris Christian; Jerry G. Elliott. Gerritt H. Wormhoudt; Thomas D. Kitch; John E. Cowles. Edward H. McConwell.	Sedgwick
	1:30 p.m.	
57,222 State of Kansas, appellee, v. Walter Lee Norman, appellant.	Robert T. Stephan, Atty. Gen.; Dexter Burdette, Asst. Dist. Atty.	Wyandotte
56,869 State of Kansas, appellee, v. Donald E. Davis, appellant.	Kevin E. Koch. Robert T. Stephan, Atty. Gen.; Wesley K. Griffin, Asst. Dist. Atty.	Wyandotte
56,944 State of Kansas, appellee, v. Ralph J. Baker, Jr., appellant.	Carl E. Cornwell. Robert T. Stephan, Atty. Gen.; Jerome Gorman, Asst. Dist. Atty.	Wyandotte
57,003 City of Kansas City, Kansas, et al., appellees, v. Carpenters District Council of Kansas City, et al., appellants.	Michael L. Sexton Kathryn Pruessner Peters; Daniel B. Denk. Steve A. J. Bukaty; Gibson Langsdale; John P. Hurley.	Wyandotte
	Tuesday, February 26, 1985	
	9:30 a.m.	
56,847 State of Kansas, appellee, v. Dana Hawkins, appellant.	Robert T. Stephan, Atty. Gen.; John J. Gillett, Co. Atty.	Wilson
56,660 State of Kansas, appellee, v. Kenneth Craig Baker, appellant.	Steven W. Rogers, Robert T. Stephan, Atty. Gen.; Calvin K. Williams, Co. Atty.	Osage
56,915 Tandra Ramsey, appellant, v. KFB Insurance Company, Inc., appellee.	Joel W. Meinecke. Keith Martin; Bruce Keplinger. Karl V. Shawver, Jr.	Miami

57,013	Bill Ernest, appellant, v. Robert D. Faler, d/b/a Bob Faler Aerial Spray Service, appellee.	M. Doug Bell. Robert K. Scovel.	Montgomery
1:30 p.m.			
56,811	Dewey Barr and Valarie Barr, Husband and Wife, appellants, v. Terminex International, Inc., a Foreign Corporation, appellee.	Steven Hornbaker. D. Lee McMaster.	Saline
56,423	Fred Holmes, <i>et al.</i> , appellants, v. The First National Bank of Washington, Kansas, <i>et al.</i> , appellees.	Edgar Wm. Dwire. Thomas M. Tuggle; Robert Henderson.	Washington
57,246	State of Kansas, appellant, v. Thomas Dean Green, appellee.	Robert T. Stephan; Jerry L. Harper, Dist. Atty.	Douglas
57,038	Winona A. Dieter, appellee, v. Lawrence Paper Company, appellant, and Workers' Compensation Fund, appellee.	Lonnie Hamilton. Eugene C. Riling. Edwin P. Carpenter; Greg Lee.	Douglas

Wednesday, February 27, 1985

9:30 a.m.

56,694	State of Kansas, appellee, v. Sueanne Salee Hobson, appellant.	Robert T. Stephan, Atty. Gen.; Dennis Moore, Dist. Atty.	Johnson
55,870	State of Kansas, appellee, v. John E. Myatt, appellant.	Scott Harrison Creamer. Robert T. Stephan, Atty. Gen.; Lloyd Graham, Asst. Co. Atty.	Geary
ON PETITION FOR REVIEW			
56,923	Harold L. Owings, <i>et al.</i> , appellants, v. Terry V. Gifford, <i>et al.</i> , v. Fields Foundation, <i>et al.</i> , appellees.	Ralph J. De Zago; Chris Biggs. Rod L. Richardson.	Johnson
56,921	Lyllis Ling, appellant, v. Jan's Liquors, appellee.	Michael G. Norris; Jeffrey S. Bay; Alan P. Blinzler; Hal E. Pierce. Donald W. Vasos.	Johnson

1:30 p.m.

56,928	Lakeside Village Improvement District, Jefferson County, Kansas, appellant, v. Jefferson County, Kansas, appellee.	Fred W. Rausch, Jr. James D. Waugh.	Jefferson
55,585	J. M. Ford, II, <i>et al.</i> , appellants, v. Russell W. Willits, <i>et al.</i> , appellees.	Larry R. Mears. Peter K. Curran; Milton P. Allen, Jr.; Deanne Watts Hay; M. Dean Burkhead; Glenn D. Cogswell; Janet Chubb.	Jefferson
ON PETITION FOR REVIEW			

(continued)

56,673 (Consolidated with 56,674; 56,675 & 56,676)

Lester W. Mulsow, *et al.*, appellees,

James J. McGannon.

Cowley

v.

Gerber Energy Corporation, *et al.*,
appellees, and Patrick J. Regan, appellant.J. B. Craig;
John E. Bohannon.*Thursday, February 28, 1985*

9:30 a.m.

56,605 State of Kansas, appellee,

Robert T. Stephan, Atty. Gen.;
David E. (Rick) Roberts.

Reno

v.

Michael Sykes, appellant.

Boyd W. Howard.

57,031 State of Kansas, appellee,

Robert T. Stephan, Atty. Gen.;
Timothy J. Chambers, Co. Atty.

Reno

v.

Junior Oscar Oliver, appellant.

Charles D. Lee.

56,866 State of Kansas, appellee,

Robert T. Stephan, Atty. Gen.;
Jeffrey A. Chubb, Co. Atty.

Montgomery

v.

Michael Dontae Davis, appellant.

Robert C. Claus.

56,813 (Consolidated with 56,814; 56,815; 56,816;
56,817 & 56,818)

Michael S. Holland.

Russell

In the Matter of the Suspension of the
License to Operate a Motor Vehicle to
George L. Carson, *et al.*William L. Edds;
Brian Cox.

1:30 p.m.

56,964 State of Kansas, appellee,

Robert T. Stephan, Atty. Gen.;
John B. Klenda, Co. Atty.

McPherson

v.

William D. Thomson, appellant.

James S. Oswald.

56,769 State of Kansas, appellee,

Robert T. Stephan, Atty. Gen.;
William H. Pringle, Co. Atty.;
Michael C. Brown, Special
Prosecutor

Barton

v.

Paul E. Campbell, appellant.

Robert E. Southern.

56,917 Northern Natural Gas Company, *et al.*,
appellants,Glenn D. Young, Jr.;
Mark H. Adams II;
Ralph R. Brock;
Timothy E. McKee.

Gray

v.

The State Corporation Commission of the
State of Kansas, *et al.*, appellees.Brian J. Moline;
Jack Glaves;
Richard C. Byrd.*Friday, March 1, 1985*

9:30 p.m.

56,608 State of Kansas, *ex rel.*, Harvey L.
Ludwick, Secretary of Human Resources,
appellant,H. Dean Cotton;
A. J. Kotich.

Shawnee

v.

Virginia Anne Bryant, appellee.

Robert E. Keeshan.

56,927 James R. Tew, appellee,

Eugene W. Hiatt.

Shawnee

v.

City of Topeka Police and Fire Civil
Service Commission, *et al.*, appellants.

Elsbeth D. Schafer

56,925	Roberts Enterprises, Inc., appellee, v. Secretary of Transportation, State of Kansas, appellant.	William A. Larson. Henry O. Boaten; David G. Tittsworth.	Shawnee
57,633	Unified School District 490, Butler County, Kansas, Petitioner, v. Board of County Commissioners of Butler County, Kansas, <i>et al.</i> , Respondents.	Ervin E. Grant. Norman G. Manley	Original

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 002810

State of Kansas

STATE CORPORATION COMMISSION MINED LAND CONSERVATION AND RECLAMATION BOARD

REQUEST FOR QUALIFICATIONS FOR ENGINEERING AND TECHNICAL SERVICES

The Mined-Land Conservation and Reclamation Board (Board) pursuant to K.S.A. 75-430a and 75-5803, is establishing a list of prequalified firms for engineering and technical services. Firms are invited to submit qualifications for engineering and technical services as required in connection with the Mined-Land Conservation and Reclamation Act, K.S.A. 49-401 *et seq.* (the Act) which includes the State's Administration and Enforcement Program for current coal mining operations and the State's Abandoned Mined-Land Program. All consulting engineering firms and technical service firms who may wish to provide engineering and technical services to the Board are invited to submit a statement of qualifications and performance data including a completed ASD-E1 Form, to the Executive Secretary, State Corporation Commission, 4th Floor, State Office Building, Topeka, KS 66612, and to the Executive Director, Mined-Land Conservation and Reclamation Board, 107 W. 11th St., P.O. Box 1418, Pittsburg, KS 66762.

Examples of work to be performed include, but are not restricted to, the preparation of environmental assessment statements in compliance with the National Environmental Policy Act, actual design and construction work related to abandoned mined-land reclamation projects, aerial photography related to the preparation of topographic maps, cross-sections and related work and review of surface coal mining permits and permit applications to determine completeness and technical compliance with the Act and rules and regulation promulgated thereunder.

Interested firms must submit completed Kansas Form ASD-E1, Statement of Qualifications and Performance Data to Ms. Joyce Stover, the Board's Executive Director, and to Ms. Judith McConnell, the State Corporation Commission's Executive Secretary, by the close of business (COB) March 15, 1985 in order to

be considered. Requests for submission forms or telephone inquiries may be directed to Ms. Stover at (316) 231-8540.

In order to remain in consideration, firms on a current list need to submit updated ASD-E1 by COB January 1 yearly as appropriate. All firms are responsible for providing yearly update of their ASD-E1 Form.

In preparing these documents for submission, response should relate only to the firm's activities in connection with the preparation of environmental assessment statements in compliance with the National Environmental Policy Act, actual design and construction work related to abandoned mined-land reclamation projects, aerial photography related to the preparation of topographic maps, cross-sections and related work and review of surface coal mining permits and permit applications to determine completeness and technical compliance with the rules and regulations promulgated by the Board. Proximity to a project, as well as experience and qualifications will be elements of consideration.

Qualifications of all firms responding to this announcement will be uniformly evaluated. Selection criteria will include: 1) Specialized experience of the firm and the type of work required; 2) qualifications of professional staff for performance of desired services; 3) whether the required work will be done in-house or joint venture; and 4) past experience, if any, with respect to the firm's state and federal contract performance. A list of qualified engineering firms and other firms furnishing the services described above, who will be eligible for contracts to develop design and construction specifications for reclamation of AML sites, review permit applications and permit materials, aerial photography related to the preparation of topographic maps, cross-sections and other technical data as is needed, will be established, maintained, and annually updated.

This is not a request for proposals. As actual projects arrive, proposals from at least three pre-qualified firms will be requested. Minority business enterprises will be afforded full opportunity to submit qualifications and are encouraged to respond to this invitation and

(continued)

will not be discriminated against on the grounds of race, color, sex or national origin.

The Board will negotiate contracts on basis of the services required at a just and reasonable fee, in accordance with state law.

JOYCE STOVER
Executive Director

Doc. No. 002895

NOTICE OF REDEMPTION
RILEY COUNTY, KANSAS
Single Family Mortgage Revenue Bonds
1980 Series A

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$985,000 principal amount of the bonds are called for redemption April 1, 1985, at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

- Due April 1, 1986: 63
- Due April 1, 1987: 79
- Due April 1, 1988: 96, 97
- Due April 1, 1989: 139, 140
- Due April 1, 1990: 144, 163
- Due April 1, 1991: 185, 190
- Due April 1, 1992: 204, 236, 238
- Due April 1, 1993: 245, 262, 271
- Due April 1, 1994: 290, 294, 303

Due April 1, 2011

327	949	1314	1670	2047	2415
328	955	1317	1671	2063	2445
358	981	1318	1672	2085	2459
370	997	1321	1673	2097	2461
379	1000	1328	1685	2109	2462
387	1008	1329	1700	2133	2500
388	1011	1330	1707	2152	2512
417	1012	1338	1727	2153	2513
424	1023	1344	1755	2164	2547
436	1034	1350	1756	2174	2567
479	1079	1354	1764	2223	2578
504	1104	1375	1770	2232	2586
555	1114	1388	1784	2241	2595
573	1128	1422	1790	2243	2599
584	1132	1432	1792	2246	2612
612	1141	1434	1795	2247	2261
613	1148	1440	1801	2254	2665
632	1149	1448	1862	2279	2709
656	1159	1474	1882	2287	2728
669	1160	1478	1885	2297	2733
705	1179	1484	1897	2298	2750
709	1183	1488	1943	2354	2753
774	1192	1495	1948	2358	2765
780	1249	1509	1965	2359	2833
782	1259	1531	1972	2369	2834
786	1279	1550	2000	2370	2835
787	1280	1585	2013	2385	2864
790	1289	1625	2020	2390	
824	1294	1633	2031	2399	
842	1303	1665	2040	2400	

The serial number of the registered bond to be redeemed in the amount of \$5,000 is as follows:

Due April 1, 2011: R-26

Payment of the redemption price of the bearer

bonds and the registered bond to be redeemed will be made at Security National Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66117.

Notice is hereby given that on or after April 1, 1985, interest on the bonds hereby called for redemption shall cease to accrue.

SECURITY NATIONAL BANK OF KANSAS CITY
Kansas City, Kansas, Trustee

Doc. No. 002890

(Published in the KANSAS REGISTER on February 21, 1985)

State of Kansas

BOARD OF REGENTS

NOTICE OF BOND SALE

TO: ALL PERSONS CONCERNED AND INTERESTED

You are hereby notified that the Board of Regents of the State of Kansas, did on February 15, 1985, duly adopt a Resolution declaring it necessary and authorizing the issuance and sale of refunding revenue bonds of the Board of Regents of the State of Kansas, in an amount not to exceed \$1,000,000 for the purpose of refunding the outstanding University of Wichita, Library Revenue Bonds, Series of 1960 for the benefit of Wichita State University.

You are hereby further notified that unless an action to contest the legality of the proposed refunding revenue bonds of the Board of Regents of the State of Kansas, shall be filed in a court of law within 30 days of the date of publication of this Notice, the right to contest the legality of any refunding revenue bonds issued in compliance with the aforesaid Resolution and other proceedings duly and legally had and taken by said Board of Regents prior to the date of publication of this Notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters; and that after the expiration of said 30 days from the date of publication of this Notice, no one shall have any right to commence an action contesting the validity of such refunding revenue bonds or the provisions of such proceedings of the Board of Regents and all such refunding revenue bonds shall be conclusively presumed to be legal and no court shall thereafter have the authority to inquire into such matters.

DATED February 15, 1985.

**BOARD OF REGENTS OF
THE STATE OF KANSAS**

WENDELL E. LADY
Chairman

Attest: **STANLEY J. KOPLIK**
Executive Officer

Doc. No. 002903

(Published in the KANSAS REGISTER, February 21, 1985.)

**NOTICE OF BOND SALE
\$4,960,000 GENERAL OBLIGATION
SCHOOL BONDS
OF
UNIFIED SCHOOL DISTRICT NO. 437
SHAWNEE COUNTY, KANSAS
(AUBURN-WASHBURN)**

The Board of Education of Unified School District No. 437, Shawnee County, Kansas (Auburn-Washburn) (the "District") will receive sealed bids at its offices located at 5928 S.W. 53rd Street, Topeka, Kansas, 66605, until 7:00 o'clock p.m., local time, on March 5, 1985 for Four Million Nine Hundred Sixty Thousand Dollars (\$4,960,000) par value, General Obligation School Bonds, Series 1985 (the "Bonds") of the District, at which time and place such bids shall be publicly opened. The Bonds initially issued will be dated March 1, 1985 and shall mature on September 1 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 \$5,000.00 or integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest will be payable semi-annually on March 1 and September 1 of each year, commencing March 1, 1986. 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 (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 calendar month next preceding the interest payment date (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:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 25,000	September 1 1986
105,000	1987
115,000	1988
125,000	1989
140,000	1990
155,000	1991
170,000	1992
185,000	1993
200,000	1994
215,000	1995
235,000	1996
260,000	1997
290,000	1998
310,000	1999
335,000	2000
370,000	2001
400,000	2002
425,000	2003
440,000	2004
460,000	2005

All bonds of this series maturing September 1, 1996 and thereafter shall be subject to redemption prior to maturity at the option of the District on September 1, 1995 or on any interest payment date thereafter, as a whole, or in part, in inverse order of maturity (and by lot and multiples of \$5,000 principal amount within a single maturity) at the principal amount thereof plus accrued interest to the date of redemption plus a premium of 1½% of the principal, being \$75 for each \$5,000 bond called. If a bond is called for redemption and payment prior to maturity, the District will cause written notice of its intention to redeem and pay the Bond on any specified date, such bond being described by number, principal amount and maturity, and said notice to be given by United States certified mail addressed to the Paying Agent and to the registered owner of each bond so called, each of such notices to be mailed at least 30 days prior to the redemption date. The District shall also publish once in the official newspaper of the State of Kansas a notice of its intention to call and pay the bond, describing it by its number, principal amount and maturity, which notice shall be published not less than 30 days prior to the date fixed for redemption.

Proposals will be received on the Bonds, bearing such rate or rates of interest, not exceeding eight different rates, as may be specified by the bidder. The repetition of a rate will not constitute a different rate. 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 or one-twentieth of one percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 2%. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2% above the "Twenty Bond Index" of tax exempt municipal bonds published by "The Credit Market" (formerly "The Weekly Bond Buyer") in New York, on the Monday next preceding the day on which the Bonds are sold, and no bid of less than par plus accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the official bid form furnished by the District, and shall be addressed to the Board of Education of the District, to the attention of Phyllis Roney, Clerk, and shall be marked "Bond Bid." All bids must state the total 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. Bids must be accompanied by a certified or cashier's check equal to 2% of the total amount of the bid, and shall be payable to Unified School District No. 437, Shawnee 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 District as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The Bonds, duly printed, executed and registered will be furnished and paid for by the District, and the Bonds will be sold subject to the unqualified approving opinion of Cosgrove, Webb & Oman of Topeka,

(continued)

Kansas, bond counsel of Topeka, KS, whose opinion will be paid for by the District.

The number, denomination of bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the Bond Registrar not later than March 19, 1985.

The purchaser will be furnished with a complete transcript of proceedings, evidencing 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 funds which are immediately available for use by the District. Delivery of the Bonds will be made to the successful bidder on or before April 8, 1985 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.

The Bonds will constitute general obligations of the District payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property within the territorial limits of the District. The Bonds are being issued for the purpose of constructing, equipping and furnishing high school facilities for the District, pursuant to K.S.A. 72-6761 and 10-101 *et seq.*

Sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this notice. The District reserves the right to reject any and all of the bids, and 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 any amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures of Unified School District No. 437, Shawnee County, Kansas for the year 1984, are as follows:

Equalized assessed valuation of taxable, tangible property	\$47,652,092
Taxable value on motor vehicles and assessed valuation of motor vehicle dealers' inventory	\$ 8,063,661
Assessed valuation of farm machinery and equipment (1982)	\$ 350,130
Assessed valuation of business aircraft (1982)	\$ 10,730
Equalized assessed tangible valuation for computation of bonded debt limitations	\$56,076,613

Unified School District No. 437, Shawnee County, at the date hereof, has no general obligation bonded indebtedness, and its general obligation bonded indebtedness as of the date of the proposed issuance of the Bonds will be \$4,960,000.

CUSIP identification numbers will be printed on the Bonds. All expenses incurred in connection with the printing of CUSIP numbers on the Bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be paid for by the District.

Additional copies of this Notice of Bond Sale or further information may be received from John McArthur, Beecroft, Cole and Company, First National Bank Tower, Topeka, Kansas (913) 234-5671, financial advisors for the District.

By order of the resolution of the Board of Education, Unified School District No. 437, Shawnee County, Kansas, adopted February 4, 1985.

PHYLLIS RONEY
Clerk of the Board

Doc. No. 002875

(Published in the KANSAS REGISTER, February 21, 1985.)

