

# KANSAS REGISTER

State of Kansas

**JACK H. BRIER**  
Secretary of State

Vol. 4, No. 19

May 9, 1985

Pages 759-788

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(Published in the KANSAS REGISTER, May 9, 1985.)

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## State of Kansas

## DEPARTMENT OF TRANSPORTATION

## NOTICE TO CONSULTING ENGINEERS

The Kansas Department of Transportation (K.D.O.T.) is seeking to engage a qualified engineering firm for plan production for the following projects:

**Shawnee County**—24-89 K-2094-01/BHF 072-1(35)—repair or removal of Old Soldier Creek channel bridge #080, 0.12 mile west of US-75 A (Topeka Boulevard).

**Saline County**—135-85 K-2361-01/IR 135-1(167) and 135-85 K-2667-01/IR 135-1(178)—replacement of northbound and southbound bridges over K-4 and Missouri Pacific Railroad.

**Coffey County**—75-16 K-2613-01/BRF 063-2(37)—replacement of Rock Creek bridge #019 in Burlington.

**Linn County**—69-54 K-2608-01/F 083-2(34)—replacement of the Marais Des Cygnes River drainage bridge #004, 6.0 miles north of K-52.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by May 23, 1985.

It is the policy of the K.D.O.T. 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. 003147

## State of Kansas

## DEPARTMENT OF TRANSPORTATION

## NOTICE TO CONSULTING ENGINEERS

The Kansas Department of Transportation (K.D.O.T.) is seeking to engage a qualified engineering firm for survey and plan production for the following projects:

**Montgomery County**—160-63 K-2620-01/F 018-5(21)—overlay and stabilized shoulders from 0.6 miles east of Independence, east 5.7 miles to US-169. Modification of four bridges may be included in this project.

**Butler and Sedgwick counties**—54-8 K-1739-01/F 038-3(66), 54-87 K-1738-01/F 038-3(65) and 54-87 K-2606-01/BRF 038-3(67)—pavement patching, widening, overlay and stabilized shoulders from east city limits of Wichita to west city limits of Augusta, except 0.977 miles in Andover and the replacement of the westbound bridges over the KTA #149, Four Mile Creek drainage #151, Four Mile Creek #153, and Four Mile Creek drainage #155.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by May 23, 1985.

It is the policy of the K.D.O.T. 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.
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JOHN B. KEMP

Secretary of Transportation

Doc. No. 003148

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



PHONE: 913/296-3489

## State of Kansas

**SECRETARY OF STATE**

## NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1984 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of May 1, 1985 through May 31, 1985 shall be 14.47%.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 30th day of April, A.D. 1985.

JACK H. BRIER  
Secretary of State

Doc. No. 003180

(Published in the KANSAS REGISTER, May 9, 1985.)

## 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, KS, until 10 a.m., C.D.T. May 16, 1985 and then publicly opened:

**DISTRICT FOUR**

**Bourbon**—69-6 M 1371-01—US-69, 6.57 miles north of the Bourbon-Crawford county line at the south junction of US-69 and K-7, southwest quadrant of overpass fill, Bridge No. 69-6(014) (State 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. 003150

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES****CHILDREN AND YOUTH  
ADVISORY COMMITTEE**

## NOTICE OF MEETING

Notice is hereby given to all interested parties that the statutorily created Children and Youth Advisory Committee will conduct an extended meeting at 10 a.m., Monday, May 13, 1985, in the Judicial Administrator's Conference Room, Judicial Center, 301 W. 10th, Topeka, KS.

ROBERT C. BARNUM, Chairman  
Children and Youth Advisory Committee

Doc. No. 003187

## State of Kansas

**DEPARTMENT ON AGING  
ADVISORY COUNCIL ON AGING**NOTICE OF HEARING  
ON THE NEEDS OF OLDER KANSANS

Notice is hereby given to all interested parties that the State Advisory Council on Aging, in conjunction with the Kansas Department on Aging (KDOA), will conduct a statewide public hearing on the needs of older Kansans from 8 to 9 a.m., Friday, May 24, 1985, in Alderson Auditorium, Kansas Union, University of Kansas, Lawrence.

The purpose of the hearing, which is being held in conjunction with the tenth annual Governor's Conference on Aging, is to receive direct input from interested individuals and organizations about the needs of older Kansans and other aging issues as KDOA develops and implements aging policies and programs.