NOTICE OF BOND SALE
\$450,000.00
GENERAL OBLIGATION BONDS
OF

UNIFIED SCHOOL DISTRICT NO. 357,
SUMNER COUNTY, KANSAS (BELLE PLAINE)

UNIFIED SCHOOL DISTRICT NO. 357, SUMNER COUNTY, KANSAS (BELLE PLAINE) will receive sealed bids at the OFFICE OF THE BOARD OF EDUCATION, 719 N. MAIN, BELLE PLAINE, KANSAS 67013, until 7:00 o'clock P.M., C.S.T., on

MONDAY, MARCH 4, 1985

for \$450,000.00 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 A, 1985 Bonds will be dated as of April 1, 1985, and shall mature on November 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 May 1, 1986, and each November 1 and May 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:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 10,000.00	November 1, 1986
10,000.00	November 1, 1987
10,000.00	November 1, 1988
10,000.00	November 1, 1989
10,000.00	November 1, 1990
15,000.00	November 1, 1991
15,000.00	November 1, 1992
15,000.00	November 1, 1993
15,000.00	November 1, 1994
20,000.00	November 1, 1995

20,000.00	November 1, 1996
25,000.00	November 1, 1997
25,000.00	November 1, 1998
25,000.00	November 1, 1999
30,000.00	November 1, 2000
30,000.00	November 1, 2001
35,000.00	November 1, 2002
40,000.00	November 1, 2003
45,000.00	November 1, 2004
45,000.00	November 1, 2005

Redemption

Bonds maturing November 1, 1998, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the District on and/or after November 1, 1997, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at the redemption price set forth below, plus accrued interest to the redemption date:

<i>Redemption Period (Dates Inclusive)</i>	<i>Redemption Price</i>
11-1-1997 to 11-2001	102%
5-1-2002 to 5-2005	101%

Notice of any call for redemption will be mailed to the registered owners if 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 interest rates specified in any bid shall not exceed two and one-half percent (2½%). No interest rate shall exceed the maximum interest rate allowed by Kansas Law; said rate being the 20 bond index of tax exempt municipal bonds published by the Weekly Bond Buyer in New York, New York on the Monday next preceding the day on which the Bonds are sold (February 25, 1985), 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 DISTRICT AT THE OFFICE OF THE BOARD OF EDUCATION, 719 N. MAIN, BELLE PLAINE, KANSAS 67013, ATTENTION: S. JANE TAYLOR, 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. 357, SUMNER COUNTY, KANSAS (BELLE PLAINE). 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 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 APRIL 1, 1985. 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 APRIL 18, 1985, 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

(continued)

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 for the purpose of paying the costs of acquiring a tract of land, and for constructing classroom additions to existing school buildings within the District, under the authority of K.S.A. 72-6761.

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 the District for the year 1984, are as follows:

Equalized Assessed Valuation of Taxable	
Tangible Property	\$ 7,497,426.00
Tangible Valuation of Motor Vehicles	\$ 1,635,826.00
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ -0-
Assessed Valuation of Farm Machinery and Equipment (1982)	\$ 1,498,937.00
Assessed Valuation of Business Aircraft (1982)	\$ 24,344.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations ..	\$10,656,533.00

Bonded Indebtedness

The total bonded indebtedness of the District, at the date hereof, including this proposed issue of Bonds, is in the amount of \$1,115,000.00.

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, 719 N. Main, Belle Plaine, Kansas 67013 or Mr. Everett S. Stephenson, Jr., Kansas State Bank and Trust Company, K.S.B. & T. Building, 123 North Market, P. O. Box 427, Wichita, Kasas 67201 (316)266-6658, financial advisors to the School District.

Dated February 20, 1985.

UNIFIED SCHOOL DISTRICT NO. 357,
SUMNER COUNTY, KANSAS (BELLE PLAINE)

By S. JANE TAYLOR
Clerk

State of Kansas

STATE CORPORATION COMMISSION

NOTICE PERTAINING TO
MOTOR CARRIER HEARINGS
BEFORE THE

STATE CORPORATION COMMISSION

Applications set for hearing, are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, KS, commencing at 9:30 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 of "Rules of Practice and Procedure Before the Commission."

Applications set for March 14, 1985—
TOPEKA, KANSAS

Application for Certificate of Convenience and Necessity:

Arvall L. Duckworth and) Docket No. 144,782 M
Marlin Wayne Duckworth,)
dba)
Al's Auto Salvage)
Route 1, Box 53)
Oskaloosa, Kansas 66066)

Applicant's Attorney: John Barrett, P.O. Box 333,
Oskaloosa, Kansas 66066

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points and places in Atchison, Leavenworth, Douglas and Jefferson counties, Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Douglas E. Minden, dba) Docket No. 106,155 M
Minden Body Shop)
RR 5)
Paola, Kansas 66071) MC ID No. 101603
TO:
John McLean, dba
McLean Auto & Truck Service
Box 361, Old 169 Highway
Paola, Kansas 66071

Applicant's Attorney: None

Wrecked and disabled vehicles,

To, from and between all points and places within Miami County, Kansas, on the one hand, and points and places within the state of Kansas, on the other.

Application for Extension to Re-Describe the Certificate of Convenience and Necessity:

John McLean, dba) Docket No. 106,155 M
 McLean Auto & Truck)
 Service)
 Box 361, Old 169 Highway)
 Paola, Kansas 66071)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

To, from and between, all points and places within Miami County, Kansas, on the one hand, and points and places within the state of Kansas, on the other.

Renoticed Application for Certificate of Convenience and Necessity:

Nationwide Traffic) Docket No. 144,422 M
 Services, Inc.)
 2800 Nicholson)
 Kansas City, Missouri)
 64120)

Applicant's Attorney: Arthur Cerra, P.O. Box 19251, Kansas City, Missouri 64141

Flour, in bulk,

Between points in Wyandotte and Lyon counties, Kansas.

**Applications set for March 19, 1985—
 TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Dale D. Walker, dba) Docket No. 144,789 M
 Dale's Standard Service)
 201 East Second)
 DeSoto, Kansas 66018)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Johnson, Douglas, Franklin, Miami, Shawnee, Jefferson, Leavenworth and Wyandotte counties, Kansas.

Application for Certificate of Convenience and Necessity:

Lindel Fulbright, dba) Docket No. 144,834 M
 Lindel Fulbright Wrecker)
 Service)
 126 West 20th)
 Pittsburg, Kansas 66762)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Crawford county, Kansas.

Also,

Between all points and places in Crawford county, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Gary E. & Kay F.) Docket No. 144,825 M
 Mussatto, dba)
 Mussatto Motor Co.)
 Highway 31)
 Osage City, Kansas 66523)

Applicant's Attorney: None.

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between all points and places in Osage county, Kansas.

Also,

Between all points and places in Osage County, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Mike Nightengale, dba) Docket No. 144,833 M
 Nightengale Trucking)
 Route 1, Box 72 A)
 Copeland, Kansas 67837)

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

Livestock, seed, dry feed, dry feed ingredients, dry fertilizer and dry fertilizer ingredients,

Between points in Kearny, Finney, Hodgeman, Grant, Haskell, Gray, Ford, Stevens, Seward, Meade, and Clark counties, Kansas, on the one hand, and on the other, all points in Kansas.

**Applications set for March 21, 1985—
 TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Earl Anthony) Docket No. 144,787 M
 905 North Cedar)
 Medicine Lodge, Kansas)
 67104)

Applicant's Attorney: None

Grain, feed and feed ingredients, dry fertilizer and hay,

To, from and between all points and places within the state of Kansas.

(continued)

Application for Certificate of Convenience and Necessity:

LeRoy Adolph, dba) Docket No. 144,788 M
L & S Trucking)
516 East Wisconsin)
Greensburg, Kansas 67054)

Applicant's Attorney: None

Grain, feed and feed ingredients, dry fertilizer and hay,

To, from and between all points and places within the state of Kansas.

Application for Certificate of Convenience and Necessity:

Robert R. Gilmore, dba) Docket No. 144,784 M
Gilmore Tank Service)
Box 37)
Chase, Kansas 67524)

Applicant's Attorney: Dale Sprague, 119 West First, P.O. Box 119, McPherson, Kansas 67460

Salt water and tank bottoms,

Between all points and places in Russell, Ellsworth, McPherson, Reno, Rice, Stafford, Pawnee, Rush, Barton and Marion counties, Kansas.

Application for Contract Carrier Permit:

Larry Crowell, dba) Docket No. 144,781 M
Sasnak Express)
413 East 5th)
Newton, Kansas 67114)

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

Passengers, and light hand baggage,

Between points in Kansas. Restricted, however, to movements which originate on or are destined to railroad trackage of Santa Fe Railway Co. or railway trackage utilized by Santa Fe Railway Co. Under contract with Atchison, Topeka and Santa Fe Railway Company, of Newton, Kansas.

Application for Certificate of Convenience and Necessity:

Vester F. Skaggs, dba) Docket No. 144,847 M
Skaggs Trucking)
1003 Millwood)
Salina, Kansas 67401)

Applicant's Attorney: None

Farm products,

Between all points and places in the state of Kansas.

**Applications set for March 26, 1985—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Arlo Koch) Docket No. 144,786 M
Odell, Nebraska 68415)

Applicant's Attorney: None

Livestock and grain,

Between all points and places in Jewell, Republic, Washington, Marshall, Nemaha, Brown, Doniphan, Mitchell, Cloud, Clay, Riley, Pottawatomie, Jackson, Atchison, Lincoln, Ottawa, Dickinson, Geary, Wabunsee, Shawnee, Jefferson, Leavenworth, Salina, Morris, Lyon, Osage, Douglas and McPherson counties, Kansas.

Also,

Between all points and places in the above named counties, on the one hand, and on the other hand, all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Contrans, Inc.) Docket No. 137,409 M
6716 Berger)
Kansas City, Kansas 66111) MC ID No. 110637
TO:

Northwest Transit Lines, Inc.
4528 Belleview, Suite 210
Kansas City, Missouri 64111

Applicant's Attorney: None

Glass products, paper products, plastic products and foodstuffs,

Between all points in the state of Kansas.

Application for Extension of Certificate of Convenience and Necessity:

The Boys, Inc.) Docket No. 29,850 M
4950 North Broadway)
Wichita, Kansas) MC ID No. 100262

Applicant's Attorney: W. Boyd Evans, 600 One Twenty Building, 120 South Market, Wichita, Kansas 67202

Petroleum and petroleum products, in bulk, in tank truck loads,

To, from and between all points and places in the state of Kansas.

Application for Contract Carrier Permit:

Roy Varner) Docket No. 144,785 M
Rural Box 14)
Benedict, Kansas 66714)

Applicant's Attorney: None

Feed and feed ingredients, agricultural chemicals, livestock and poultry equipment, and printed materials pertaining to such shipments,

From Neosho county, Kansas, to points and places in Chase, Lyon, Greenwood, Elk, Chautauqua, Coffey, Woodson, Wilson, Cherokee, Marion, Butler, Osage, McPherson, Harvey, Sedgwick, Sumner, Montgomery, Franklin, Anderson, Allen, Neosho, Labette, Miami, Linn, Bourbon, Crawford and Cowley counties, Kansas. Under contract with Moorman Mfg. Co., of Quincy, Illinois.

Application for Transfer of Certificate of Convenience and Necessity:

Edward L. Tillman) Docket No. 28,993 M
Vassar, Kansas 66543) MC ID No. 100216

TO:

J & F Express, Inc.
409 Oak
P.O. Box 496
Americus, Kansas 66835

Applicant's Attorney: SueAnn Schultz, P.O. Box 641,
Lyndon, Kansas 66451-0641

Livestock,

Between all points and places in an area bounded on the North by an east west line, and including Topeka, Kansas; bounded on the South by the southern boundary of Coffey County, Kansas; bounded on the East by a north-south line through and including the town of Stanton, Miami County, Kansas, when moving from farm to farm, farm to town, town to farm, or between rural locations and town to town, in the described area via U.S. or State Highways, or unnumbered county roads, with service authorized between all intermediate points within the above described boundaries.

Unprocessed hay, grain and seed,

Between all points and places within the above described boundaries.

Also,

Between all points and places within the above described boundaries on the one hand and all points and places in the state of Kansas on the other.

Processed mill feeds, farm machinery,

Between any town within the above described boundaries on the one hand and any farm or rural location within said boundaries on the other.

Also,

Between all rural locations within said boundaries on the one hand and all points and places in the state of Kansas on the other.

Building material,

Between any town within the above described boundaries on the one hand and all points and places in the state of Kansas on the other.

Coal,

Between Osage City and Burlingame, Kansas on the

one hand and all rural points within the above described boundaries on the other.

Fertilizer,

Between all rural locations within the above described boundaries on the one hand, and all points and places in the state of Kansas, on the other.

Restricted against the hauling of commodities in bulk.

Application for Extension of Certificate of Convenience and Necessity to Redescribe Authority:

J & F Express, Inc.) Docket No. 28,993 M
409 Oak)
P.O. Box 496)
Americus, Kansas 66835) MC ID No. 102131

Applicant's Attorney: SueAnn Schultz, P.O. Box 641,
Lyndon, Kansas 66451-0641

Livestock, unprocessed hay, grain, seed, processed mill feeds, farm machinery, building materials, and fertilizer,

Between all points and places in Osage, Shawnee, Douglas, Lyon, Wabaunsee, Franklin, Coffey, Miami and Anderson counties, Kansas.

Also,

Between the above named counties, on the one hand, and all points and places in the state of Kansas, on the other.

Coal,

Between all points and places in Osage County, Kansas, on the one hand, and all points and places in Osage, Shawnee, Douglas, Lyon, Wabaunsee, Franklin, Coffey, Miami and Anderson counties, Kansas, on the other.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 002904

State of Kansas

LEGISLATURE

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

Copies of bills and resolutions are available free of charge from the Legislative Document Room, State Capitol, Topeka, KS 66612, (913) 296-7394. There is a limit of 25 copies of any one item.

Bills Introduced February 7-13:

SB 174, by Committee on Judiciary: An act concerning the Kansas adult authority; relating to compensation; amending K.S.A. 22-3708 and repealing the existing section.

SB 175, by Senators Bogina and Morris: An act concerning school districts; fixing the date for commencement of the school term; providing for exemptions; affecting the date provided as the basis for making computations under the school district equalization act; amending K.S.A. 72-7034 and 72-7038 and K.S.A. 1984 Supp. 72-1106, 72-7033, 72-7039, 72-7043, 72-7047, 72-7050 and 72-7053, and repealing the existing sections.

SB 176, by Senator Bogina: An act concerning the workmen's compensation act; relating to application of act to qualified real estate agents; amending K.S.A. 1984 Supp. 44-505 and repealing the existing section.

(continued)

- SB 177**, by Committee on Governmental Organization: An act concerning the department of economic development; relating to the reorganization thereof; amending K.S.A. 15-119, 15-123, 19-2755, 74-5008a, 74-5008c, 74-5009, 74-5010a, 74-5011, 74-5012 and 75-2935 and K.S.A. 1984 Supp. 68-1029 and 74-5032 and repealing the existing sections; also repealing K.S.A. 1984 Supp. 74-5013.
- SB 178**, by Senators Francisco, Anderson, Daniels, Feleciano, Morris and Yost: An act concerning crimes and punishments; relating to certain crimes involving obscenity and sexual exploitation of children; defining and classifying the crime of promoting sexual performance by a minor; amending K.S.A. 21-3516, 21-4301 and 21-4301a and repealing the existing sections.
- SB 179**, by Committee on Public Health and Welfare: An act concerning nurse anesthetists; providing for the certification of registered nurse anesthetists; establishing an advisory council on nurse anesthetist certification standards; declaring certain acts to be unlawful and classifying the crime and the penalties therefor.
- SB 180**, by Senators Steineger, Anderson, Daniels, Francisco, Gaines, Gannon, Karr, Martin, Mulich, Parrish, Strick and Warren: An act relating to insurance companies; concerning the time for payment of taxes; amending K.S.A. 1984 Supp. 40-252 and repealing the existing section.
- SB 181**, by Committee on Transportation and Utilities: An act concerning tunneling, excavating and discharging of explosives; notice; damages; penalties.
- SB 182**, by Senators Johnston, Anderson, Feleciano, Francisco, Gaines, Gannon, Hayden, Karr, Martin, Mulich, Parrish and Strick: An act relating to hospitals; prohibiting for a period of two years the construction, modification or establishment of any hospitals.
- SB 183**, by Committee on Education: An act concerning school districts; providing for appeals to exceed budget limitations for continued operation of certain programs; amending K.S.A. 72-7071 and repealing the existing section.
- SB 184**, by Senator Daniels: An act concerning distribution of sample cigarettes; amending K.S.A. 79-3322 and repealing the existing section.
- SB 185**, by Senators Johnston and Parrish: An act concerning juries; prohibiting certain acts with respect to persons summoned for jury service and providing penalties for violations.
- SB 186**, by Committee on Assessment and Taxation: An act providing for individual income tax checkoff for the Statue of Liberty-Ellis Island Foundation, Inc.
- SB 187**, by Senator Montgomery: An act concerning licensure of private clubs; amending K.S.A. 41-2601 and repealing the existing section.
- SB 188**, by Senator Warren: An act concerning motor vehicles; gross weight of vehicles under certain circumstances; amending K.S.A. 1984 Supp. 8-1909 and repealing the existing section.
- SB 189**, by Senators Parrish, Anderson, Francisco, Johnston, Karr, Martin, Steineger and Winter: An act concerning professional negotiation between boards of education and professional employees' organizations; affecting the definition of terms and conditions of professional service; amending K.S.A. 72-5413 and repealing the existing section.
- SB 190**, by Senator Martin: An act relating to property taxation; defining real and personal property for such purpose; amending K.S.A. 79-102 and repealing the existing section.
- SB 191**, by Senator Martin: An act relating to crimes, punishments and criminal procedure; concerning filing of charges for the crime of cruelty to animals; amending K.S.A. 21-4311 and repealing the existing section.
- SB 192**, by Committee on Elections: An act concerning campaign finance; relating to filing of certain information.
- SB 193**, by Senators Johnston, Anderson, Feleciano, Karr, Martin, Mulich and Strick: An act concerning oil and gas; requiring the filing of certificates of value on transfers of oil and gas working interests.
- SB 194**, by Senators Johnston, Anderson, Daniels, Gaines, Hayden, Karr, Martin, Mulich, Parrish and Strick: An act relating to income taxation; providing for a credit for costs of water measuring devices.
- SB 195**, by Senators Johnston, Anderson, Daniels, Feleciano, Gannon, Hayden, Karr, Martin, Mulich, Norvell, Parrish, Steineger, Strick and Warren: An act relating to income taxation; allowing additional personal exemptions for adopted children with special needs.
- SB 196**, by Senator Gaines: An act concerning school districts; relating to adoption and effectuation by boards of education of performance-based salary plans for professional employees; making school districts ineligible for state financial aid under certain conditions.
- SB 197**, by Senator Ehrlich: An act concerning motor vehicles; blood alcohol content determination of vehicle operators when accident results in injury or death; amending K.S.A. 8-1001 and repealing the existing section.
- SB 198**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the reporting of taxable personal property for such purpose; providing duties for the county appraiser and clerk relating thereto; amending K.S.A. 79-1422 and 79-1467 and repealing the existing sections.
- SB 199**, by Senator Norvell: An act concerning the state park and resources authority; relating to the sale of state park permits; amending K.S.A. 1984 Supp. 74-4509b and repealing the existing section.
- SB 200**, by Senator Norvell: An act concerning elections; relating to tie votes; amending K.S.A. 25-3108, 25-3208 and 25-3209 and repealing the existing sections.
- SB 201**, by Senators Warren and Martin: An act relating to income taxation; concerning rates of tax imposed upon individuals; amending K.S.A. 79-32,110 and repealing the existing section.
- SB 202**, by Senator Francisco: An act relating to firearms; prohibiting certain trapshooting and target practicing.
- SB 203**, by Senator Francisco: An act relating to criminal procedure; concerning sentencing for certain crimes involving use of firearms; amending K.S.A. 21-4620 and 75-52,104 and K.S.A. 1984 Supp. 22-3717 and repealing the existing sections and also repealing K.S.A. 21-4618.
- SB 204**, by Francisco, Anderson, Daniels, Morris and Yost: An act concerning criminal procedure; relating to diversion agreements; amending K.S.A. 12-4412, 12-4416 and 12-4418 and K.S.A. 1984 Supp. 22-2909 and 22-2911 and repealing the existing sections.
- SB 205**, by Senator Francisco: An act relating to motor vehicle liability insurance; concerning certain exclusions; amending K.S.A. 1984 Supp. 40-3107 and repealing the existing section.
- SB 206**, by Committee on Judiciary: An act concerning state educational institutions; prohibiting certain acts on the grounds thereof and providing penalties for violations.
- SB 207**, by Committee on Judiciary: An act concerning crimes and punishments; relating to time limitations for prosecution for certain crimes; amending K.S.A. 21-3106 and repealing the existing section.
- SB 208**, by Committee on Judiciary: An act concerning crimes and punishments; relating to the crime of sexual exploitation of a child; amending K.S.A. 21-3516 and repealing the existing section.
- SB 209**, by Senator Francisco: An act concerning speed limits on highways; amending K.S.A. 8-1336 and K.S.A. 1984 Supp. 8-1558 and repealing the existing sections.
- SB 210**, by Senators Bogina and Langworthy: An act concerning the uniform anatomical gift act; authorizing certain medical technicians to perform eye enucleations; amending K.S.A. 65-3212 and repealing the existing section.
- SB 211**, by Senator Anderson: An act relating to the form of agreements between contractors and subcontractors with regard to construction, reconstruction and remodeling projects.
- SB 212**, by Committee on Local Government: An act concerning taxation; relating to the enforcement of liens for unredeemed real estate; amending K.S.A. 79-2801 and repealing the existing section.
- SB 213**, by Senator Karr: An act concerning deer hunting; relating to certain fees; amending K.S.A. 32-179 and repealing the existing section.
- SB 214**, by Senators Winter, Allen and Gordon: An act concerning Haskell Indian junior college; affecting the definition of "school" for vocational education capital outlay aid eligibility; providing for outreach state aid and credit hour state aid; amending K.S.A. 72-4440 and 72-4442, and repealing the existing sections.
- SB 215**, by Senator Steineger: An act relating to retirement benefits; concerning computation of retirement benefits for judges; amending K.S.A. 1984 Supp. 20-2610 and repealing the existing section.
- SB 216**, by Senators Steineger and Reilly: An act relating to the legislature; creating a joint revenue review committee thereof; prescribing powers and duties of such joint committee; prescribing duties of the legislative research department with respect to the committee; imposing restrictions on the passage and taking effect of bills appropriating moneys from the state general fund.
- SB 217**, by Senators Yost, Gordon, Montgomery, Reilly and Thiessen: An act relating to state finance; fixing a limitation upon appropriations for expenditures and demand transfers from the state general fund in any fiscal year; providing for the adoption of legislative estimates of revenue to such fund and a ceiling upon expenditures and demand transfers therefrom; establishing a joint legislative committee on state revenue estimates and expenditures and prescribing the powers, duties and authority thereof.
- SB 218**, by Senator Arasmith: An act relating to cemeteries; concerning the levy of taxes by cemetery district No. 23 in Republic county, Kansas.
- SB 219**, by Committee on Local Government: An act concerning recreation commissions in cities and school districts; relating to tax levies thereby; amending K.S.A. 1984 Supp. 12-1908 and repealing the existing section.
- SB 220**, by Senator Johnston: An act relating to elections; concerning presidential preference primary elections; amending K.S.A. 25-4501 and repealing the existing section.
- SB 221**, by Senator Johnston: An act concerning motor vehicles; dealers' limitation on transfer of trade-in vehicles; amending K.S.A. 1984 Supp. 8-2409 and repealing the existing section.
- SB 222**, by Senator Talkington: An act concerning probate proceedings; relating to reopening of estates for certain purposes; amending K.S.A. 59-1501a and 59-1501b and repealing the existing sections.
- SB 223**, by Senators Langworthy, Bogina, Burke, Doyen, Hoferer, Montgomery, Parrish, Salisbury, Walker and Winter: An act relating to the marking of the Oregon Trail in Kansas.
- SB 224**, by Senators Langworthy, Thiessen, Vidricksen and Walker: An act concerning school districts; relating to school transportation vehicles as therein defined; requiring certain equipment.
- SB 225**, by Senator Karr: An act relating to farm tenancies; concerning termination thereof; amending K.S.A. 58-2506 and 58-2506a and repealing the existing sections.
- SB 226**, by Committee on Transportation and Utilities: An act concerning utilities; relating to municipal utilities; amending K.S.A. 12-2001, 66-104, 66-131 and 66-133 and repealing the existing sections.
- SB 227**, by Senator Ehrlich: An act concerning water pollution; relating to fees; amending K.S.A. 65-171d and repealing the existing section.
- SB 228**, by Senator Ehrlich: An act concerning certain worthless checks; relating to civil and criminal penalties therefor; amending K.S.A. 1984 Supp. 21-3707 and 21-3708 and repealing the existing sections.
- SB 229**, by Senator Norvell: An act relating to public utilities; concerning contracts for parallel generation services; amending K.S.A. 66-1,184 and repealing the existing section.
- SB 230**, by Senator Daniels: An act relating to reports of state agencies; requiring the delivery to certain individuals; amending K.S.A. 75-3046 and repealing the existing section.
- SB 231**, by Senator Anderson: An act concerning state educational institutions; prohibiting required contributions as a condition to the purchase of season tickets to athletic events.
- SB 232**, by Senator Anderson: An act creating the small contractors and small businesses' revolving loan fund.
- SB 233**, by Senators Parrish, Johnston and Martin: An act amending the Kansas inheritance tax act; relating to the additional tax imposed when certain property ceases to be used for farm or small business purposes; amending K.S.A. 79-1545 and 79-1545b and repealing the existing sections.
- SB 234**, by Committee on Judiciary: An act concerning crimes and punishments; relating to the crime of promoting obscenity harmful to minors; amending K.S.A. 21-4301a and repealing the existing section.
- SB 235**, by Senator Frey: An act concerning parallel generation; relating to contracts therefor; amending K.S.A. 66-1,184 and repealing the existing section.
- SB 236**, by Senators F. Kerr, Allen, Harder, Montgomery and Salisbury: An act concerning school districts; authorizing boards of education to increase budgets of operating expenses for the operation of certain summer programs and the adoption of extended performance salary plans; amending K.S.A. 1984 Supp. 72-7055 and repealing the existing section.
- SB 237**, by Senators F. Kerr and Karr: An act providing for teacher education scholarships and for designation of teacher education scholars.
- SB 238**, by Senator Gannon: An act providing for the certification of facilities which provide services and care for the trauma injured; establishing a demonstration program to determine the feasibility and effectiveness of this type of facility for the care of trauma injured persons; granting certain powers to and imposing certain duties upon the secretary of health and environment.
- SB 239**, by Senators Gannon, Feleciano, Gaines, Johnston, Karr and Parrish: An act concerning the department of administration; relating to centralized travel services for state officers and employees; prescribing powers, duties and functions for the secretary of administration.
- SB 240**, by Senators Gannon, Feleciano, Johnston and Karr: An act concerning the department of economic development; creating the position of export market expansion specialist.
- SB 241**, by Senator Winter: An act concerning carriage of natural gas by pipeline

companies; state corporation commission to determine reasonable rates for contract carriage of natural gas.

SB 242, by Senators Francisco, Anderson, Feleciano and Yost: An act concerning the issuance of special facilities revenue bonds by municipalities; amending K.S.A. 3-154 and repealing the existing section.

SB 243, by Senator Francisco: An act concerning motor vehicles; requiring two license plates for vehicles under 12,000 pounds gross weight; amending K.S.A. 1984 Supp. 8-132 and repealing the existing section.

SB 244, by Senator Steineger: An act enacting the consumer savings disclosure and validation act.

SB 245, by Senator Steineger: An act concerning jurisdiction of the state corporation commission over intrastate pipelines; amending K.S.A. 66-104 and repealing the existing section.

SB 246, by Senator Bogina: An act concerning motor vehicles; registration of vehicles according to birthdate of owner; amending K.S.A. 1984 Supp. 8-134 and repealing the existing section.

SB 247, by Senators Johnston, Anderson, Gaines, Gannon, Hayden, Karr, Martin, Mulich, Norvell, Steineger and Strick: An act amending the Kansas tort claims act; excluding certain persons from the definition of employee; amending K.S.A. 75-6102 and repealing the existing section.

SB 248, by Senators Johnston, Anderson, Feleciano, Francisco, Gannon, Karr, Martin, Parrish and Strick: An act concerning the corporation commission; relating to persons who intervene in hearings held by the commission.

SB 249, by Senators Johnston, Anderson, Daniels, Feleciano, Francisco, Gaines, Gannon, Hayden, Karr, Martin, Mulich, Norvell, Parrish, Steineger, Strick and Warren: An act concerning the sunset law; relating to the insurance department, office of insurance commissioner and office of the state treasurer; amending K.S.A. 1984 Supp. 40-102 and repealing the existing section; also repealing K.S.A. 75-626 and K.S.A. 1984 Supp. 74-7262, 74-7263 and 74-7265.

SB 250, by Senators Johnston, Anderson, Francisco, Gannon, Karr, Martin, Mulich, Parrish, Steineger, Strick and Warren: An act concerning public moneys; relating to securities for deposits thereof; amending K.S.A. 75-4218 and K.S.A. 1984 Supp. 9-1402 and repealing the existing sections.

SB 251, by Senators Parrish, Anderson, Daniels, Feleciano, Karr, Martin, Mulich, Norvell and Strick: An act establishing an income tax checkoff for elementary and secondary education grant purposes.

SB 252, by Committee on Judiciary: An act relating to adoption; concerning certain fees, compensation and expenses relating thereto; providing certain restrictions with regard thereto and requiring court approval thereof.

SB 253, by Senator Mulich, Martin and Strick: An act concerning cereal malt beverage; times and places of sales and consumption; amending K.S.A. 1984 Supp. 41-2704 and repealing the existing section.

SB 254, by Senators Mulich, Strick and Warren: An act establishing the joint committee on revenue estimates and expenditures.

SB 255, by Senators Mulich, Johnston, Anderson and Strick: An act concerning civil procedure; relating to admission of evidence relating to nouse of seat belts in certain actions.

SB 256, by Senators Francisco, Anderson, Feleciano and Yost: An act relating to airport authorities in certain cities; concerning members of such authority; amending K.S.A. 3-163 and repealing the existing section.

SB 257, by Senator Martin: An act concerning utilities; creating the citizen utility board.

SB 258, by Senators Martin, Anderson, Feleciano, Gannon, Karr, Mulich, Parrish, Strick and Warren: An act relating to property taxation; concerning the appraisal of railroad properties and prescribing duties for the director of property valuation relating thereto; amending K.S.A. 79-5a01 and repealing the existing section.

HB 2198, by Representative Jarchow: An act concerning state and local retailers' sales and use taxes; increasing the state sales and use tax rate; exempting sales of food for human consumption from state and certain local sales and use taxes; amending K.S.A. 12-189a, 79-3603, 79-3606 and 79-3703 and repealing the existing sections; also repealing K.S.A. 79-3632 to 79-3639, inclusive.

HB 2199, by Representative Jarchow: An act relating to income taxation; concerning the standard deduction of an individual; amending K.S.A. 79-32.119 and repealing the existing section.

HB 2200, by Representative Ramirez: An act relating to purchasers of crude oil; requiring the furnishing of a certain bond to engage in the business of purchasing crude oil; providing for certain exemptions.

HB 2201, by Representatives Hayden, Braden, Acheson, Baker, Blumenthal, Bowden, Branson, Charlton, Cloud, Cribbs, Crumbaker, Duncan, Dyck, Fox, Friedeman, Goossen, Harper, Hoy, Justice, Lacey, Long, Lowther, Luzzati, D. Miller, R. H. Miller, Moomaw, Neufeld, O'Neal, K. Ott, Pottorff, Roe, Roenbaugh, Rolfs, Sallee, Shore, Smith, Snowbarger, Wilbert and Williams: An act concerning driving under the influence of alcohol or drugs; providing for suspension of a driver's license and permit under certain conditions by a law enforcement officer; providing for a hearing and notice thereof; relating to prosecution and penalties for such driving; providing limitations upon diversion agreements relating thereto; amending K.S.A. 8-1001, 8-1005 and 12-4415 and K.S.A. 1984 Supp. 8-1567 and 22-2908 and repealing the existing sections.

HB 2202, by Committee on Transportation: An act concerning natural gas; certain regulation by the state corporation commission; amending K.S.A. 66-104 and repealing the existing section.

HB 2203, by Representatives Bideau, Acheson, Apt, Freeman, Goossen, Graeber, Holmes, Moomaw, Roenbaugh and Walker: An act amending the uniform controlled substances act; relating to penalties for certain sales to minors; amending K.S.A. 1984 Supp. 65-4127b and repealing the existing section.

HB 2204, by Representative Laird: An act relating to abortion; concerning the abortion of a viable fetus; providing for certain exemptions; imposing conditions and requirements; prohibiting certain acts and prescribing penalties for violations; amending K.S.A. 21-3407 and repealing the existing section; and also repealing K.S.A. 65-445.

HB 2205, by Representatives Crowell, Guldner, King, Littlejohn, Long and Smith: An act concerning the rate of interest on delinquent or unpaid taxes; amending K.S.A. 79-2968 and repealing the existing section.

HB 2206, by Committee on Local Government: An act concerning fire protection in certain cities of the first class; authorizing such cities to establish city fire departments on contract for fire protection; providing for the dissolution of certain fire districts.

HB 2207, by Representative Sughrie (by request): An act concerning registration and insurance of motor vehicles; recreational motor vehicles; amending K.S.A. 1984 Supp. 8-143 and repealing the existing section.

HB 2208, by Representative Hensley: An act relating to medical treatment and transportation to medical care facilities; prohibiting certain persons from requiring acceptance thereof by persons objecting thereto on religious grounds.

HB 2209, by Representative Hensley: An act concerning public employer-employee relations; amending K.S.A. 75-4321 and repealing the existing section.

HB 2210, by Representative Rolfs: An act relating to local retailers' sales and compensating use taxes; concerning the taxation of certain motor vehicles thereunder; amending K.S.A. 12-190 and 12-198 and repealing the existing sections.

HB 2211, by Committee on Assessment and Taxation: An act concerning certificate of value forms used for assessment-sales ratio study purposes; amending K.S.A. 58-2223d and repealing the existing section.

HB 2212, by Representatives Spaniol, Baker, Bowden, Cribbs, Dean, Grotewiel, Helgerson, Luzzati, Webb and Williams: An act concerning the school district equalization act; affecting definitions; relating to the date provided as the basis for making certain computations thereunder; amending K.S.A. 72-7034 and 72-7038 and K.S.A. 1984 Supp. 72-7033, 72-7039, 72-7043, 72-7047, 72-7050 and 72-7053, and repealing the existing sections.

HB 2213, by Representative Sughrie: An act making and concerning appropriations for the fiscal year ending June 30, 1986, for the Kansas teachers' hall of fame from the state general fund; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

HB 2214, by Representative O'Neal: An act concerning the Kansas civil rights commission; relating to disclosure of certain information; amending K.S.A. 1984 Supp. 44-1005 and repealing the existing section.

HB 2215, by Representative O'Neal: An act concerning civil procedure; relating to comparative negligence; amending K.S.A. 60-258a and repealing the existing section.

HB 2216, by Representative O'Neal: An act concerning civil procedure; relating to depositions; amending K.S.A. 60-230 and repealing the existing section.

HB 2217, by Representatives Williams, Baker, Francisco, Friedeman, Harper, Hassler, Long, Polson, Pottorff, Smith, Spaniol and Wilbert: An act concerning fish and game; relating to the use of a crossbow.

HB 2218, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system and certain retirement systems thereunder; relating to retirement benefit options; amending K.S.A. 1984 Supp. 20-2610a, 74-4918 and 74-4964 and repealing the existing sections.

HB 2219, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas police and firemen's retirement system; relating to retirement benefits of members' spouses; amending K.S.A. 1984 Supp. 74-4958 and repealing the existing section.

HB 2220, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas police and firemen's retirement system; relating to employer affiliation thereto; concerning retirement of certain members; amending K.S.A. 1984 Supp. 74-4914 and 74-4915 and repealing the existing sections.

HB 2221, by Committee on Public Health and Welfare: An act concerning the appointment of interpreters for deaf, hearing or speech impaired persons; amending K.S.A. 75-4351, 75-4353 and 75-4354 and repealing the existing sections.

HB 2222, by Committee on Transportation: An act concerning motor vehicles; definitions; amending K.S.A. 1984 Supp. 8-126 and repealing the existing section.

HB 2223, by Representatives Spaniol, Baker, Bowden, Fuller, Grotewiel, Pottorff, Webb and Williams: An act concerning counties; relating to the adoption of certain codes by reference; amending K.S.A. 12-3304 and repealing the existing section.

HB 2224, by Representatives Spaniol, Baker, Bowden, Fuller, Pottorff and Williams: An act amending the disposition of unclaimed property act; concerning applicability thereof; amending K.S.A. 58-3929 and repealing the existing section.

HB 2225, by Representatives Spaniol, Baker, Bowden and Pottorff (by request): An act concerning the granting of franchises by cities; relating to compensation therefor; amending K.S.A. 12-2001 and repealing the existing section.

HB 2226, by Representatives Spaniol, Baker, Bowden, Francisco, Grotewiel, Pottorff and Williams: An act concerning cities and counties; relating to the local residential housing finance law; amending K.S.A. 1984 Supp. 12-5231 and repealing the existing section.

HB 2227, by Representatives Spaniol, Baker, Bowden, Dean, Francisco, Fuller, Grotewiel, Pottorff, Webb and Williams: An act concerning counties; relating to the sale of property; amending K.S.A. 19-211 and repealing the existing section.

HB 2228, by Representatives Spaniol, Aylward, Baker, Blumenthal, Bowden, Brown, Cloud, Fox, Francisco, Fuller, Grotewiel, Hoy, Kline, Mayfield, D. Miller, Patrick, Pottorff, Snowbarger, Vancrum, Webb and Williams: An act concerning records and recordation; relating to using computer disks, tapes or other electronically accessed media; amending K.S.A. 58-2224 and repealing the existing section.

HB 2229, by Representatives Bideau, Apt, Brady, Crowell, Guldner, Harper, Holmes, R. D. Miller, Moomaw, Neufeld, Patterson, Roper and Teagarden: An act concerning abandoned oil and gas wells; relating to the responsibility for the care thereof; amending K.S.A. 55-140 and repealing the existing section.

HB 2230, by Representatives Smith, Aylward, C. Campbell, DeBaun, Eckert, Friedeman, Fry, Hamm, Harper, Hassler, King, Long, Neufeld, B. Ott, Polson, Ramirez, Rezac, Sallee, Schmidt and Williams: An act relating to property taxation; exempting merchants' and manufacturers' inventories and livestock therefrom; amending K.S.A. 79-201d and repealing the existing section.

HB 2231, by Representative Aylward: An act establishing a department of public safety and law enforcement; providing for the appointment of a secretary of public safety and law enforcement; prescribing powers, duties and functions of the secretary and department; attaching certain state agencies to the department as divisions thereof and providing for chief administrative officers of the divisions; abolishing certain state offices; amending K.S.A. 41-201, 41-202, 41-210, 41-504, 41-2701, 74-2112, 74-2115, 74-2117, 74-5701, 75-1505, 75-1506, 75-1507, 75-1508, 75-1513 and 75-5121 and K.S.A. 1984 Supp. 41-102, 41-203, 74-2105, 74-2113, 74-2114, 74-2116, 74-2124, 74-2125 and 74-2127 and repealing the existing sections; also repealing K.S.A. 74-2119, 75-711, 75-712, 75-712a, 75-1503, 75-1510, 75-1511, 75-5117, 75-5118, 75-5119 and 75-5120 and K.S.A. 1984 Supp. 74-2126, 74-2128, 74-2129, 74-2130, 74-2131 and 74-2132.

HB 2232, by Representative Long: An act amending the uniform commercial code; concerning financing statements; amending K.S.A. 84-9-402 and repealing the existing section.

HB 2233, by Representatives Love, Blumenthal, Cribbs, Dean, Ernie, Johnson, Justice and Ramirez: An act creating the small contractors' loan program; providing guidelines and limitations; creating the small contractors' loan fund; prescribing powers, duties and functions for the secretary of administration.

HB 2234, by Representatives Webb, Barkis, Blumenthal, Bowden, Brady, Branson, Charlton, Fry, Gjerstad, Grotewiel, Harder, Helgerson, Hensley, Love, Luzzati, Roper, Solbach, Sutter and Whiteman: An act concerning nuclear power generating facilities; relating to the decommissioning thereof.

HB 2235, by Representatives Cribbs, Dean, Hensley, Justice, Love and Webb: An act creating the surety bond guarantee program for small contractors.