Persons wishing to speak at the hearing are asked to notify KDOA prior to the hearing and to provide a written copy of their comments at the hearing. Depending upon the number of persons wishing to be heard, the time available for oral presentations may be limited. Written comments will be accepted by KDOA through June 3, 1985.

For more information contact Suellen Weber at KDOA, 610 W. 10th, Topeka, KS 66612, 913/296-4986 or 1-800-432-3535.

SYLVIA HOUGLAND  
Secretary of Aging

Doc. No. 003186

## State of Kansas

**ADJUTANT GENERAL  
MILITARY ADVISORY BOARD****NOTICE OF MEETING**

The Kansas Military Advisory Board is scheduled to meet at 1 p.m., May 24, 1985, in Room 102, State Defense Building, 2800 Topeka Ave., Topeka, KS. Construction of armories and other state military matters will be discussed.

RALPH T. TICE  
Major General  
Kansas Army National Guard  
The Adjutant General

Doc. No. 003194

## State of Kansas

**ATTORNEY GENERAL****Opinion No. 85-39**

**Counties and County Officers—Planning and Zoning—Regulations Inapplicable to Agricultural Purposes; Home Rule Authority.** Daniel A. Young, Douglas County Counselor, Lawrence, April 25, 1985.

The enactment of L. 1984, ch. 96, pertaining to zoning and planning in urban counties, does not render non-uniform the statutes pertaining to zoning in all other Kansas counties. Counties may not exempt from or enact substitute provisions for state statutes which are uniformly applicable to all counties. In that K.S.A. 19-2921 is part of an enactment which is uniformly applicable to all counties, it is not subject to county home rule authority pursuant to K.S.A. 1984 Supp. 19-101a. Cited herein: K.S.A. 1984 Supp. 19-101a; K.S.A. 19-2654; 19-2908; 19-2916b; K.S.A. 1984 Supp. 19-2920; K.S.A. 19-2921; K.S.A. 1984 Supp. 19-2960; Kan. Const., Art. 2, § 17; Art. 12, § 5. MFC

**Opinion No. 85-40**

**Cities and Municipalities—Retirement Systems—Retired Members and Certain Active Members of Local Plans Made Special Members of K.P. & F. System.** Robert J. Watson, Kansas City City Attorney, Kansas City, April 26, 1985.

A retired special member of the Kansas Police and Firemen's Retirement System is not prohibited, under the provisions of K.S.A. 1984 Supp. 12-5005(c), from being appointed to a position in a fire department, where the person is not specifically designated, appointed, commissioned or styled as a fireman by the city governing body. Cited herein: K.S.A. 1984 Supp. 12-5005, 74-4952(11), K.S.A. 74-4955(1). TRH

**Opinion No. 85-41**

**Counties and County Officers—County Counselor—Duties; Social Security Benefits.** Marvin A. Harder, Secretary of Administration, Topeka, April 26, 1985.

A county counselor appointed by a board of county

commissioners and whose responsibilities require some exercise of the sovereign authority of the county is a county officer. As such an officer, the county counselor is a county "employee" as defined in K.S.A. 40-2302(c), and the remuneration he receives for holding the office is "wages" as defined in K.S.A. 40-2302(a). Cited herein: K.S.A. 19-101; K.S.A. 1984 Supp. 19-101a; 19-247; K.S.A. 40-2301; 40-2302; K.S.A. 1984 Supp. 40-2305; K.S.A. 79-2101; 79-3419; 79-34,102. MFC

**Opinion No. 85-42**

**Constitution of the State of Kansas—Corporations—Cities' Power of Home Rule; Payment of Attorney's Fees Incurred by City Official in Defending a Criminal Action.** Don Vsetecka, Holcomb City Attorney, Garden City, April 26, 1985.

Pursuant to authority granted by Article 12, Section 5 of the Kansas Constitution, the governing body of a city may pay attorney's fees of a city official who is acquitted of criminal charges, provided the governing body finds that the criminal charges arose from the discharge of an official duty in which the city had an interest, and that the officer acted in good faith. Cited herein: K.S.A. 75-6108, 75-6116; Kan. Const., Art. 12, § 5. TRH

**Opinion No. 85-43**

**Waters and Watercourses—Collection, Storage and Impounding of Waters—Construction and Maintenance of Dams; Donation of Easements; Tax Exemption.**

**Taxation—Property Exempt From Taxation—Land Donated in Connection with Erection or Maintenance of Dam or Reservoir.** Leland Rolfs, Counsel for the Kansas State Board of Agriculture, Topeka, April 26, 1985.