(continued)

- HB 2236**, by Representatives Fry, Buehler, Charlton, Friedeman, Grotewiel, Roper, Schmidt, Smith, Webb and Wilbert: An act relating to high-level radioactive waste; prohibiting its emplacement in bedded salt formations located within Kansas.
- HB 2237**, by Committee on Federal and State Affairs: An act concerning licensure and regulation of electricians; enacting the Kansas electrical licensing act.
- HB 2238**, by Committee on Federal and State Affairs: An act concerning law enforcement officers; adopting a procedural bill of rights therefor.
- HB 2239**, by Representatives Sallee and Foster: An act establishing the Kansas grain storage act; creating the grain producers security fund for compensation of certain losses of grain producers; imposing an assessment on grain delivered to grain warehousemen; providing for administration of the act.
- HB 2240**, by Representative Eckert (by request): An act relating to partition fences; concerning agreements between owners of adjoining land relating to division of partition fences; amending K.S.A. 29-306 and repealing the existing section.
- HB 2241**, by Representatives Whiteman, Bowden, Cribbs, Francisco, Gjerstad, Grotewiel, Harder, Helgeson, Hensley, Mainey, Runnels, Sutter, Turnquist and Wagnon: An act concerning fire safety and prevention; relating to reporting of burn wounds; amending K.S.A. 1984 Supp. 31-133 and repealing the existing section.
- HB 2242**, by Representatives Runnels, Acheson, Barr, Bunten, Hensley, Laird, Mainey, Roy, Smith and Wagnon: An act concerning the Kansas law enforcement training act; amending K.S.A. 1984 Supp. 74-5602 and repealing the existing section.
- HB 2243**, by Representatives Runnels, Acheson, Barr, Bunten, Hensley, Laird, Mainey, Roy, Smith and Wagnon: An act concerning township fire districts; relating to the employees thereof; amending K.S.A. 80-1544 and repealing the existing section.
- HB 2244**, by Representative Cribbs: An act concerning midwifery; providing for the licensure of midwives; establishing a regulatory council on midwifery; imposing certain duties on the secretary of health and environment; creating the midwifery fee fund.
- HB 2245**, by Representatives Williams, Baker, Friedeman, Fuller, Harper, Long, Spaniol and Sutter: An act concerning the Kansas public employees retirement system; relating to funeral benefits for retirants; amending K.S.A. 1984 Supp. 74-4989 and repealing the existing section.
- HB 2246**, by Representative Crumbaker: An act concerning conservatorships; relating to powers of conservators.
- HB 2247**, by Representative Guldner: An act relating to liens on personal property; providing for liens for seed used to produce crops.
- HB 2248**, by Representatives Guldner, Eckert, Harper, Louis, R. D. Miller, Moomaw, K. Ott, Roenbaugh and Smith: An act concerning owners of registered vehicles which unlawfully pass school buses; penalties.
- HB 2249**, by Representatives Guldner, Friedeman, Moomaw and Smith: An act relating to the issuance of certain general obligation bonds by municipalities; requiring the publication of notice and the submission to election upon the receipt of a sufficient petition prior to the issuance of certain bonds.
- HB 2250**, by Joint Committee on Administrative Rules and Regulations: An act concerning the secretary of revenue; relating to the adoption and promulgation of rules and regulations concerning alcoholic beverages; amending K.S.A. 41-209, 41-210, 41-211, 41-302, 41-321, 41-326, 41-407, 41-408, 41-501a, 41-505, 41-506, 41-706, 41-1102, 41-1118, 41-1119, 41-2607, 41-2621, 41-2629, 41-2630 and 75-5118 and K.S.A. 1984 Supp. 41-320, 41-502 and 41-714 and repealing the existing sections; also repealing K.S.A. 75-5120.
- HB 2251**, by Representative D. Miller: An act concerning continuing care agreements; providing for the regulation thereof; providing for the registration of providers of continuing care; granting certain powers to and imposing certain duties and functions upon the commissioner of insurance; imposing certain penalties for certain providers not complying with provisions of this act.
- HB 2252**, by Joint Committee on Administrative Rules and Regulations: An act relating to the secretary of state; concerning the printing of ballots; amending K.S.A. 1984 Supp. 25-604 and repealing the existing section.
- HB 2253**, by Representatives Wagnon, Adam, Aylward, Branson, Brown, Chronister, Flottman, Fox, Fuller, Grotewiel, Hassler, Hensley, Johnson, Luzzati, Nichols, Spaniol, Sughrue and Whiteman: An act providing for the establishment of a system for disseminating information and advice to and making referrals of persons seeking to enforce child support orders.
- HB 2254**, by Committee on Labor and Industry: An act concerning the employment security law; relating to maximum benefit amount and disqualification for benefits; amending K.S.A. 1984 Supp. 44-704 and 44-706 and repealing the existing sections.
- HB 2255**, by Committee on Energy and Natural Resources: An act concerning fish and game; relating to hunting and fishing licenses; amending K.S.A. 1984 Supp. 19-328 and 32-104a and repealing the existing sections.
- HB 2256**, by Committee on Energy and Natural Resources: An act concerning groundwater exploration and protection; establishing an advisory committee on regulation of groundwater activities.
- HB 2257**, by Committee on Communication, Computers and Technology: An act concerning telecommunications services; relating to the regulation of radio communications by the state corporation commission; amending K.S.A. 66-104a, 66-1.143 and 66-1.145 and K.S.A. 1984 Supp. 66-101 and repealing the existing sections; also repealing K.S.A. 66-1.144.
- HB 2258**, by Representatives D. Miller, Baker, Barr, Brown, DeBaun, Fry, Leach and R. D. Miller: An act concerning townships; relating to the limitation of tax levies; amending K.S.A. 79-1962 and repealing the existing section.
- HB 2259**, by Representatives Vancrum, Fox, Spaniol and Williams: An act concerning alcoholic liquors; permitting transportation and possession of certain liquor on which the gallonage tax has not been paid; amending K.S.A. 41-407 and repealing the existing section.
- HB 2260**, by Representatives Vancrum, Douville and Kline: An act concerning criminal procedure; relating to jurisdiction of certain law enforcement officers; amending K.S.A. 1984 Supp. 22-2401a and repealing the existing section.
- HB 2261**, by Representatives Vancrum, Aylward, Cloud, Fox, Peterson and Walker: An act relating to corporations; concerning confidentiality of certain statements filed with the secretary of state.
- HB 2262**, by Representatives Vancrum, Baker, Blumenthal, Buehler, C. Campbell, Cloud, Douville, Harper, Kline, Luzzati, Runnels, Shriver, Sifers, Snowbarger, Spaniol, Teagarden, Wagnon, Walker and Wunsch: An act concerning children; relating to custody of children in need of care and children of parties to domestic relations actions; amending K.S.A. 60-1610 and K.S.A. 1984 Supp. 38-1502, 38-1562, 38-1563, 38-1564 and 38-1584 and repealing the existing sections.
- HB 2263**, by Representative Laird: An act concerning weights and measures; providing for registration of moisture measuring devices and prescribing fees therefor; prescribing certain duties for the state sealer; and prescribing unlawful acts and providing penalties therefor.
- HB 2264**, by Representative Long: An act concerning public utilities; relating to certain electric cooperatives; concerning jurisdiction of corporation commission.
- HB 2265**, by Representative Teagarden: An act relating to certificates of value issued upon transfers of real estate; exception; amending K.S.A. 58-2223c and repealing the existing section.
- HB 2266**, by Committee on Education (by request): An act concerning teachers; relating to hearings provided for upon contract termination or nonrenewal; appointment of hearing committee members; amending K.S.A. 72-5438 and repealing the existing section.
- HB 2267**, by Committee on Education (by request): An act concerning tuition grants; affecting the definition of accredited independent institution; amending K.S.A. 72-6107, 72-6109, 72-6111 and 72-6112, and repealing the existing sections.
- HB 2268**, by Committee on Public Health and Welfare: An act relating to prosecution for driving under influence of alcohol or drugs; concerning evidence of alcohol in blood; amending K.S.A. 8-1005 and repealing the existing section.
- HB 2269**, by Representatives Louis, Blumenthal, Brown, Cloud, Douville, Fox, Hoy, Kline, Mayfield, D. Miller, Patrick, Sifers, Snowbarger and Vancrum: An act relating to property taxation; providing authority for boards of county commissioners to abate or provide credit against property taxes levied upon residential property destroyed by calamity.
- HB 2270**, by Representative Hayden: An act relating to banks and banking; concerning certain deposits; amending K.S.A. 9-1113 and repealing the existing section.
- HB 2271**, by Committee on Transportation: An act enacting the Kansas elderly and handicapped transportation assistance act.
- HB 2272**, by Representatives Chronister, Apt, DeBaun, Guldner, Sifers and Solbach: An act amending the small claims procedure act; concerning information in aid to the enforcement of judgments; amending K.S.A. 61-2707 and repealing the existing section.
- HB 2273**, by Representatives Chronister, Apt, DeBaun, Guldner and Sifers: An act relating to rules and regulations of state agencies; concerning rules and regulations affecting small businesses.
- HB 2274**, by Committee on Ways and Means: An act relating to salaries and compensation of certain state officers and employees; authorizing and providing for certain increases; making appropriations for the fiscal year ending June 30, 1986, and authorizing certain transfers and adjustments in expenditure limitations therefor.
- HB 2275**, by Committee on Local Government: An act concerning zoning; relating to group homes.
- HB 2276**, by Representative Runnels (by request): An act relating to income taxation; providing a credit therefrom for costs incurred by a disabled person in maintaining a residence.
- HB 2277**, by Representative Grotewiel: An act concerning public utilities; relating to proceedings and hearing before the corporation commission.
- HB 2278**, by Joint Committee on Administrative Rules and Regulations: An act amending the rules and regulations filing act; amending K.S.A. 77-420, 77-422, 77-425 and 77-426 and repealing the existing sections.
- HB 2279**, by Representatives Francisco, Adam, Apt, Baker, Barkis, Bideau, Blumenthal, Bowden, Braden, Brady, Brown, Bryant, C. Campbell, Charlton, Dean, DeBaun, Dillon, Douville, Dyck, Flottman, Fox, Freeman, Fry, Gjerstad, Graeber, Grotewiel, Harper, Hayden, Heinemann, Helgeson, Holmes, Jarchow, Jenkins, King, Lacey, Laird, Leach, Long, Louis, Love, Mainey, Mayfield, Mollenkamp, K. Ott, Patrick, Patterson, Peterson, Polson, Ramirez, Reardon, Rezac, Roper, Rosenau, Roy, Sallee, Schmidt, Shore, Shriver, Sifers, Spaniol, Sughrue, Teagarden, Turnquist, Walker, Weaver, Webb, Whiteman, Wisdom and Wunsch: An act concerning official written communications of state agencies; requiring certain information to be contained thereon.
- HB 2280**, by Representative Apt: An act concerning the state universities; requiring the establishment of a state university preparatory curriculum for prospective students; affecting entitlement of certain persons to admission; amending K.S.A. 72-116 and repealing the existing section.
- HB 2281**, by Representative Patterson: An act relating to taxation; exempting personal property from property taxation; declaring oil and gas leasehold interests as real property; increasing the rates and distributing the proceeds of certain state taxes to local taxing subdivisions to provide offsetting revenue for loss of personal property taxes; amending K.S.A. 79-101, 79-2959, 79-2964, 79-34.147, 79-3603 and 79-3703 and repealing the existing sections; also repealing K.S.A. 79-329.
- HB 2282**, by Representative Patterson: An act relating to the board of examiners in optometry; amending K.S.A. 1984 Supp. 74-1501 and repealing the existing section.
- HB 2283**, by Representatives Erne and Freeman: An act concerning the minimum wage and maximum hours law; relating to law enforcement activities; amending K.S.A. 44-1204 and repealing the existing section.
- HB 2284**, by Representatives Erne and Grotewiel: An act relating to the Kansas public employees retirement system; concerning the normal retirement date for members in school employment; amending K.S.A. 1984 Supp. 74-4937 and repealing the existing section.
- HB 2285**, by Representative Schmidt (by request): An act concerning townships; relating to the sale of land owned thereby; amending K.S.A. 80-109 and repealing the existing section.
- HB 2286**, by Representative Heinemann: An act concerning disclosure of records of certain speeding convictions; amending K.S.A. 1984 Supp. 8-1341a and repealing the existing section.
- HB 2287**, by Representative Sprague: An act concerning the issuance of no-fund warrants by municipalities; relating to the payment thereof; amending K.S.A. 79-2940 and repealing the existing section.
- HB 2288**, by Representative Sprague: An act relating to the gross earnings tax on money, notes and other evidence of debt; concerning the payment of such tax; amending K.S.A. 1984 Supp. 12-1.104 and repealing the existing section.
- HB 2289**, by Representative Sprague: An act concerning crimes and punishments; relating to the crime of unlawful use of weapons; amending K.S.A. 1984 Supp. 21-4201 and repealing the existing section.
- HB 2290**, by Representatives Ramirez, Barr, Chronister, Crumbaker, DeBaun, Dillon, Eckert, Graeber, Guldner, Harper, Hassler, Jenkins, Love, Peterson, Reardon, Rolfs, Rosenau, Sallee, Smith and Wisdom: An act concerning insurance; relating to notice of premium due of an insurance policy.
- HB 2291**, by Committee on Elections (by request): An act concerning cities; relating to the qualifications of certain city officers; amending K.S.A. 13-305, 13-1707b, 13-1801, 14-109, 14-204, 14-205, 14-1301, 15-209 and 15-1401 and repealing the existing sections.
- HB 2292**, by Representative Blumenthal: An act relating to elections; concerning presidential electors.
- HB 2293**, by Representative Wilbert: An act concerning the Kansas department of economic development; establishing a division of coal development.
- HB 2294**, by Representative Peterson: An act concerning maintenance of connecting links of highways; amending K.S.A. 68-416 and 68-416a and repealing the existing sections.

HB 2295, by Representative Snowbarger: An act concerning cities; relating to the issuance of bonds for highway improvements; amending K.S.A. 1984 Supp. 68-402b and repealing the existing section.

HB 2296, by Representative Francisco: An act concerning certain liens on real property; requiring certain warning statements; prohibiting certain acts by contractors and providing penalties for violations; amending K.S.A. 60-1103 and repealing the existing section.

HB 2297, by Representative Goossen: An act concerning vocational education; relating to student tuition and fees payments; amending K.S.A. 72-4417, 72-4417a, 72-4418, 72-4419 and 72-4421, and repealing the existing sections.

HB 2298, by Representatives Helgerson, Adam, Grotewiel, Rannels and Wagnon: An act relating to motor vehicles; concerning driving and consumption of alcohol; relating to evidentiary presumptions; amending K.S.A. 8-1005 and repealing the existing section.

HB 2299, by Representatives Helgerson, Adam, Rannels and Wagnon: An act relating to motor vehicles; concerning driving and the consumption of alcohol; relating to impairment; amending K.S.A. 8-1005 and 8-1006 and repealing the existing sections.

HB 2300, by Representatives Blumenthal, Branson, Brown, Fox and Hassler: An act concerning the department of social and rehabilitation services; directing the secretary thereof to provide for transitional planning for continuity of services to mentally retarded or otherwise developmentally disabled persons whose age no longer entitles them to services under special education programs.

HB 2301, by Representative Apt: An act requiring a certificate of birth to contain fingerprint impressions of the child.

HB 2302, by Representative Apt: An act concerning insurance; relating to continuation and conversion privileges; concerning the applicability thereof; amending K.S.A. 1984 Supp. 40-2,103 and repealing the existing section.

HB 2303, by Representative Adam: An act relating to recreation systems in cities and school districts; concerning tax levies therefor; amending K.S.A. 1984 Supp. 12-1908 and repealing the existing section.

HB 2304, by Representative Bunten: An act concerning adult care homes; relating to the licensure of nursing care homes for the mentally retarded; amending K.S.A. 1984 Supp. 39-923 and 39-927 and repealing the existing sections.

HB 2305, by Representative Fox: An act concerning county extension councils; relating to the budget thereof; amending K.S.A. 2-610 and repealing the existing section.

HB 2306, by Representative Fox: An act concerning natural gas; relating to the Kansas natural gas price protection act; repealing K.S.A. 55-1401 to 55-1423, inclusive.

HB 2307, by Committee on Energy and Natural Resources: An act concerning fish and game; concerning the issuance of licenses and fees therefor; amending K.S.A. 1984 Supp. 32-104a and 32-164b and repealing the existing sections.

HB 2308, by Committee on Transportation: An act concerning highways; maintenance of city connecting links; amending K.S.A. 68-416 and 68-416a and repealing the existing sections.

HB 2309, by Representative Luzzati: An act concerning homes for children; relating to qualifications therefor; amending K.S.A. 1984 Supp. 65-516 and repealing the existing section.

HB 2310, by Representative Wagnon: An act concerning Washburn university; relating to bonds issued thereby; amending K.S.A. 13-13a23 and repealing the existing section.

HB 2311, by Representatives Brady, Baker, Dillon, Freeman, Harper, Justice, R. H. Miller, Roper, Wilbert and Wisdom: An act relating to railroads; requiring cabooses on certain trains; providing for the administration and enforcement of this act and prescribing penalties for the violation thereof.

HB 2312, by Representative Cloud: An act relating to the operation of motor vehicles on public highways; concerning certain tests to determine blood alcohol content or the presence of drugs in urine; amending K.S.A. 8-1001, 8-1002, 8-1004, 8-1005 and 8-1006 and repealing the existing sections.

HB 2313, by Representative Dean: An act relating to the taxation of income; providing for deduction of qualified investments in small businesses from adjusted gross income; amending K.S.A. 79-32,117 and repealing the existing section.

HB 2314, by Representative O'Neal: An act concerning crimes and punishments; relating to mandatory sentences for certain crimes; amending K.S.A. 21-4603 and 21-4618 and repealing the existing sections.

HB 2315, by Representative Knopp: An act concerning insurance; relating to the Kansas automobile injury reparations act; concerning monthly earnings; amending K.S.A. 40-3103 and repealing the existing section.

HB 2316, by Representative Guldner: An act relating to land surveys; concerning the payment of the cost incurred in establishing corners and boundaries of property; amending K.S.A. 19-1423 and repealing the existing section.

HB 2317, by Representatives Sifers and Fox: An act concerning water supply and distribution districts; relating to the annexation of territory; amending K.S.A. 19-3512 and repealing the existing section.

HB 2318, by Representative Apt: An act concerning vocational education; relating to financial aid for the provision of vocational education programs by community colleges; affecting the definition of "school" for vocational education capital outlay aid eligibility; amending K.S.A. 72-4415, 72-4424 and 72-4440 and K.S.A. 1984 Supp. 71-602, and repealing the existing sections.

HB 2319, by Representative Apt: An act concerning private elementary or secondary schools; requiring the registration of certain information with the state board of education; amending K.S.A. 1984 Supp. 72-53,100, 72-53,101 and 72-53,102, and repealing the existing sections.

HB 2320, by Representative Apt: An act relating to the taxation of income; providing for a credit therefor for contributions of qualified vocational education equipment to certain institutions of postsecondary education; amending K.S.A. 79-32,120 and 79-32,138 and repealing the existing sections.

HB 2321, by Representative Smith: An act concerning crimes and punishments; relating to penalties for certain crimes; amending K.S.A. 21-3716 and repealing the existing section.

HB 2322, by Representatives Apt, Chronister and Lowther: An act concerning school districts; relating to adoption by boards of education of career incentive salary plans for teachers; authorizing boards of education to increase budgets of operating expenses under certain conditions; amending K.S.A. 1984 Supp. 72-7055 and repealing the existing section.

HB 2323, by Representatives Apt, Aylward, Baker, Barr, Brown, Chronister, Flottman, Foster, Fuller, Hassler, Jenkins, R. D. Miller, Nichols, Pottorff and Roenbaugh: An act amending the consumer protection act; concerning unconscionable acts or practices in credit transactions; amending K.S.A. 50-624, 50-627, 50-634 and 50-636 and repealing the existing sections.

HB 2324, by Representatives Peterson, Blumenthal, Laird and Reardon: An act relating to insurance; concerning uninsured and underinsured motorist coverage; amending K.S.A. 1984 Supp. 40-284 and repealing the existing section.

HB 2325, by Representatives Peterson and Knopp: An act relating to retirement benefits; concerning computation of retirement benefits for judges; contributions; amending K.S.A. 1984 Supp. 20-2603 and 20-2610 and repealing the existing sections.

HB 2326, by Representative Freeman: An act concerning crimes and punishments; providing for victim impact statements prior to sentencing; amending K.S.A. 1984 Supp. 21-4604 and repealing the existing section.

HB 2327, by Representative Freeman: An act concerning criminal procedure; relating to release prior to trial; amending K.S.A. 22-2802 and repealing the existing section.

HB 2328, Representatives Luzzati, Francisco and Jarchow: An act amending the Kansas inheritance tax act; relating to the deduction of class B heirs; amending K.S.A. 79-1537 and repealing the existing section.

HB 2329, by Representative Grotewiel: An act concerning conservation districts; prohibiting the tillage or cultivation of soil not previously tilled or cultivated unless approved by a conservation district; providing for administration; amending K.S.A. 2-1904 and 2-1908 and repealing the existing sections.

HB 2330, by Representative Dean: An act concerning the Kansas civil service act; relating to credit for employment as a student employee of an educational institution under the state board of regents.

HB 2331, by Representatives Love, Blumenthal, Branson, Brown, Cribbs, Dillon, Douville, Johnson, Justice, Luzzati, Mainey, Peterson, Solbach, Turnquist, Vancrum and Whiteman: An act concerning utilities; providing electric, gas or water service to residential customers; requiring prior notice by certified mail of termination for late payment or nonpayment of billed charges for such service.

HB 2332, by Representatives Hassler and Dillon: An act concerning municipalities; relating to municipal utility services; amending K.S.A. 12-631k, 12-693, 12-860, 14-569, 19-2765b, 65-3410, 82a-1030 and K.S.A. 1984 Supp. 19-27,170, 19-27a09 and 19-3541 and repealing the existing sections.

HB 2333, by Representative Jarchow: An act relating to property taxation; repealing K.S.A. 79-1016 to 79-1023, inclusive, relating to the taxation of motor vehicle inventories.

HB 2334, by Representative Wagnon: An act concerning certain homes for children; directing the post auditor to perform an audit of licensed boarding homes for children and registered family day care homes.

HB 2335, by Committee on Energy and Natural Resources: An act concerning water; establishing minimum desirable streamflows for certain watercourses; amending K.S.A. 82a-703a and repealing the existing section; also repealing K.S.A. 82a-950.

HB 2336, by Representative Heinemann: An act establishing an energy development division within the Kansas department of economic development; creating an advisory committee on energy policy; prescribing the powers and duties thereof.

HB 2337, by Representative Heinemann: An act amending the Kansas uniform gifts to minors act; amending K.S.A. 38-901, 38-904 and 38-907 and repealing the existing sections.

HB 2338, by Representative Duncan: An act concerning the Kansas healing arts act; relating to the granting of temporary permits and to licensure by examination; providing standards for the approval of schools of medicine; creating institutional permits; amending K.S.A. 65-2873 and 65-2874 and K.S.A. 1984 Supp. 65-2811 and repealing the existing sections; and also repealing K.S.A. 65-2895.

HB 2339, by Representative Aylward: An act concerning certain animal exhibitors; providing for licensure and regulation thereof; amending K.S.A. 47-1701, 47-1706 through 47-1709 and 47-1714 through 47-1716 and repealing the existing sections.

HB 2340, by Representative Duncan: An act concerning crimes and punishments; relating to the crime of promoting obscenity; amending K.S.A. 21-4301 and repealing the existing section.

HB 2341, by Representatives Smith, Aylward, Barr, DeBaun, Eckert, Francisco, Fry, Fuller, Guldner, Hassler, Jenkins, Laird, Long, D. Miller, Mollenkamp, B. Ott, K. Ott, Polson, Rezac, Roe, Schmidt, Teagarden, Walker and Williams: An act concerning certain publicly funded institutions of postsecondary education; relating to entitlements of community colleges and municipal universities to out-district tuition and state aid and credit hour state aid; amending K.S.A. 13-13a29, 13-13a30, 71-601, 71-603, 71-605, 72-6501, 72-6504 and 72-6506 and K.S.A. 1984 Supp. 13-13a26, 71-301, 71-602, 71-607 and 72-6503, and repealing the existing sections.

HB 2342, by Representatives Smith, Acheson, Barr, Debaun, King, Laird, Polson and Sallee: An act concerning county appraisers; requiring election thereof; amending K.S.A. 19-425, 19-426, 19-430, 19-431, 19-433 and 19-434 and repealing the existing sections; also repealing K.S.A. 19-428.

HB 2343, by Representative K. Ott: An act relating to property taxation; concerning the apportionment of the valuation of property of electric generation facilities; amending K.S.A. 79-5a06a and repealing the existing section.

HB 2344, by Representatives Guldner and Moomaw: An act concerning vehicles; towing vehicles in combination; amending K.S.A. 8-1907 and repealing the existing section.

HB 2345, by Representative Polson: An act concerning school districts; relating to base salary rates of certain employees thereof.

HB 2346, by Committee on Elections: An act relating to the campaign finance act; concerning the filing of certain reports; amending K.S.A. 25-4173 and 25-4174 and repealing the existing sections.

HB 2347, by Representatives Smith, Barr, Brown and Laird: An act concerning taxation; relating to the aggregate tax levy limitation; amending K.S.A. 79-5020 and repealing the existing section.

HB 2348, by Representative Louis, Blumenthal, Brown, Cloud, Douville, Fox, Hoy, Kline, Mayfield, D. Miller, Patrick, Sifers, Snowbarger and Vancrum: An act concerning highways; designating certain highways in Johnson county as Shawnee Mission Parkway; amending K.S.A. 68-1012 and repealing the existing section.

HB 2349, by Representatives Jarchow, Adam, Barkis, Blumenthal, Bowden, Brady, Charlton, Cribbs, Dean, Dillon, Francisco, Harder, Helgerson, Hensley, Johnson, Justice, Luzzati, Peterson, Reardon, Sughrue, Sutter and Turnquist: An act amending the homestead property tax refund act; excluding utility costs from household income; adjusting the income eligibility schedule; increasing the maximum property tax refund; amending K.S.A. 79-4502, 79-4508 and 79-4509 and repealing the existing sections.

HB 2350, by Representatives Sughrue, Adam, Barkis, Barr, Blumenthal, Bowden, Brady, Branson, Brown, Buehler, Charlton, Cloud, Cribbs, Dear, Debaun, Dillon, Ernie, Flottman, Francisco, Freeman, Friedeman, Fry, Graeber, Green, Hamm, Harder, Hassler, Hensley, Jarchow, Johnson, Justice, Lacey, Laird, Leach, Long, Love, Luzzati, Mainey, Nichols, Peterson, Ramirez, Reardon, Rezac, Roper, Rosenau, Rannels, Sallee, Schmidt, Shore, Shriver, Solbach, Sutter, Teagarden, Turnquist, Wagnon, Weaver, Webb, Whiteman, Wilbert, Williams and Wisdom: An act relating to income taxation; providing for a credit therefor for in-home elderly dependent care.

HB 2351, by Representative Guldner: An act concerning court procedure; relating to change of judge; amending K.S.A. 20-311d and repealing the existing section.

HB 2352, by Representative D. Miller: An act repealing K.S.A. 79-34,147 and 79-34,148, relating to transfers from the state general fund to the state highway fund in relation to financing highways.

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- HB 2353**, by Representatives D. Miller, Cloud and Louis: An act concerning school districts; providing for transfers from the general fund to the capital outlay fund under certain conditions; amending K.S.A. 72-7063 and repealing the existing section.
- HB 2354**, by Representative Heinemann: An act concerning mortgage registration fees; concerning exemptions to the requirement thereof; amending K.S.A. 79-3102 and repealing the existing section.
- HB 2355**, by Representatives Duncan, Aylward, Blumenthal, Bowden, Braden, Brady, Buehler, C. Campbell, K. Campbell, Cloud, Cribbs, Dillon, Francisco, Grotewiel, Hassler, Heinemann, Helgerson, Hoy, Jarchow, Johnson, Long, Love, B. Ott, Peterson, Pottorff, Roe, Roper, Runnels, Schmidt, Sifers, Sughrue, Sutter, Turnquist, Wagnon, Walker, Webb, Wisdom and Wunsch: An act concerning state and unified school district purchases; requiring state agency purchase of services provided by certain persons; amending K.S.A. 75-3317, 75-3319, 75-3320, 75-3321 and 75-3322 and repealing the existing sections.
- HB 2356**, by Representative Fry: An act relating to income taxation; concerning withholding of tax from armed forces retirees; amending K.S.A. 79-3296 and repealing the existing section.
- HB 2357**, by Representative Dillon (by request): An act concerning the board of public utilities in certain cities; relating to powers and duties of the board; amending K.S.A. 13-1223 and 13-1226 and repealing the existing sections.
- HB 2358**, by Representative Heinemann: An act concerning electric cooperatives; relating to the members thereof; amending K.S.A. 17-4603 and 17-4609 and repealing the existing sections.
- HB 2359**, by Representatives Fox and Hayden: An act concerning the Kansas fish and game commission; relating to a feasibility study of the Cheyenne Bottoms wildlife area; making appropriations for the fiscal year ending June 30, 1985, for the Kansas fish and game commission.
- HB 2360**, by Representatives Mayfield, Acheson, Fox, Heinemann, Kline, Louis, Nichols, Pottorff, Rolfs and Vancrum: An act amending the Kansas securities act; relating to certain exemptions; amending K.S.A. 1984 Supp. 17-1262 and repealing the existing section.
- HB 2361**, by Representatives Shore, Bryant, K. Campbell, Guldner, Hassler, Heinemann, Holmes, Moomaw, Neufeld, Roenbaugh, Sughrue, Walker and Wilbert: An act relating to natural gas; prescribing a maximum price for first sales thereof to agricultural users.
- HB 2362**, by Representatives Williams, Baker, Foster, Pottorff and Sutter: An act concerning the state health care benefits program; relating to certain benefits thereof; amending K.S.A. 75-6501 and repealing the existing section.
- HB 2363**, by Representative Peterson: An act concerning the Kansas police and firemen's retirement system; relating to post-retirement benefit adjustments for certain retirees.
- HB 2364**, by Representative Peterson: An act concerning the Kansas public employees retirement system; relating to the normal retirement date for certain persons.
- HB 2365**, by Representative Peterson: An act relating to the Kansas police and firemen's retirement system; concerning the normal retirement date for certain members; amending K.S.A. 1984 Supp. 74-4957 and repealing the existing section.
- HB 2366**, by Representative Peterson (by request): An act relating to courts; concerning certain records.
- HB 2367**, by Representative K. Ott: An act relating to crimes; concerning worthless checks; amending K.S.A. 1984 Supp. 21-3707 and repealing the existing section.
- HB 2368**, by Representative Patrick: An act relating to taxation; providing property tax relief for farmers; increasing the personal exemption amount for individuals; decreasing the tax rate imposed upon corporations; granting income tax credits to consumers of electricity produced by certain generating facilities; amending K.S.A. 79-32,110 and 79-32,121 and repealing the existing sections.
- HB 2369**, by Representative Patrick: An act concerning school districts; imposing limitations on budgets of operating expenses per pupil for the 1985-86 school year; relating to obligations under the Kansas public employees retirement system of certain professional employees; amending K.S.A. 1984 Supp. 72-7055 and 74-4939, and repealing the existing sections.
- HB 2370**, by Representative Branson: An act concerning motor vehicles; relating to drivers' licenses; age; amending K.S.A. 8-236, 8-237 and 8-239 and repealing the existing sections.
- HB 2371**, by Representatives Heinemann, Guldner and Mainey: An act relating to elections; concerning withdrawal from nomination; amending K.S.A. 25-306b and repealing the existing section.
- HB 2372**, by Representatives Hensley, Bowden, Charlton, Cribbs, Dean, Dillon, Gjerstad, Green, Grotewiel, Jarchow, Lacey, Laird, Luzzati, Mainey, Peterson, Roper, Schmidt, Sughrue, Wagnon, Webb and Whiteman: An act concerning the minimum wage and maximum hours law; increasing the minimum wage; amending K.S.A. 44-1203 and repealing the existing section.
- HB 2373**, by Representatives Hensley, Bowden, Cribbs, Dillon, Gjerstad, Green, Jarchow, Laird, Luzzati, Mainey, Peterson, Roper, Webb and Whiteman: An act concerning the workmen's compensation act; relating to the definition of personal injury; medical and temporary total disability compensation; approval of structured settlements; failure to pay compensation due; amending K.S.A. 44-510, 44-510c, 44-512a and 44-521 and K.S.A. 1984 Supp. 44-508 and 44-534a and repealing the existing sections.
- HB 2374**, by Representatives Teagarden and Crumbaker: An act relating to the taxation of income; concerning the federal income tax liability deduction of an individual; amending K.S.A. 79-32,120 and repealing the existing section.
- HB 2375**, by Representatives Teagarden and Crumbaker: An act imposing a property tax on intangible personal property; providing for the administration and enforcement thereof; providing for exemptions therefrom; providing for distribution of revenue received; providing for unlawful acts and prescribing penalties therefor; repealing K.S.A. 79-3109b to 79-3109d, inclusive.
- HB 2376**, by Representative Heinemann: An act concerning municipalities; relating to the issuance of revenue bonds; amending K.S.A. 12-1740 and repealing the existing section.
- HB 2377**, by Representative Laird: An act concerning evidence; providing for admissibility of certain prerecorded statements and televised or videotaped testimony by certain children in certain actions.
- HB 2378**, by Representative Solbach (by request): An act relating to compensation of certain state officers and employees; increasing annual salaries in amounts equal to additional compensation payments received during fiscal year 1985.
- HB 2379**, by Representative Solbach: An act concerning school districts; relating to the transportation of pupils thereby; amending K.S.A. 1984 Supp. 72-7039, 72-7047 and 72-8301, and repealing the existing sections.
- HB 2380**, by Representatives Barkis, Adam, Bowden, K. Campbell, Charlton, Cribbs, Dean, Francisco, Gjerstad, Grotewiel, Harder, Helgerson, Hensley, Jarchow, Johnson, Justice, Leach, Love, Luzzati, Mainey, Peterson, Reardon, Roper, Runnels, Schmidt, Solbach, Sughrue, Sutter, Wagnon, Webb and Whiteman: An act enacting the consumer savings disclosure and validation act.
- HB 2381**, by Representatives Barkis and Wisdom: An act amending the Kansas tort claims act; excluding certain persons from the definition of employee; amending K.S.A. 75-6102 and repealing the existing section.
- HB 2382**, by Representatives Dean, Adam, Barkis, Bowden, Cribbs, Dillon, Francisco, Gjerstad, Grotewiel, Hensley, Lacey, Leach, Love, Luzzati, Roper, Schmidt, Weaver, Webb, Whiteman and Wisdom: An act concerning public utilities; relating to the powers and duties of the state corporation commission; amending K.S.A. 66-107 and 66-110 and repealing the existing sections.
- HB 2383**, by Representative Peterson: An act relating to revenue bonds for economic development; concerning issuance of such bonds by counties; amending K.S.A. 12-1741b and repealing the existing section.
- HB 2384**, by Representative Peterson: An act concerning the Kansas police and firemen's retirement system; relating to disability benefits; amending K.S.A. 1984 Supp. 74-4960 and repealing the existing section.
- HB 2385**, by Representative Peterson: An act relating to boards of public utilities in certain cities; establishing such boards as public corporations and prescribing the powers and duties thereof; amending K.S.A. 13-1220, 13-1222, 13-1223, 13-1223a, 13-1224, 13-1225, 13-1226, 13-1227, 13-1228, 13-1228a, 13-1229, 13-1230, 13-1231 and 13-1232 and repealing the existing sections.
- HB 2386**, by Representative Barkis: An act relating to the regulation of certain public utilities; concerning the determination of need for or public interest in dedication of facility for commercial service; amending K.S.A. 1984 Supp. 66-128d and repealing the existing section.
- HB 2387**, by Representatives Grotewiel, Barkis, Bowden, Brady, Branson, K. Campbell, Charlton, Francisco, Gjerstad, Helgerson, Hensley, Jarchow, Justice, Lacey, Leach, Love, Luzzati, Roper, Runnels, Solbach, Turnquist, Weaver, Webb and Whiteman: An act relating to the determination and fixing of rates of certain public utilities; amending K.S.A. 1984 Supp. 66-128e and repealing the existing section.
- HB 2388**, by Representative Patrick: An act concerning the department of education; authorizing a centralized purchasing and exchange activity for unified school districts; authorizing certain fees and providing for the disposition thereof.
- HB 2389**, by Representatives Grotewiel, Adam, Barkis, Blumenthal, Bowden, Brady, Branson, K. Campbell, Charlton, Dean, Gjerstad, Harder, Helgerson, Hensley, Jarchow, Justice, Lacey, Love, Luzzati, Peterson, Roper, Runnels, Sutter, Turnquist, Wagnon, Weaver, Webb and Whiteman: An act concerning utilities; creating the citizen utility board.
- HB 2390**, by Representatives Roper, Barkis, Bowden, Branson, K. Campbell, Charlton, Dillon, Francisco, Gjerstad, Grotewiel, Harder, Helgerson, Hensley, Jarchow, Johnson, Justice, Love, Peterson, Runnels, Solbach, Sutter, Weaver, Webb, Whiteman and Wisdom: An act relating to the regulation of public utilities; concerning nuclear fission electric generating facilities; amending K.S.A. 1984 Supp. 66-128h and repealing the existing section.
- HB 2391**, by Representative Wunsch: An act concerning law enforcement training, relating to certain agreements with educational institutions; amending K.S.A. 75-3099 and repealing the existing section.
- HB 2392**, by Representative Wunsch: An act relating to rural water-supply districts; concerning the dissolution thereof; amending K.S.A. 82a-611 and repealing the existing section.
- HB 2393**, by Representatives Hensley, Bowden, Charlton, Cribbs, Dillon, Francisco, Gjerstad, Grotewiel, Helgerson, Jarchow, Justice, Laird, Love, Luzzati, Mainey, Peterson, Roper, Runnels, Wagnon, Webb and Whiteman: An act concerning professional negotiation between boards of education and professional employees' organizations; providing procedures for final and binding conclusion thereof; amending K.S.A. 72-5413, 72-5421, 72-5423, 72-5426, 72-5428, 72-5428a and 72-5430 and K.S.A. 1984 Supp. 72-5411 and 72-5437, and repealing the existing sections.
- HB 2394**, by Representatives Love, Cribbs, Jarchow, Justice, Peterson and Wisdom: An act relating to the form of agreements between contractors and subcontractors with regard to construction, reconstruction and remodeling projects.
- HB 2395**, by Representatives Justice, Barkis, Bowden, Cribbs, Leach, Love, Luzzati, Mainey, Sutter, Turnquist and Whiteman: An act relating to the office of commissioner of elections; providing for the election of the commissioner; amending K.S.A. 25-101 and 25-611 and K.S.A. 1984 Supp. 19-3419 and repealing the existing sections.
- HB 2396**, by Representatives Justice, Barkis, Bowden, Cribbs, Francisco, Leach, Love, Mainey, Sutter and Teagarden: An act relating to the office of election commissioner; concerning the appointment of the commissioner; amending K.S.A. 1984 Supp. 19-3419 and repealing the existing section.
- HB 2397**, by Representative Baker: An act concerning motorcycles and motorized bicycles; restrictions on certain passengers and operators; amending K.S.A. 8-1598 and repealing the existing section.
- HB 2398**, by Representative Baker (by request): An act creating the professional motor vehicle mechanics' license act.
- HB 2399**, by Representatives Baker and Doveille: An act concerning insurance; relating to professional liability insurance for attorneys.
- HB 2400**, by Representatives Baker, Dillon, Green, Harper, Johnson, Solbach, Wilbert and Williams: An act concerning railroads; requiring reflective marking of railroad cars; and prescribing penalties for the failure to comply therewith.
- HB 2401**, by Representatives Justice, Barkis, Cribbs and Love: An act relating to elections; concerning county election officers; amending K.S.A. 19-3436, 19-3437, 19-3438 and 19-3439 and K.S.A. 1984 Supp. 25-2303 and repealing the existing sections; also repealing K.S.A. 19-3419a, 19-3420, 19-3421, 19-3422, 19-3423, 19-3424, 19-3426, 19-3434, 19-3435 and 19-3435a and K.S.A. 1984 Supp. 19-3419.
- HB 2402**, by Representatives Leach and Barkis: An act relating to income taxation; concerning the rate imposed against corporations; amending K.S.A. 79-32,110 and repealing the existing section.
- HB 2403**, by Representatives Justice, Bowden, Charlton, Cribbs, Gjerstad, Helgerson, Hensley, Love, Luzzati and Wagnon: An act concerning the investment and management of moneys under the control and supervision of state investing agencies; prohibiting certain investments with regard to the Republic of South Africa; amending K.S.A. 12-3718, 12-3724, 40-2307, 40-3406, 58-3066, 58-3604, 68-2311, 74-2913, 74-4515, 74-4921, 75-2527, 75-4205, 75-4209, 75-4254, 76-156a, 76-175, 76-718a, 76-818 and 76-2473 and K.S.A. 1984 Supp. 32-104m, 44-712 and 65-3431 and repealing the existing sections.
- HB 2404**, by Representatives Laird and Neufeld: An act concerning crimes and punishments; relating to the crime of promoting obesity harmful to minors; amending K.S.A. 21-4301a and repealing the existing section.
- HB 2405**, by Representatives Moomaw, Guldner, Hayden, Acheson, Apt, Aylward,

Baker, Barr, Bideau, Brown, Bryant, Buehler, Bunten, C. Campbell, Chronister, Crowell, Crumbaker, DeBaun, Dyck, Eckert, Flottman, Fox, Friedeman, Goossen, Graeber, Harper, Hassler, Heinemann, Holmes, Jenkins, Lowther, R. H. Miller, Mollenkamp, Neufeld, Nichols, O'Neal, Patrick, Polson, Pottorff, Ramirez, Roe, Roenbaugh, Rolfs, Sallee, Shore, Smith, Spaniol, Vancrum, Walker, Wilbert, Williams and Wunsch: An act establishing the emergency farm credit relief act; authorizing and directing the secretary of the state board of agriculture to coordinate a program in which persons voluntarily assist the federal farmers home administration in the processing of farm loan applications; authorizing the reimbursement of certain expenses of such persons.