K.S.A. 82a-409 permits a landowner who donates an easement to the state or a governmental subdivision, such as a watershed district, to receive an exemption from property taxes levied upon the contiguous acreage, as provided by K.S.A. 79-201g. That statute in turn allows an exemption for the contiguous acreage which is lower than the top of the dam, and applies for 20 years after the dam is certified by the chief engineer of the division of water resources of the department of agriculture. In the case of the land occupied by the dam and reservoir itself, K.S.A. 79-201a, *Second*, could result in a complete exemption for such property if it is exclusively used by the state or a governmental subdivision. However, such a determination is administrative in nature and is left by statute to the State Board of Tax Appeals. Cited herein: K.S.A. 79-201a, *Second*; 79-201g; 79-213; 82a-407; Kan. Const., Art. 11, § 1. JSS

ROBERT T. STEPHAN  
Attorney General

Doc. No. 003183

## State of Kansas

**BOARD OF EXAMINERS  
FOR HEARING AIDS****NOTICE OF HEARING  
ON PROPOSED TEMPORARY  
AND PERMANENT  
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 11 a.m., Tuesday, May 28, 1985, in room 531-N of the State Capitol, Topeka, KS, to consider the adoption of proposed temporary and permanent regulations to require the calibration of audiometric equipment used by licensees of the Kansas Board of Hearing Aid Examiners.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Kansas Board of Hearing Aid Examiners, 1st Floor, 1710 W. 10th, Topeka, KS 66604. All interested parties will be given a reasonable opportunity at the hearing to express their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to not more than five minutes.

Following the hearing May 28, 1985, all written and oral comments submitted by interested parties will be considered by the Board of Hearing Aid Examiners as the basis for making changes to the proposed regulations.

Copies of the fiscal impact statement may be obtained by writing to the Board at the above address. Following is the text of the proposed rule and regulation:

**67-7-4. Calibration of Audiometric Equipment. (a)** Any audiometric equipment which is used in connection with the sale or fitting of hearing aids in this state shall be calibrated on or before December 31, 1985. Any audiometric equipment which is acquired, leased, or first used by a licensee after December 31, 1985 shall be calibrated within 30 days after the equipment is acquired, leased, or first used.

(b) Any audiometric equipment which is used in connection with the sale or fitting of hearing aids in this state shall be calibrated at intervals not exceeding two years.

(c) Each licensee shall submit to the board written proof of calibrations required in subsections (a) and (b) of this rule and regulation within 30 days of the required dates of calibration. Written proof of calibration shall include the name of the owner, the make, model and serial number of the equipment, the date of calibration, the printed name of the person and company calibrating the equipment, the signature of the person calibrating the equipment, and the signature of the licensee submitting proof of calibration.

(d) The board may suspend the license of any person or deny the license renewal or license application of any person if that person: (1) provides false or misleading information under this rule and regulation; (2) uses audiometric equipment which has not been calibrated as required by this rule and regulation; or (3) uses audiometric equipment the calibration of

which has not been reported as required by this rule and regulation.

(e) This rule and regulation shall take effect on and after July 1, 1985. (Authorized by and implementing K.S.A. 74-5806; effective, T-\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.)

DORTHEA E. KLEIN  
Chairman

Doc. No. 003184

## State of Kansas

**FISH AND GAME COMMISSION****NOTICE OF HEARING  
ON PROPOSED TEMPORARY  
ADMINISTRATIVE REGULATIONS**

A public hearing will be held at 1:30 p.m., Tuesday, May 21, 1985, at the Memorial Auditorium, 231 Starr, Pittsburg, KS, to consider the adoption of a proposed temporary regulation.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Director of the Kansas Fish and Game Commission, Route 2, Box 54A, Pratt, KS 67124. Following the hearing, all written and oral comments submitted by interested parties will be considered by the Commission as the basis for making any changes to the proposed regulation. The fiscal impact statement may be obtained by writing to the agency in Pratt.

K.A.R. 23-18-2 establishes the hatchery stamp fee and stamp and has been amended, pursuant to recent legislative action, to implement a 24-hour fishing license and license fee.