HB 2406, by Representative Moomaw: An act concerning the crime of driving under the influence of alcohol or drugs; relating to terms of diversion of criminal proceedings on complaint; amending K.S.A. 12-4416 and K.S.A. 1984 Supp. 22-2909 and repealing the existing sections.

HB 2407, by Representatives Moomaw, Guldner, Neufeld and Roenbaugh: An act concerning weeds; relating to weeds not declared noxious; authorizing a tax levy for the purpose of controlling certain weeds upon roadways; amending K.S.A. 2-1314a and repealing the existing section.

HB 2408, by Representatives Wagon, Adam, Blumenthal, Brady, Branson, Brown, Charlton, Cloud, Fuller, Grotewiel, Harder, Hassler, Hensley, Johnson, Luzzati, Mainey, Runnels, Shore, Sughrue, Vancrum, Walker, Weaver and Whiteman: An act establishing a pay equity commission; relating to the composition, powers, duties and functions thereof; requiring reports and recommendations.

HB 2409, by Representative Heinemann: An act amending the Kansas tort claims act; concerning certain exceptions to liability thereunder; amending K.S.A. 75-6104 and repealing the existing section.

HB 2410, by Representatives Brady and Rolfs: An act concerning certain elective state offices; restricting the number of successive terms for which a person may be elected thereto.

HB 2411, by Representatives Solbach, Baker, Brady, Buehler, Cribbs, Fry, Gjerstad, Hamm, Harder, Harper, Hassler, Hensley, Jenkins, Lacey, Neufeld, Rezac, Roper, Sallee, Schmidt, Shore, Turnquist, Wagon, Walker, Webb and Wilbert: An act enacting the farm development act; establishing the division of agricultural development within the state department of agriculture to promote agricultural development by making funds available at low interest rates; providing for the administration of the act.

HB 2412, by Representatives Solbach, Barkis, Branson, Charlton, Hamm, Hensley, Jarchow, Leach, Schmidt, Sutter and Webb: An act relating to income taxation; concerning the rate of tax imposed upon individuals; increasing the personal exemption of an individual; amending K.S.A. 79-32,110 and 79-32,121 and repealing the existing sections.

HB 2413, by Representatives Solbach, Branson, Charlton, Hamm, Jarchow, Roper, Schmidt and Webb: An act relating to the taxation of income; concerning the federal income tax liability deduction of an individual; amending K.S.A. 79-32,120 and repealing the existing section.

HB 2414, by Representative O'Neal: An act concerning traffic regulation; amending the uniform act regulating traffic on highways; amending K.S.A. 1984 Supp. 8-2106, 8-2109, 8-2110 and 8-2116 and repealing the existing sections.

HB 2415, by Representative Duncan: An act concerning the department of revenue; concerning persons licensed to operate a motor vehicle and administrative procedure relating thereto; amending K.S.A. 8-259, K.S.A. 1984 Supp. 8-255 and section 2 of chapter 313 of the 1984 Session Laws of Kansas and repealing the existing sections.

HB 2416, by Representative Duncan: An act relating to banks and banking; concerning bank holding companies; amending K.S.A. 17-1252 and repealing the existing section; also repealing K.S.A. 9-504, 9-505, 9-505a, 9-505b and 9-505c.

HB 2417, by Representatives Wunsch, Acheson, Adam, Barkis, Bideau, Blumenthal, Brown, Buehler, C. Campbell, DeBaun, Douville, Eckert, Erne, Francisco, Freeman, Grotewiel, Hamm, Harper, Hayden, Leach, Long, D. Miller, R. D. Miller, Moomaw, O'Neal, B. Ott, Polson, Pottorff, Reardon, Rezac, Sallee, Schmidt, Solbach, Spaniol, Teagarden, Walker, Webb and Whiteman: An act designating milk as the official state drink.

HB 2418, by Representatives Adam, Hamm, Lacey, Rezac, Solbach and Teagarden: An act enacting the Kansas grain insurance act; establishing the Kansas grain insurance fund; providing compensation for certain losses of grain producers; providing for assessments on warehousemen; providing for administration of the act and authorizing appropriations of money in the event of shortages in the fund.

HB 2419, by Representatives Wisdom, Dillon, Johnson, Justice, Love, Peterson, Reardon, Rosenau and Sutter: An act concerning the Kansas public employees retirement system; relating to option of certain school employees to become members thereof; amending K.S.A. 74-4935a and repealing the existing section.

HB 2420, by Representative Fry: An act concerning motor vehicles; drivers' licenses; permit required, when; amending K.S.A. 8-237 and repealing the existing section.

SR 1914, by Senator Karr: A resolution commending Project Prairie Fire and Kappa Sigma Fraternity for their efforts to increase public awareness concerning POW/MIAs.

SCR 1605, by Committee on Federal and State Affairs: A proposition to amend section 10 of article 15 of the constitution of the state of Kansas, relating to intoxicating liquors; authorizing the legislature to permit and provide for county option in the sale of liquor by the individual drink in public places.

SCR 1614, by Senators Mulich, Anderson, Martin and Strick: A proposition to amend the constitution of the state of Kansas by adding a new section thereto authorizing the legislature to permit, regulate, license and tax dog racing by bona fide nonprofit organizations and parimutual wagering thereon and to provide for county option thereon.

SCR 1615, by Committee on Assessment and Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

SCR 1616, by Committee on Assessment and Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

HR 6032, by Representative Chronister: A resolution congratulating the city of Neodesha for receiving the 1984 "Tree City, U.S.A." award.

HR 6033, by Representative Wilbert: A resolution congratulating and commending the Colgan High School football team and its coach, Chuck Smith, on winning the 1984 Class 2A State Football Championship in Kansas.

HCR 5009, by Committee on Energy and Natural Resources: A concurrent resolution concerning the Cheyenne Bottoms wildlife area; recommending appropriation of moneys to finance a feasibility study.

HCR 5010, by Committee on Energy and Natural Resources: A concurrent resolution commending the Kansas water authority and Kansas water office in the preparation of the state water plan.

Doc. No. 002906

State of Kansas

GRAIN INSPECTION DEPARTMENT

PERMANENT ADMINISTRATIVE REGULATIONS

(Effective May 1, 1985)

Article 1.—WAREHOUSING

25-1-9. (Authorized by K.S.A. 34-102, 34-235, 34-2,100; effective Jan. 1, 1966; amended, E-67-8, June 16, 1967; amended Jan. 1, 1968; revoked May 1, 1985.)

Article 4.—FEES AND CHARGES

25-4-1. Fees. (a) Definitions.

(1) "Regular hours" means 7:00 a.m. to 4:30 p.m., Monday through Friday. Regular hours for samplers may be adjusted to elevator hours, not to exceed eight hours per day.

(2) "Overtime" means work performed during any hours other than the regular hours defined in paragraph (1) of this subsection.

(3) "Travel time" means time spent in roundtrip travel from portal to portal. If an employee performs inspections at several locations on one trip, travel time may be prorated.

(4) Holidays include New Year's Day, Memorial Day, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day.

(5) "Call in" and "call back" means any work performed for which the employee is called in to work on a regular day off or called back to work after a regular work schedule.

(b) This revised schedule supersedes all other schedules issued by this agency.

Effective May 1, 1985, the following fees shall be charged for the services rendered by this department under the U. S. grain standards act (as amended):

Official Inspection, includes grading and sampling EXCEPT WHERE INDICATED

	FEE
Hopper car	\$11.00/per inspection or reinspection
Extra sample secured at time of original	3.50/per request
New sample secured after original	5.00/per request
Boxcar—direct transfer	7.00/per inspection or reinspection
Extra sample secured at time of original	2.00/per request
New sample secured after original	3.00/per request
Truck or trailer	5.50/per inspection or reinspection
Extra sample secured at time of original	2.00/per request
New sample secured after original	3.00/per request
Bin inspection	5.00/per bin plus sampler regular hourly rate
Submitted sample inspection	4.00/per sample
DHV Count	3.00
Warehouseman sample-lot inspection	6.00/per sample
Diverter-type (D/T) sample at points outside inspection point	6.00/plus sampler regular hourly rate and travel time hourly rate plus mileage
switching limits	2.50/per 1,000 bushels or fraction thereof
Barge inspection or reinspection	2.50/per 1,000 bushels or fraction thereof

(continued)

All reinspections of above carriers based on file sample	4.00
Initial checktest, approval of country point diverter-type (D/T) samplers, and train elevator sampler	40.00/per D/T sampler plus regular hourly and travel time rate plus mileage
Diverter-type (D/T) review checktest visits at country points	regular hourly rate plus mileage
Checktesting diverter-type (D/T) samplers at inspection points ..	regular hourly rate (1 hour minimum charge)
Protein, initial or reinspection ..	2.75
Factor only determination, moisture	1.25
Approved statements requested in addition to grade requirements ..	2.25
Duplicate certificate	1.00
Stowage examination, hopper or boxcar	2.25/per request
Stowage examination, barge	5.50/per request
Report grades by telephone	CALL COLLECT

(c) Miscellaneous Fees

(1) The regular hourly rate shall be \$11.00. The number of regular hours shall be calculated in half hour increments.

(2) The overtime hourly rate shall be \$11.00 per hour. The number of overtime hours shall be calculated in half hour increments. For those inspections for which the fee is based on a per unit charge, the overtime hourly rate shall be applied in addition to that per unit fee. For those inspections for which fees are based on an hourly rate, the overtime hourly rate shall not be imposed in addition to the regular hourly rate.

(3) The holiday hourly rate shall be \$11.00 per hour. The number of holiday hours shall be calculated in half hour increments. For those inspections for which fees are based on a per unit charge, the holiday hourly rate shall be applied in addition to that per unit fee. For inspections for which fees are based on an hourly rate, the holiday rate shall not be applied in addition to the regular hourly rate.

(4) When an employee is called in or called back, a minimum of two hours at the overtime hourly rate shall be charged.

(5) Travel time. The travel time rate shall be \$11.00 per hour.

(6) Mileage expenses shall be charged, per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto. If an employee performs inspections at several locations on one trip, the mileage expense may be prorated.

(d) Effective May 1, 1985, the following fees shall be charged for the services rendered by this department not under the U. S. grain standards act (as amended):

Edible Bean Inspection Service

Edible bean inspection (official warehouse lot)	15.00/per certificate
Edible bean inspection (official car sample)	15.00/per certificate
Edible bean inspection (official truck sample)	10.00/per certificate
Edible bean inspection (submitted sample)	7.00/per certificate
Edible bean inspection sampling fee, check weighing, or check loading	11.00/per hour

Weights

Hopper car, boxcar or direct transfer	6.00
Barges, in or out	2.25/per 1,000 bushels or fraction thereof
Truck or trailer	6.00
House transfers	1.50/per 1,000 bushels or fraction thereof
Weigh-up, annual	1.00/per 1,000 bushels or fraction thereof
In-weighing, sacked cars	regular/hourly rate
Out-weighing, sacked cars, with count	regular/hourly rate
Out-weighing, sacked cars, with count and weight each sack	regular/hourly rate

Miscellaneous Services

DHV count	3.00
Hopper scale, first test at elevator	100.00
Hopper scale, each additional test at elevator	75.00/per scale
Hopper scale per F.G.I.S. test ..	100.00/plus regular hourly rate on site
Hopper scale at points where certified weights are not issued	100.00/plus mileage and subsistence
Mileage charge for special trips by the hopper testing scale truck, per mile driven45
Labor of scale inspector for repair work outside regular inspecting or adjusting of scale	11.00/per hour
Charge for weigher, by special arrangement, per man	11.00/per hour

(Authorized by K.S.A. 1984 Supp. 34-103a, 34-2,100; implementing K.S.A. 1984 Supp. 34-103a, 34-251, 34-2,108; effective Jan. 1, 1966; amended Jan. 1, 1967; amended, E-68-7, Feb. 20, 1968; amended Jan. 1, 1969; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended, E-71-26, June 18, 1971; amended Jan. 1, 1972; amended, E-72-8, Feb. 26, 1972; amended Jan. 1, 1973; amended, E-74-27, June 26, 1974; amended, E-74-61, Sept. 30, 1974; amended May 1, 1975; amended, E-78-10, March 24, 1977; modified, L. 1978, ch. 448, May 1, 1978; modified, L. 1980, ch. 345, May 1, 1980; amended May 1, 1981; amended May 1, 1982; amended, T-83-20, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985.)

25-4-4. Fees and charges; warehouse division. (a)

The annual fee for each public warehouse license shall be computed as follows, based on the capacity of that public warehouse:

Capacity in Bushels	Annual Fee
1 to 100,000	\$250.00
100,001 to 150,000	275.00
150,001 to 250,000	300.00
250,001 to 300,000	325.00
300,001 to 350,000	350.00
350,001 to 400,000	375.00
400,001 to 450,000	400.00
450,001 to 500,000	425.00
500,001 to 600,000	450.00
600,001 to 700,000	475.00
700,001 to 800,000	500.00
800,001 to 900,000	525.00
900,001 to 1,000,000	550.00
1,000,001 to 1,750,000	725.00
1,750,001 to 2,500,000	850.00
2,500,001 to 5,000,000	1,100.00
5,000,001 to 7,500,000	1,350.00
7,500,001 to 10,000,000	1,550.00

10,000,001 to 12,500,000	1,700.00
12,500,001 to 15,000,000	1,850.00
15,000,001 to 17,500,000	2,000.00
17,500,001 to 20,000,000	2,150.00
Over 20,000,000 bushels	add \$150
for each 2,500,000 bushels or fraction	

(b) The charge for amending a warehouse license shall be \$50.00.

(c) The charges for each special or requested examination of a warehouse shall be:

(1) \$15.00 per hour for each examiner. A minimum of four hours shall be charged;

(2) subsistence expenses for each examiner;

(3) mileage expenses. Mileage expenses shall be charged, per mile driven, at the rate per mile determined by the secretary of administration pursuant to K.S.A. 75-4607 or amendments thereto. (Authorized by and implementing K.S.A. 1984 Supp. 34-228; effective, E-67-18, Sept. 13, 1967; effective Jan. 1, 1968; amended, E-69-7, May 28, 1969; amended Jan. 1, 1970; amended May 1, 1982; amended May 1, 1985.)

MARVIN R. WEBB
Director

Doc. No. 002825

State of Kansas

**BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES**

**PERMANENT ADMINISTRATIVE
REGULATIONS**

(Effective May 1, 1985)

**Article 23.—SOUTHWEST KANSAS GROUND-
WATER MANAGEMENT DISTRICT NO. 3**

5-23-1. Definitions. As used in these rules and regulations, the following words and phrases shall have the following meanings. (a) Abandoned well means:

(1) A well for which all intended uses have been permanently discontinued; or

(2) Any well that is in such a state of disrepair that using it for the purpose of obtaining groundwater is impracticable.

(b) Board means the board of directors constituting the governing body of the southwest Kansas groundwater management district no. 3.

(c) Confined aquifer means:

(1) An aquifer overlain and underlain by impermeable layers; or

(2) An aquifer in which the groundwater is under pressure greater than atmospheric pressure and which will rise in a well above the point at which it is first encountered.

(d) District means the southwest Kansas groundwater management district no. 3.

(e) Substantially means within 300 feet of the approved location, but in no case closer to other wells than the minimum spacing requirements allow.

(f) Tailwater means that portion of the applied irri-

gation water which becomes run-off from the authorized place of use.

(g) Tailwater re-use system means a facility to collect, store and transport irrigation tailwater for reapplication to the authorized place of use.

(h) Unconfined aquifer means an aquifer containing free groundwater in which the groundwater is at atmospheric pressure and the upper surface of the aquifer is the water table.

(i) Waste of water means:

(1) Groundwater which has been diverted or withdrawn from a source of supply and which is not used, managed or reapplied to a beneficial use on or in conjunction with land authorized as the place of use by a vested right, an appropriation right or an approved application for permit to appropriate water for beneficial use;

(2) Any act or omission causing the unreasonable deterioration of the quality of water in any source of supply, thereby causing impairment of a person's right to the use of water;

(3) Groundwater which an irrigator permits to escape and drain from the authorized place of use; or

(4) Groundwater applied to an authorized beneficial use in excess of the needs for such use.

(j) Well means any excavation that is drilled, cored, bored, washed, driven, dug or otherwise constructed when the intended use of such excavation is for the acquisition, diversion, or artificial recharge of groundwater.

(k) Aquifer means a geologic water-bearing formation that will yield water in sufficient quantity to supply pumping wells and springs.

(l) Consolidated aquifer means consolidated rocks that will yield water in sufficient quantity to supply pumping wells and springs.

(m) Consolidated rocks means mineral particles of different sizes and shapes that have been welded by heat and pressure or by chemical reactions into a solid mass, commonly referred to as bedrock, which may, or may not, contain water.

(n) Unconsolidated aquifer means unconsolidated deposits that will yield water in sufficient quantity to supply pumping wells and springs.

(o) Unconsolidated deposits means material derived from the disintegration of consolidated rocks, including clay, silt, sand, gravel and caliche, which may, or may not, contain water. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1981; amended May 1, 1985.)

5-23-3. Well spacing requirements. (a) All well locations described in applications for a permit to appropriate water for beneficial use, other than domestic, which propose the diversion or withdrawal of water from the unconsolidated aquifer, commonly described as the Ogallala aquifer, or an alluvial aquifer, or both, shall be placed so that spacing between that well and all other nondomestic wells with a diversion rate of 51 gallons per minute or more, meets the following well spacing requirements:

(1) The minimum spacing of wells with a diversion

(continued)

rate of from 51 to 400 gallons per minute shall be 1,300 feet.

(2) The minimum spacing of wells with a diversion rate in excess of 400 gallons per minute shall be 2,300 feet.

(b) All well locations described in applications for a permit to appropriate water for beneficial use, other than domestic, which propose the diversion or withdrawal of water from a consolidated bedrock aquifer shall be located in an area in which there is a distinct impermeable separation between the consolidated aquifer and the overlying unconsolidated aquifer, and shall meet the following well-spacing requirements from all other nondomestic wells:

(1) The minimum spacing between consolidated wells approved for more than 100 acre feet per year shall be two miles. For wells approved for 25 through 100 acre feet per year, the spacing shall be one mile, and for wells approved for less than 25 acre feet per year, the spacing shall be 2,300 feet.

(2) The minimum spacing between a well tapping a consolidated aquifer and a well tapping an unconsolidated aquifer shall be 300 feet.

(3) The minimum spacing between a consolidated well approved for more than 100 acre feet per year and the nearest known point of hydraulic contact with an unconsolidated aquifer shall be five miles. For wells approved for 25 through 100 acre feet per year, the spacing shall be two miles and for wells approved for less than 25 acre feet per year, there shall be no spacing requirement.

In addition to the spacing requirements, all consolidated aquifer wells that also penetrate an unconsolidated aquifer shall be sealed off between the consolidated and the unconsolidated aquifer in such a manner as to prevent migration of water between the aquifers.

(c) The location of a well or wells on an application for approval to change the point of diversion under an existing water right shall be no more than 1,320 feet from the originally authorized point of diversion and shall:

(1) Not decrease the distance to other wells or authorized well locations by more than 300 feet; or

(2) meet the minimum well spacing requirements as adopted by the board. However, any application for approval to change the point of diversion under an approved application for which the original well has not been drilled shall not be approved if the location of the proposed point of diversion decreases the distance from the approved location to any other existing wells to less than the spacing requirement for new applications. Exceptions to this regulation may be granted on an individual basis by recommendation of the board in conjunction with the chief engineer. The board may require the applicant to submit information as it deems necessary to make the determination. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1981; amended May 1, 1985.)

5-23-6. Measuring devices. Whenever the board requires that a meter, gauge, or other measuring de-

vice be installed on the diversion works for a well, it shall be the responsibility of the owner or user to:

(a) Insure that the meter, gauge, or measuring device is installed according to specifications adopted by the chief engineer; and

(b) maintain the meter, gauge, or measuring device to insure proper working condition whenever the diversion works are in use.

A representative of the district shall have the right to inspect the meter to determine whether it is properly installed, and to read the meter, gauge, or other measuring device whenever deemed necessary. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(l); effective May 1, 1981; amended May 1, 1985.)

5-23-7 and 5-23-8. (Authorized by K.S.A. 1980 Supp. 82a-1028(o); implementing K.S.A. 1980 Supp. 82a-1028(n); effective May 1, 1981; revoked May 1, 1985.)

Article 24.—NORTHWEST KANSAS GROUND-WATER MANAGEMENT DISTRICT NO. 4

5-24-1. Definitions. As used in these rules and regulations, the following words and phrases shall have the following meanings. (a) Board means the board of directors constituting the governing body of the northwest Kansas groundwater management district no. 4.

(b) District means the northwest Kansas groundwater management district no. 4.

(c) Series of wells means a group of not more than three wells that:

- (1) are filed on separate applications;
- (2) are in the same local source of supply;
- (3) are within a 300 foot radius circle;
- (4) supply water to a common distribution system; and
- (5) do not exceed a maximum of 250 gallons per minute per well.

(d) Tailwater means that portion of the applied irrigation water which becomes run-off from the authorized place of use.

(e) Well means any excavation that is drilled, cored, bored, washed, driven, dug or otherwise constructed when the intended use of such excavation is for the acquisition, diversion, or artificial recharge of groundwater.

(f) Saturated thickness means the thickness of an aquifer which is saturated by groundwater. The measurement shall be the difference between the elevations of the recovered static water table and the top of the bedrock formation.

(g) Waste of water means:

(1) Groundwater which has been diverted or withdrawn from a source of supply and which is not used, managed or reapplied to a beneficial use on or in conjunction with land authorized as the place of use by a vested right, an appropriation right or an approved application for permit to appropriate water for beneficial use;

(2) any act or omission causing the unreasonable

deterioration of the quality of water in any source of supply, thereby causing impairment of a person's right to the use of water;

(3) groundwater which an irrigator permits to escape and drain from the authorized place of use;

(4) groundwater applied to an authorized beneficial use in excess of the needs for such use;

(5) failure to recycle or reuse water on or in connection with the authorized place of use whenever reasonably possible for all the beneficial uses of water; and

(6) the application of water in a manner which is below efficiency standards currently considered technologically and economically feasible. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1983; amended May 1, 1985.)

5-24-2. Planned depletion. (a) Except as set forth in subsection (b) below, all applications for a permit to appropriate water for beneficial use and all applications for a change in the point of diversion filed on permits with a priority date on or after February 20, 1980, shall be subject to the following criteria:

(1) The sum of the proposed appropriation, the vested rights, prior appropriation rights and earlier priority applications shall not exceed a calculated rate of depletion of more than two percent of the saturated thickness underlying the area included within a two mile radius (approximately 8,042 acres) whose center is the location of the proposed well. It shall be assumed, for the purpose of analysis, that all vested rights, certificates, permits, and prior applications are being fully exercised.

(2) All limitation clauses listed on permits and certificates shall be considered to be in force.

(3) In the case of an application for change in the point of diversion, referred to above, all applications with a priority earlier than the priority established by the filing of the application for change shall be included in the analysis.

(4) The allowable annual appropriation shall be calculated using the following formula:

$$Q = 0.02 \text{ (AMS)} + \frac{AR}{12}$$

Where Q = allowable annual appropriation, acre-feet per/year
 A = area of consideration, acres
 M = average saturated thickness, feet
 S = storage coefficient (specific yield)
 R = average annual recharge, inches per/year

(5) The average saturated thickness of the 8,042 acre area shall be determined from maps developed by the United States geological survey, the Kansas geological survey or other reliable information as may be available.

(6) The storage coefficient used shall be 0.20 unless additional hydrological information indicates differently.

(7) A value of .5 inch per year shall be used for the purpose of considering recharge and return flow from irrigation.

(8) If a portion of the radial area is outside the district boundary, that portion shall be excluded from the depletion analysis. Only that portion lying within

the boundary of the district shall be a part of the evaluation.

(9) If wells authorized under a vested right, a certified water right or an approved appropriation are divided by the circumference of the radial area, a reasonable quantity of water shall be assigned to each well. If such information is not available, a proportional amount shall be assigned to each well.

(b) The categories of applications which are not subject to depletion policy shall be as follows:

(1) applications for a permit to appropriate water for domestic use;

(2) applications for a permit to appropriate water by means of covering wells withdrawing water from a cretaceous aquifer;

(3) applications for a permit to appropriate water by means of covering a well withdrawing water exclusively from an alluvial aquifer;

(4) applications for temporary permits; and

(5) applications for change in point of diversion if the well has been drilled, cased and test pumped, or if the diversion works have been completed under the original approval of application and permit to proceed.

(c) Exceptions to this regulation may be granted on an individual basis by recommendation of the board and with the approval of the chief engineer. The board may require the applicant to submit additional information as it deems necessary in order to make a determination that the exception will not impair existing rights nor prejudicially and unreasonably affect the public interest. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(n); effective May 1, 1983; amended May 1, 1985.)

Article 25.—BIG BEND GROUNDWATER MANAGEMENT DISTRICT NO. 5

5-25-5. Well equipment. Whenever the district requires that a water meter, gauge, or measuring device be installed on the diversion works for a well, it shall be the responsibility of the owner or water user to: (a) insure that the water meter, gauge, or measuring device is properly installed as recommended by the manufacturer; and

(b) maintain the water meter, gauge, or measuring device, and insure that the equipment is in good working condition to the satisfaction of the board and chief engineer whenever the diversion works are in use.

Each meter, gauge, check valve, or other device shall meet minimum specifications adopted by the board as to type, quality, and installation standards.

All diversion works for groundwater shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The board may also require the installation of other devices to prevent the pollution of the groundwater supply. (Authorized by K.S.A. 82a-1028(o); implementing K.S.A. 82a-1028(l) and (n); effective May 1, 1980; amended May 1, 1985.)

Article 40.—DAM CONSTRUCTION

5-40-2. Plans and specifications for dams. Plans for

(continued)

dams shall include: (a) Plan view of dam and dam site. The plan view of the dam and dam site may be shown in connection with the topographic map of the reservoir basin, providing the scale is sufficiently large to show adequate detail. A separate plan view shall be used if necessary to clearly show the features of the entire area in which the dam and spillway are to be located, and the details required below. The area covered by this view shall be on both abutments of the dam as well as a considerable distance both upstream and downstream from the dam. All elevations shown on plans shall be referred to permanent bench marks described on the plans. The following details shall be shown:

(1) Location of the axis of the dam, showing stationing and top width limits;

(2) the toe of the upstream and downstream slopes;

(3) location of the center line and limits of the emergency spillway;

(4) location of principal spillway and any stilling basin;

(5) location of berms;

(6) location of slope protection;

(7) location of borings or test holes and test pits;

(8) location of intakes, outlets, valves and valve wells;

(9) location, description and elevation of permanent bench marks; and

(10) location, description and details of all foundation drains;

(b) Map of the drainage pattern above and below the dam site. A map, to a scale no smaller than one inch to 2,000 feet, shall show the location of the watercourse across which the dam is to be built and its tributaries above the dam site. The location of the dam and the outline of the reservoir shall be shown. The boundary of the watershed shall be shown by a line enclosing the entire area that will drain into the reservoir. Section lines, with sections properly identified; size of the drainage area; land owned by the sponsor; roads, railroads, pipeline crossings and any other prominent features in the vicinity shall be shown on this map. The point where the axis of the dam crosses the stream shall be shown on this map by showing distances and angles from an apparent section corner or quarter corner. It shall be acceptable to utilize an aerial photograph to make this determination;

(c) Topographic map of the reservoir basin. A topographic map of the dam site and reservoir area shall be shown to the following scale:

Surface acres at top of dam	Acceptable scale
less than 30 acres	one inch to 100 feet
30 acres through 100 acres	one inch to 200 feet
more than 100 acres	one inch to 300 feet

The location of the dam shall be superimposed on this map. Topography shall be shown by contours at two foot intervals. For dams more than 20 feet in height, contours may be spaced at greater intervals, but shall not exceed five feet. In addition, contours equivalent

to the elevation of the lowest, uncontrolled opening (permanent pool), elevation of the crest of the emergency spillway, and elevation of the top of the dam shall be shown. The elevation of each contour shall be clearly noted on the map;

(d) Cross section of dam site and longitudinal section of dam. The cross section of the valley at the dam site shall be taken along the axis of the dam. A separate cross section view shall be used if necessary to clearly show the details required below. The details on this section shall include the following:

(1) Elevation to which the top of the dam is to be maintained and the elevation to which it is to be initially constructed in order to provide an adequate settlement allowance;

(2) elevation of streambed;

(3) location and elevation of the crest of the emergency spillway;

(4) location and elevation of the crest of the principal spillway;

(5) elevation of any berms;

(6) original surface of the ground;

(7) proposed elevations and dimensions of cutoff trench;

(8) location and elevation of outlet works;

(9) location of test holes showing materials encountered in the section; and

(10) location, description and elevations of all foundation drains;

(e) Cross section of dam. A cross section of the dam at the deepest point shall be shown. If the cross section is variable, a typical section shall be shown for each reach with proper description of the reach by stationing. Additional cross sections along the axis of the principal spillway and the axis of any other outlets shall be shown. Each cross section of the dam shall include the following:

(1) the elevation and width of the top of the dam;

(2) the elevation and width of any berms;

(3) slopes of the upstream and downstream faces of the dam;

(4) the elevation, location and type of slope protection;

(5) zones of earth embankment;

(6) dimensions to which the dam is to be constructed to provide an adequate allowance for settlement;

(7) the elevation, location and dimensions of the cutoff trench and core wall; and

(8) location of all foundation drains;

(f) Plan, profile, and cross section of emergency spillway. Details of the emergency spillway shall include the following:

(1) Plan view showing the location and stationing along the center line of the emergency spillway, together with the location of the control section and details of riprap or other slope and floor protection;

(2) sections showing elevations, slopes and dimensions of the spillway; and

(3) a profile along the axis of the spillway, extending from the reservoir area through the control section to the streambed below the dam. Stationing on the profile shall correspond to that on the plan view. This profile shall show the existing ground elevation, the proposed grade of the bottom of the spillway, eleva-

tion of the slope protection on the side slopes, and the nature of the material through which the spillway is excavated;

(g) Profile of principal spillway. Details of the principal spillway shall include the profile along the axis of the spillway, extending from the intake to the outlet, showing the size and spacing of cutoff collars. This profile shall show existing ground elevations and the proposed grade of the spillway. Details of the stilling basin, supports and other features shall also be shown;

(h) Reservoir data. The number of acres enclosed by each contour within the reservoir basin and the total storage capacity of the reservoir in acre-feet at the elevation of each contour shall be determined and tabulated on the plan. The data shall be compiled for all contours in the reservoir up to the elevation of the top of the dam. Computations of capacity shall be based on the natural topography of the reservoir basin, including the volume of any excavation in the reservoir below the emergency spillway made during construction of the dam. When the reservoir is divided between more than one landowner, the property lines shall be shown on the topographic map of the basin;

(i) Bench marks. At least two permanent bench marks shall be set for future reference, conveniently located for use, both during and after construction. The bench marks shall be placed where they will not be destroyed or submerged after the reservoir fills, preferably, at a location along the axis of the dam near both dam extremities. A three or four-foot length of pipe or steel driven flush with the ground in an area which is unlikely to be disturbed may be used. Wood or plastic stakes, nails, or marks in trees shall not be considered as permanent bench marks. The location and description of the bench marks shall be shown on the plans. They shall be properly referenced so that they can be easily found in the field. Elevations for size two, size three and size four structures shall be referenced to the national geodetic vertical datum of 1929 to a tolerance of plus or minus one half foot. Elevations for size one structures shall be referred to any assumed datum; and

(j) Spillway discharge capacity data. (1) A curve or table showing discharge capacity of the emergency spillway, in cubic feet per second, shall be developed and shown on the plan:

(2) A curve or table showing discharge capacity of the principal spillway, in cubic feet per second, shall be developed and shown on the plan. (Authorized by K.S.A. 82a-303a; implementing K.S.A. 82a-302; effective May 1, 1983; amended May 1, 1985.)

5-40-9. Adoption by reference. All of "engineering guide-1" (eg-1), relating to earth dams, hazard classes, spillway requirements, detention storage requirements and rainfall data, as revised May 1, 1985, by the Kansas state board of agriculture, division of water resources, is hereby adopted by reference and shall apply to dams constructed in this state. (Authorized by K.S.A. 82a-303a; implementing K.S.A. 82a-302; effective May 1, 1983; amended May 1, 1985.)

5-40-10. Adoption by reference. All of "engineering guide-2" (eg-2), relating to administrative requirements and criteria for the design of earth dams,

as revised May 1, 1985, by the Kansas state board of agriculture, division of water resources, is hereby adopted by reference and shall apply to dams constructed or modified in this state. (Authorized by K.S.A. 82a-303a; implementing K.S.A. 82a-302; effective May 1, 1984; amended May 1, 1985.)

HARLAND E. PRIDDLE
Secretary of Agriculture
DAVID L. POPE
Chief Engineer-Director
Division of Water Resources

Doc. No. 002830

State of Kansas

STATE BANK COMMISSIONER

PERMANENT ADMINISTRATIVE REGULATIONS

(Effective May 1, 1985)

Article 17.—FUTURES CONTRACTS

17-17-1. Limitation on engaging in futures. A bank's authority to engage in financial future contracts, pursuant to K.S.A. 1983 Supp. 9-1101 as amended by 1984 Senate Bill No. 524, is limited to using such contracts as a hedge. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-2. Hedging. Hedging is defined as a purchase or sale made not primarily for income or profit but as protection against a known risk. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; amended, T-85-32, Dec. 19, 1984; effective May 1, 1985.)

17-17-3. Adoption of policy by bank. The board of directors shall establish a written policy to engage in financial future contracts. Policy objectives and limitations shall be specific enough to outline permissible contract strategies and their relationship to other banking activities. Record keeping systems shall be sufficiently detailed to permit internal auditors and examiners to determine whether operating personnel have acted in accordance with authorized objectives. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-4. Notice to commissioner. A bank shall notify the state bank commissioner of the bank's intention to engage in financial future contracts prior to commencement of such activity. The following information shall be included in such notice:

(a) A copy of the written policy of the bank, established by the board of directors, pursuant to K.A.R. 17-17-3;

(b) The background and experience of all persons authorized to buy and sell futures contracts (traders);

(c) The trading limits to be imposed upon traders;

(continued)

(d) The conditions, if any, which permit deviations from those limits;

(e) The bank personnel responsible for authorizing such deviations;

(f) The procedures developed to prevent unauthorized trading;

(g) Copies of forms, in blank, which inform management of the daily futures contracts activity; and

(h) Copies of internal record-keeping forms, in blank, which reflect the bank's daily futures contracts activity with regard to:

(1) The maturity of each outstanding futures contract and the type and value of the corresponding cash transaction;

(2) The maturity date of each futures contract;

(3) The current market price and value of each futures contract;

(4) The outstanding gross futures position;

(5) The open position;

(6) The amount of money held in margin accounts;

(7) Any maturity gaps existing between the maturity date of the futures contract and the completion dates of the corresponding cash transaction;

(8) The profit or loss for each corresponding cash and futures transaction;

(9) The aggregate profit or loss for all relevant cash and futures transactions; and

(10) The type and amount of each expected cash transaction that did not materialize.

(Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20; July 2, 1984; effective May 1, 1985.)

17-17-5. Monthly review of contracts. The board of directors, a duly authorized committee or the bank's internal auditors shall review contract positions on a monthly basis to ascertain conformance with the bank's written policy. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-6. Maintenance of ledger accounts or registers. The bank shall maintain general ledger memorandum accounts or commitment registers to adequately identify and control all commitments to make or take delivery of securities. Such registers and supporting journals shall at a minimum include:

(a) The type, nature of position (long or short) and amount of each contract;

(b) The maturity date of each contract;

(c) The current market price and cost of each contract;

(d) The amount of money held in margin accounts; and

(e) An identification of the asset or liability being hedged.

(Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-7. Review of contracts; market valuation. With the exception of contracts described in K.A.R. 17-17-8, all open positions shall be reviewed and market values determined at least monthly (or more

often, depending on volume and magnitude of positions), regardless of whether the bank is required to deposit margin in connection with a given contract. All futures contracts shall be valued on the basis of either market or the lower of cost or market, at the option of the bank. All losses resulting from monthly contract valuation shall be recognized as a current expense item; those banks that value contracts on a market basis shall recognize gains as current income items. In the event the above described futures contracts result in the acquisition of securities, such securities shall be recorded on a basis consistent with that applied to the contracts (market or the lower of cost or market). (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-8. Hedging of mortgage banking operations. Futures contracts associated with bonafide hedging of mortgage banking operations, i.e., the origination and purchase of mortgage loans for resale to investors or the issuance of mortgage-backed securities, shall be accounted for in accordance with generally accepted accounting principles applicable to such activity. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-9. Effect on bank's financial condition. Bank financial reports shall disclose in an explanatory note any futures contract activity that materially affects the bank's financial condition. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

17-17-10. Internal controls; reporting. To assure adherence to bank policy and prevent unauthorized trading and other abuses, a bank engaging in financial futures contracts shall establish other internal controls including monthly reports to management, segregation of duties, and internal audit programs. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-20, July 2, 1984; effective May 1, 1985.)

Article 18.—INVESTMENT IN SHARES OF OPEN-END INVESTMENT COMPANIES

17-18-1. Open-end investment company; definition. To qualify as an open-end investment company, a company must either be registered with the federal securities and exchange commissioner under the federal investment company act of 1940 and the federal securities act of 1933, or be a privately offered company sponsored by an affiliated commercial bank. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-32, Dec. 19, 1984; effective May 1, 1985.)

17-18-2. Limitation on the purchase of shares of open-end investment companies. Any state bank may purchase, for its own account, shares of open-end investment companies which are purchased or sold at par, if the portfolios of such companies consist solely of securities which are eligible for purchase by state

banks, pursuant to K.A.R. 17-11-1. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-32, Dec. 19, 1984; effective May 1, 1985.)

17-18-3. Adoption of policy by bank. The board of directors shall establish a written investment policy containing procedures, standards and controls in order to ensure the open-end investments made by the bank are proper for the bank's portfolio. The investment policy shall include the following:

(1) Specific authorization for the purchase of shares in open-end investment companies;

(2) Prior approval of the board of directors for the initial purchase of shares in a specific company;

(3) Monthly review of investments in open-end investment companies in order to determine whether each investment continues to be appropriate for the bank's portfolio. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-32, Dec. 19, 1984; effective May 1, 1985.)

17-18-4. Limitation on investments. Any bank may purchase and hold shares in an open-end investment company without limitation if the portfolio of the company consists wholly of investments in which the bank could invest directly without limitation pursuant to K.S.A. 9-1101(7). Shares of companies whose portfolios contain investments which are subject to the limits of K.S.A. 9-1101(7) may only be held in an amount not in excess of 15% of capital stock and surplus.

Any bank investing in shares of more than one open-end investment company shall also ensure that its pro rata holdings in any security subject to the 15% limitation is not in excess of that limitation by reason of being combined with the bank's pro rata holdings in that security held by all other open-end investment companies in which the bank has invested. (Authorized by K.S.A. 9-1713; implementing K.S.A. 1984 Supp. 9-1101; effective, T-85-32, Dec. 19, 1984; effective May 1, 1985.)

EUGENE T. BARRETT
State Bank Commissioner

Doc. No. 002834

State of Kansas

DEPARTMENT OF REVENUE DIVISION OF ALCOHOLIC BEVERAGE CONTROL

PERMANENT ADMINISTRATIVE REGULATIONS

(Effective May 1, 1985)

Article 4.—MANUFACTURERS; DISTRIBUTORS; NONBEVERAGE USERS

14-4-11. Manufacturer's and distributor's price lists; requirements for filing. (a)(1) On the 15th day of each month, every manufacturer or vendor filing prices pursuant to K.S.A. 1983 Supp. 41-1101, and whose prices are required to be filed under the provisions of K.A.R. 14-4-7, shall file the current price and F.O.B. point of shipment of each item of alcoholic liquor. The filed price shall be the price for which the item will be sold by the manufacturer or vendor to licensed distributors during the second calendar month immediately following the month in which the price is required to be filed. The filed price shall be no more than the lowest price, for which the item will be sold in any other state in the continental United States by the manufacturer of the item or by any vendor of the item who sells the item under any contract or arrangement with the manufacturer, during the period in which the filing is in effect. Each manufacturer or vendor shall submit, with the filed prices, an affirmation that each filed price is in compliance with this paragraph.