A business meeting of the Fish and Game Commission is also scheduled for May 21 at the same location prior to and following the public hearing. The meeting will begin at 9 a.m. General business matters will be discussed.

JOHN OSTMEYER  
Chairman

Doc. No. 003189

## State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION  
COURT OF APPEALS DOCKET

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

## KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 3RD FLOOR, OLD SEDGWICK COUNTY COURTHOUSE  
541 NORTH MAIN, WICHITA, KANSASBefore PARKS, P.J., ABBOTT and MEYER, JJ.  
Tuesday, May 14, 1985

Case No.	Case Name	Attorney	County
		9:00 a.m.	
56,580	Raymond P. Stephenson, appellee, v. Anna Jean Stephenson, appellant.	William G. Reece	Sedgwick
57,020	Royal P. Kennedy, appellant, v. Beech Aircraft Corporation and Travel Air Insurance (Kans.).	N. Trip Shawver Robert L. Nicklin	Sedgwick
56,779	Petroleum Industry Computing, Inc., appellant, v. Mul Drilling Co., Inc., <i>et al.</i> , appellee.	David S. Wooding Richard W. Hird	Sedgwick
56,389	Hutchinson Travel Agency, appellant, v. Rob McGregor, appellee.	Paul B. Swartz Mike L. Stout Vaughn Burkholder John T. Conlee	Butler
57,052	Gene Rush Plumbing and Heating, appellees, v. Constance M. Kenney, <i>et al.</i> , appellants.	Ray L. Connell Ray L. Connell Morgan Metcalf Charles A. O'Hara	Sedgwick
		1:00 p.m.	
57,356	State of Kansas, appellee, v. Paul Mogenson, appellant.	Atty. Gen; John Klenda; Charles Prather	McPherson
56,460	In the Matter of the Estate of Mabel E. Bargdill, deceased.	William H. Seiler, Jr. Margie J. Phelps	Reno
56,582	Orville Watson and Opal Guttridge, appellees, v. Glen Clevenger, d/b/a Pratt AG Aviation, appellant.	Kenneth Peirce Joseph O'Sullivan, III Stephen W. Brown J. T. Carney	Pratt
56,745	The Axtell Clinic, <i>et al.</i> , appellee, v. Stephen D. Cranston, M.D., appellant.	Jerry Elliott Stephen M. Kerwick Theodore B. Ice Hal D. Meltzer	Harvey

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

Before BRISCOE, P.J., REES, J. and HARRY G. MILLER, District Judge Retired, Assigned

Wednesday, May 15, 1985

9:00 a.m.

57,327 S.C.	State of Kansas, appellee,	Atty. Gen., Geary Gorup, Sidney L. Frazier	Sedgwick
	v.		
	Anthony L. Langhorn, appellant.	E. Jay Greeno	
56,503	Blane Herink, and natural guardian, Larry Herink, appellee,	Craig Shultz	Sedgwick
	v.		
	Kansas Gas and Electric Co., appellant.	Robert A. Vohs	
56,650	Robert B. Dunn, appellee,	Stuart W. Gribble	Sedgwick
	v.		
	Sedgwick County Grievance Bd. of Sedgwick County, KS, appellant.	Edward L. Keeley	
57,027	In the Matter of the Trust of Ilea S. Razook, Deceased, for the Benefit of Ralph N. Razook.	Ernest L. Tousley	Sedgwick
		Edgar W. Dwire Ernest H. Moulos	
57,034	Albert P. Guerra and Camelot Realty, Inc., appellants.	Stephen B. Plummer	Sedgwick
	v.		
	Lanny C. Herring, appellee.	Harry L. Eddy	
		1:00 p.m.	
56,711	Jantz MFG., Inc., appellee,	J. Thomas Marten	McPherson
	v.		
	E. J. Rhodes, d/b/a Grundy County Diesel Serv., appellant.	Michael T. Mills	
56,729	Charles E. Stevens, appellant,	Charles E. Stevens, <i>pro se</i>	Reno
	v.		
	Bd. of County Commissioners of Reno County, KS, appellee.	Timothy Chambers	
56,929	Betty S. L. IU, Guardian of the Person & Property of Andrew J. Chen, a minor, appellant,	Larry A. Bolton	Reno
	v.		
	Lena Chen & Stanislaus Poon, Co-Trustees of the John S. L. Chen, M.D., P.C. Employee's Pension Plan, appellees.	Joseph L. McCarville, III	
56,603	Reliance Insurance Companies, appellee,	Steven R. Smith	Reno
	v.		
	Louis O'Riordan, appellant.	Louis O'Riordan, <i>pro se</i>	