(2) For purposes of this regulation, the lowest price for which the item will be sold in any other state shall not include advertising, depletion or promotional allowances of any kind made to purchasers. As used herein, the term "advertising, depletion and promotional allowances and rebates" shall only mean allowances and rebates made to wholesalers, distributors, retailers or other purchasers in those instances when such allowances or rebates actually result in the reduction of the purchase price.

(3) When the price of an item being filed is the same as the price already filed in this state, the director may require the manufacturer or vendor of the item to file and affirm the price by reference to the prior price filing.

(4) Each price list shall contain a complete description of the alcoholic liquors to be offered for sale during the month concerned.

(A) The description for alcoholic liquors in cases shall include brand, type, container size, number of containers in each case, and the actual weight per each case, and shall show the proof of all alcoholic liquors, except wines and champagnes.

(B) The description for alcoholic liquors in bulk shall include the class and type, brand or brands, if any, the state in which manufactured, and location of the warehouse or warehouses in which stored.

(C) Price lists of all wines and champagnes shall show the alcoholic content,

(continued)

(D) The container for all alcoholic liquors shall be in compliance with the container sizes specified in K.A.R. 14-6-2.

(E) No amendments to these postings shall be permitted; however, the director may approve changes in a manufacturer's posting when it is shown that such change is necessary for the manufacturer to be in compliance with the Kansas price affirmation law. At any time after the filing of any price list and before the effective date thereof, the price list or any item shown thereon may be withdrawn upon written application of the manufacturer or vendor filing such price list and the written approval of the director.

(5)(A) Each manufacturer shall, on the same day and date the price list or any amendment thereof is forwarded to the office of the director, forward by certified mail to each and every licensed distributor who possesses a franchise for the manufacturer's brands within the state of Kansas, a true and correct copy of the price list or amendment which that manufacturer or vendor has forwarded to the office of the director. Each manufacturer or vendor shall also file with the director an affidavit stating that true and correct copies of the price list or amendment have been forwarded by certified mail to each and every licensed distributor who possesses a franchise for the manufacturer's brands within the state of Kansas.

(B) The failure to mail copies of the price list or amendment or to file the required affidavit shall render such price list ineffective. Upon failure to comply with this provision, the manufacturer or vendor may be denied authority to sell alcoholic liquors to licensed distributors within the state of Kansas.

(6) The sale of, or the offer to sell, alcoholic liquors at the prices quoted in the price list or amendment before any such price list or amendment is in force and effect shall be prohibited.

(b)(1) On the 10th day of each month, every distributor shall be required to file the case and bottle prices it charges retailers and the minimum retail price. The minimum retail price shall be calculated using the approved alcoholic beverage control board of review minimum mark-up percentage for each item to be sold by the distributor during the calendar month immediately following the month in which the prices are required to be filed. No amendments to these filings shall be permitted.

(2) At the time of the filing of these prices, every distributor who has filed prices of alcoholic liquor on the 10th day of the month shall file an affidavit that each item will be sold to all retailers in the geographical territory for which the distributor possesses a franchise for the sale of brands posted.

(3) On the twentieth day of the month preceding the month in which the prices posted are to be effective, each distributor shall personally deliver or mail by first class mail to each licensed retailer in the geographical territory for which the distributor possesses a franchise for the sale of posted brands either a copy of all prices posted with the alcoholic beverage or a copy of all prices posted that reflect a change from the previous month's posted price. If the distributor

delivers a list of the changes only, a copy of all prices posted with the alcoholic beverage control shall be delivered quarterly to each licensed retailer by the twentieth day of the month preceding the month in which the prices posted are to be effective. By the last day of the month, each distributor shall file an affidavit that copies of all posted prices or of all price changes have been delivered to licensed retailers as required by this subsection. (Authorized by K.S.A. 41-1118; implementing K.S.A. 1983 Supp. 41-1101, K.S.A. 41-1112; effective Jan. 1, 1966; amended, E-66-11, Aug. 8, 1966; amended Jan. 1, 1967; amended Jan. 1, 1968; amended Jan. 1, 1971; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended, E-81-36, Dec. 10, 1980; modified, L. 1981, ch. 418, May 1, 1981; amended May 1, 1985.)

14-4-14. Transportation of alcoholic liquor by distributors. (a)(1) Each licensed manufacturer or distributor of alcoholic liquor shall ship or transport alcoholic liquor from its bonded warehouse to the premises of any other licensee by any common, contract or private carrier who holds a carrier's permit issued by the director. (2) A licensed distributor of strong beer may, in addition to the above methods of delivery, deliver strong beer to a retail licensee at the warehouse of the beer distributor, when written permission for that retailer to pick up the beer is obtained from the director and transported to the beer distributor.

(b) All orders from licensed retailers for alcoholic liquor shall be received in the office of a licensed distributor prior to 2:00 p.m.

(c)(1) No delivery shall be made to a retail licensee unless the delivery is made after the legal opening hour and before the legal closing hour for the licensed retailer, and unless the day is a legal day for the retail sale of alcoholic liquor. Delivery shall not be made on the same day that the order is placed.

(2) No retail licensee shall accept the delivery of alcoholic liquor, except beer, at the retailer's licensed premises on any Saturday or Sunday and no licensed distributor shall deliver any alcoholic liquor, except beer, to any licensed retailer on any Saturday or Sunday.

(d) A licensed distributor shall offer to each licensed retailer no less than one day of delivery within an eight day period. Under extraordinary circumstances, the director may grant a waiver of this provision.

(e) When alcoholic liquor, except beer, is shipped or transported by a private carrier, no other goods, wares or merchandise, except point-of-sale materials or product displays shall be transported in the same conveyance at the time the alcoholic liquor is being transported. (Authorized by K.S.A. 41-210; implementing K.S.A. 41-402, 41-405, 41-408, 41-701, 41-708, 41-709, 41-712; effective Jan. 1, 1966; amended, E-73-21, June 29, 1973; amended Jan. 1, 1974; amended Feb. 15, 1977; amended, E-79-31, Nov. 21, 1978; amended May 1, 1979; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended, E-81-36, Dec.

10, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1985.)

Article 6.—CONTAINERS AND LABELS

14-6-2a. Capacities of containers. Alcoholic liquors shall be sold or offered for retail sale in this state in original containers of the following capacities: (a) Beer: 6½, 7, 8, 10, 11, 11½, 12, 15, 16, 17, 24, 25.6 or 40 fluid ounces; 1 quart; ½ gallon; 2 liters; 1 gallon; 5 liters; 2½ gallons (tapper); ⅓ barrel (3⅞ gallons); ⅓ barrel (5⅓ gallons); ¼ barrel (7¾ gallons); ½ barrel (15½ gallons); or 1 barrel (31 gallons).

(b) Wines: ⅔ pint or 375 milliliters; 1 pint (imports only); ⅔ quart or 750 milliliters; 1 quart or 1 liter; ½ gallon; ⅔ gallon or 1.5 liters; 1 gallon or 3 liters; or 4 liters through 18 liters. Any brand or type may be permitted in ½ gallon; ⅔ gallon or 1.5 liters; 1 gallon or 3 liters; or 4 liters through 18 liters, provided they are measured in full liter quantities. Any brand or type may be permitted in one of the following: the ½ gallon, ⅔ gallon or 1.5 liter size; or the 1 gallon or 3 liter size. Apertif wine, including vermouth, may be sold or offered for retail sale in this state in original containers having capacity of 15/16 quart, if the gallonage tax is paid at the full quart rate per bottle.

(c) Alcoholic liquor other than beer and wine: ½ pint or 200 milliliters; 1/10 gallon or 375 milliliters; 1 pint or 500 milliliters; ⅔ quart or 750 milliliters; 1 quart or 1 liter; ½ gallon or 1.75 liter; or 1 gallon.

(1) Domestic whiskey, including bonded bourbon, bonded rye, straight bourbon, straight rye, all blends of neutral spirits, corn whiskey, alcohol, domestic and imported gin, vodka, tequila, and Canadian imported whiskey shall not be offered for sale in containers of 1/10 gallon.

(2) Domestic brandies, prepared cocktails, rum, American cordials, liqueurs and specialties, flavored gin, flavored vodka, flavored whiskey, and scotch whiskey shall not be offered for sale in containers of 1 pint size, but may be offered in containers of 500 milliliters size.

(3) Any brand or type of merchandise may be permitted in one of the following: the 1/10 gallon, 1 pint, or 500 milliliters size.

(d) For tax approval purposes on containers offered for sale, a variance in content may be permitted within 2 fluid ounces or 59.14 milliliters from the above approved sizes.

(e)(1) Suppliers of spirits authorized to do business in the state of Kansas may post for sale both a 375ML size container and a 500ML size container for a particular product. Once a supplier of spirits ships to Kansas an item in a 375ML container, that supplier is prohibited from shipping a 500ML container of that same item to a licensed Kansas distributor.

(2) Licensed Kansas distributors shall, upon receipt of a particular item in the 375ML size containers, first deplete their inventories of 500ML size containers of that particular item. Upon depletion of a distributor's stock of 500ML size containers, the distributor may introduce the 375ML size containers of that particular item into the distributor's franchise territory.

(3) Upon the filing of an affidavit by a supplier that the supplier has discontinued the distribution and sale of 375ML containers for an item in the state of Kansas, the supplier may, with authorization of the director and under such conditions as the director deems necessary to maintain an orderly market, repost and ship 500ML containers to licensed Kansas distributors. (Authorized by K.S.A. 41-211; implementing K.S.A. 41-211, effective May 1, 1983; amended, T-84-37, Dec. 21, 1983; amended May 1, 1984; amended May 1, 1985.)

14-6-4. Labels on containers of beer, nature. (a) Each original package of beer offered for sale in this state shall bear a label setting forth in plain and legible print in the English language, and in the manner permitted by federal laws and regulations with respect to the labeling of beer:

(1) The word "beer" or "ale" or other name listed in subsection (c) of K.S.A. 1983 Supp. 41-102;

(2) The number of fluid ounces contained therein;

(3) The name of the beer manufacturer or importer; and

(4) Any additional information as may be required by other laws and regulations.

(b) Prior to the shipment of any beer into the state, each label shall be submitted in duplicate to the director, accompanied by a federal label approval form when applicable. (Authorized by K.S.A. 41-211; implementing K.S.A. 41-211, 41-706; effective Jan. 1, 1966; amended May 1, 1985.)

Article 7.—TAX; TAX STAMPS; CROWNS; LIDS

14-7-4. Alcoholic liquor other than beer; payment of tax; penalty; bond required; credit. (a) The tax on alcoholic liquor, other than beer, as levied by the act and payable by a distributor, shall be paid by the distributor on or before the 15th day of the calendar month succeeding the month in which the distributor acquires possession of any alcoholic liquors upon which the tax has not been paid. The payment shall be by check and shall be accompanied by a report to the director, upon forms to be furnished by the director. The report shall show separately the exact total amount, in gallons or in fractions of gallons, of the following types of alcoholic beverages received by the distributor during the preceding month:

(1) Wine and other dilute alcoholic beverages containing 14% or less of alcohol by volume;

(2) Wine and other dilute beverages containing more than 14% of alcohol by volume; and

(3) Alcohol and spirits of more than 100 proof.

(b) Any sheriff who possesses alcoholic liquor, except beer, that is to be sold under an order of a court which has jurisdiction, and upon which the tax has not been paid, shall file a report, upon forms to be furnished by the director, that provides the description and the amount of all alcoholic liquors to be sold. The tax that is due and owing upon such liquor shall be paid out of the money received by the sheriff at the sale. The tax shall be remitted with the report, by cash,

(continued)

certified check, bank draft, post office or express money order.

(c)(1) In addition to the bond required by the act, every licensed distributor shall furnish a bond payable to the director for the term of the license of the distributor. The bond shall be in a penal sum fixed and in a form approved by the director, shall be executed by the distributor as principal and by a corporate surety authorized to do business in the state of Kansas as surety and shall be conditioned upon the payment of the tax and penalties imposed by the act and this section upon such distributor.

(2) Any distributor may furnish, in lieu of this required bond, one or more certificates of deposit, corporate stock certificates, revenue bonds, or similar forms of collateral in the required amount. Such collateral shall be deposited in an escrow account to be held by any recognized professional escrow agent. The escrow agreement shall be submitted upon a form provided by the director. All escrow agreements shall be subject to the director's approval.

(3) In fixing the amount of the bond, the director shall require a bond equivalent in amount to the distributor's estimated highest monthly tax liability. However, the total amount of the bond required to be given by the distributor shall not be less than \$15,000. The additional bond may be combined with the surety bond required by K.S.A. 41-317.

(d) No licensed distributor shall accept any money from a manufacturer or another distributor to be used for the payment of the tax on alcoholic liquors. No distributor or manufacturer shall advance any money to a licensed distributor for the purpose of paying that tax. (Authorized by K.S.A. 41-210; implementing K.S.A. 1983 Supp. 41-502; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1973; amended Jan. 1, 1974; amended May 1, 1984; amended May 1, 1985.)

Article 10.—TRADE PRACTICES

14-10-1. Trade practices between distributors and retailers. (a) (1) Subject to the limitations prescribed in this regulation, any distributor may furnish to a retailer the materials specifically set forth in this regulation.

(2) No distributor shall directly or indirectly sell, supply, furnish, give, pay for, loan or lease any furnishings, fixtures or equipment to a retail licensee. Furnishings, fixtures or equipment include, for purposes of this regulation, permanent shelves, counters, cash registers, chairs, tables, refrigerators and coolers.

(b)(1) Each distributor shall keep and maintain adequate records on the licensed premises, for a three year period, of all product displays sold and point of sale materials given to retailers under this regulation.

(2) These records shall show:

(A) the name and address of the retailer receiving the product display or point of sale materials;

(B) the date the item is transferred to the retailer;

(C) a description of each product display or point of sale item transferred to the retailer;

(D) the charges to the retailer, if any.

(c) Any distributor may sell product displays to a retailer for that retailer's sole use.

(1) "Product displays" as used in this regulation means any barrels, half-barrels, casks or similar items from which alcoholic beverages are sold.

(2) The cost of a product display to the retailer shall be the actual cost to the supplier or distributor who initially purchased the item. Transportation and installation costs shall be excluded. If no purchase price is available, the distributor shall sell the item to the retailer for fair market value, as defined in this rule and regulation.

"Fair market value" means a reasonable retail price for the same or a comparable item as determined by the director. Evidence submitted from suppliers, distributors, or other relevant sources shall be the basis for the director's determination of fair market value.

(3) Product displays shall bear conspicuous and substantial advertising matter.

(d)(1) Any distributor may furnish, at no cost to any retail liquor store licensee, point of sale materials which bear substantial advertising matter for the licensee's sole use. For purposes of this regulation, "point of sale materials" means posters, placards or similar items made of paper, cardboard, or other non-durable material with or without mechanical devices and which have no secondary value for use outside of or away from the retail liquor store. Flyers, handbills and brochures shall not be considered to be point of sale materials.

Framed or unframed mirrors which bear substantial advertising matter over a majority of the reflective surface shall be considered to be point of sale materials.

(2) The materials shall be used only in interior portions of the retail establishment. Consumer offers of any type of tear-off tabs shall not be affixed to or attached to this material. However, a licensed retailer may, irrespective of any other provision of these regulations, distribute original manufacturer's rebate coupons to consumers on the premises. Point of sale materials that have items of secondary value attached to them, such as blankets, coats, hats, binoculars, record albums, mugs, glasses, umbrellas, basketballs, golfballs, soccerballs, flashlights, lunch buckets, coffee pots or other items of value shall not be sold, given away or provided to any retail liquor licensee.

(e) Any distributor of distilled spirits, wine or malt beverages may stock and rotate that distributor's products at any retail establishment. However, products distributed by other distributors shall not be altered or disturbed. Any distributor of distilled spirits or wine may price that distributor's products. However, distributors of malt beverages are prohibited from pricing their products. The retail licensee shall authorize such stocking, rotation or pricing. The distributor shall not rearrange or reset all or part of a store.

(f) Product displays sold or point of sale materials given to a retailer shall not be repurchased or reclaimed by the distributor. The furnishing of materials authorized by this regulation shall not be conditioned

on the purchase of distilled spirits, wine or malt beverages. (Authorized by K.S.A. 41-211; implementing K.S.A. 41-211, 41-703, 41-714; effective, E-80-28, Dec. 12, 1979; effective May 1, 1980; amended May 1, 1985.)

Article 11.—FARM WINERIES

14-11-13. (Authorized by K.S.A. 41-211; implementing K.S.A. 41-714, as amended by L. 1983, ch. 161, § 17; effective May 1, 1984; revoked May 1, 1985.)

14-11-14. Prohibited statements and restrictions in the advertising of domestic table wine. (a) Advertisements of domestic table wine shall not contain:

(1) any statement, design, device, or representation of, or relating to, any guaranty which is false or likely to mislead the consumer;

(2) any statement, design, device, or representation which is obscene, indecent, undignified or in bad taste;

(3) any statement concerning the brand of alcoholic liquor that is inconsistent with any statement of the labeling;

(4) any statement of, or relating to, the price of domestic table wine, except a reference to the authorized discount on case sales, if the advertisement is directed to the public;

(5) any statement, design, or device representing that the use of any domestic table wine has curative or therapeutic effects, if the statement is untrue specifically or tends to create a misleading impression;

(6) any statement, design, device, or representation relating to analysis, standards, or tests, irrespective of falsity, which is likely to mislead the consumer;

(7) any statement that the product is produced, blended, made, bottled, packed, or sold under or in accordance with any authorization, law, or regulation of any municipality, county, state, federal, or foreign government unless this statement is required or specifically authorized by the laws or regulations of that government. If a municipal, county, state or federal permit number is stated, this permit number shall not be accompanied by any additional statement relating to it;

(8) any statement that domestic table wine was manufactured in, or imported from, a place or country other than that of its actual origin, or that it was produced or processed by one who was not in fact the actual producer or processor;

(9) any statement, design, device or pictorial representation of or relating to, or capable of being construed as relating to, the armed forces of the United States, the American flag, any state flag or any emblem, seal, insignia, or decoration associated with any flag or the armed forces of the United States. Advertisements shall not contain any statement, device, design, or pictorial representation of, or concerning, any flag, seal, coat of arms, crest, or other insignia that is likely to falsely lead the consumer to believe that the product has been endorsed, made, used by, produced for or under the supervision of, or in accordance with the specifications of, a government, organization,

family, or individual with whom the flag, seal, coat of arms, crest, or insignia is associated;

(10) any statement, design, or device that, directly or by implication, concerns age or maturity of any brand or lot of domestic table wine unless a statement of age appears on the label of the advertised product. If a statement, design, or device concerning age or maturity is contained in any advertisement, it shall include, in direct conjunction with and with substantially equal conspicuousness, all parts of the statement concerning age and percentages, if any, which appear on the label.

(b) Licensed farm wineries may advertise the farm winery's products by brand name. (Authorized by K.S.A. 41-211; implementing K.S.A. 1984 Supp. 41-714; effective May 1, 1984; amended May 1, 1985.)

Article 16.—LICENSES; SUSPENSION; REVOCATION

14-16-6. Service of orders, decisions, directives and notices of director on licensees and applicants for licenses; refusal to accept mail. All orders, decisions, directives and notices of the director issued to or affecting a licensee or an applicant for a license shall be served upon said licensee or applicant by mailing, by registered mail properly addressed, to the licensee or applicant a copy of such order, decision, directive or notice, signed by the director or deputy director and under the seal of the director. If the service is to be made on a licensee, the document shall be mailed to the licensee at the address of the licensed premises. If the service is to be made on an applicant for a license, the document shall be mailed to the applicant at the address shown on the application for the license. No licensee shall refuse to accept or to sign for registered mail from the alcoholic beverage control division. (Authorized by K.S.A. 41-210; implementing K.S.A. 41-321; effective Jan. 1, 1966; amended May 1, 1985.)

HARLEY T. DUNCAN
Secretary of Revenue

THOMAS J. KENNEDY
Director, Division of Alcoholic
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