LEWIS C. CARTER  
Clerk of the Appellate Courts

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES  
 STATE ECONOMIC OPPORTUNITY OFFICE**

**REQUEST FOR APPLICATIONS  
 FOR WEATHERIZATION ASSISTANCE  
 PROGRAM SUBGRANTEE**

In accordance with the Department of Energy regulations dated January 27, 1984, Part VI, Sections 440.14 and 440.15, the State Economic Opportunity Office, a section of Adult Services within the Department of Social and Rehabilitation Services, is accepting organizational applications until May 31, 1985, for the purpose of identifying a Weatherization Assistance Program subgrantee in the northwest portion of the state. The area includes the counties of Cheyenne, Sherman, Wallace, Rawlins, Thomas, Logan, Decatur, Sheridan, Gove, Norton, Graham, Trego, Phillips, Rooks, Ellis, Smith, Osborne and Russell.

The Weatherization Assistance Program provides weatherization services at no cost to eligible low income, elderly and handicapped persons.

Requests for applications should be made to the State Economic Opportunity Office, Biddle Bldg., 100 N.E., 2700 S.W. 6th, Topeka, KS 66606, 913/296-2568.

**SUSAN M. RODGERS**  
 Administrator

Doc. No. 003185

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 April 25-27:**

**HB 2625**, by Committee on Ways and Means: An act concerning fish and game; relating to licenses and permits and fees therefor; amending K.S.A. 1984 Supp. 19-328, as amended by section 1 of 1985 House Bill No. 2094, 32-104a, as amended by section 2 of 1985 House Bill No. 2094, and 32-164b, as amended by section 3 of 1985 House Bill No. 2307 and repealing the existing sections; also repealing K.S.A. 1984 Supp. 19-328, as amended by section 1 of 1985 House Bill No. 2307.

**HB 2626**, by Committee on Ways and Means: An act concerning recreation commissions in cities and school districts; relating to tax levies thereby; amending K.S.A. 1984 Supp. 12-1908, as amended by section 1 of 1985 Senate Bill No. 219, and repealing the existing section; also repealing K.S.A. 1984 Supp. 12-1908, as amended by section 1 of 1985 House Bill No. 2303.

**HB 2627**, by Committee on Ways and Means: An act concerning hospitals; limiting the construction, modification or establishment of hospitals prior to July 1, 1986; authorizing actions to enjoin violations.

**HB 2628**, by Committee on Ways and Means: An act concerning improvement districts; relating to the powers and duties thereof; amending K.S.A. 1984 Supp. 19-2765, as amended by section 1 of 1985 House Bill No. 2191, and repealing the existing section; also repealing K.S.A. 1984 Supp. 19-2765, as amended by section 1 of 1985 House Bill No. 2029.

**HB 2629**, by Committee on Federal and State Affairs: An act relating to certain alcohol and drug related offenses involving motor vehicles; concerning certain tests related thereto and providing penalties for refusal to submit thereto; prohibiting certain acts and providing penalties for violations; amending K.S.A. 8-1001, as amended by section 3 of 1985 Senate Bill No. 127, 8-1002, as amended by section 4 of 1985 Senate Bill No. 127, 8-1004, as amended by section 6 of 1985 Senate Bill No. 127, 8-1006, as amended by section 8 of 1985 Senate Bill No. 127, and K.S.A. 1984 Supp. 8-1567, as amended by section 9 of 1985 Senate Bill No. 127, and repealing the existing sections.

**HB 2630**, by Committee on Federal and State Affairs: An act concerning Kansas turnpike authority revenue refunding bonds; investment of proceeds; amending K.S.A. 1984 Supp. 68-2044 and repealing the existing section.

**SB 386**, by Committee on Ways and Means: An act concerning regulation of public utilities and common carriers; amending K.S.A. 66-1,143, as amended by section 4 of 1985 House Bill No. 2515, and repealing the existing section; also repealing K.S.A. 1984 Supp. 66-101, as amended by section 1 of 1985 House Bill No. 2515, and sections 11, 16, 22, 28, 34, 40, 46 and 52 of 1985 House Substitute for Senate Bill No. 49.

**SB 387**, by Committee on Ways and Means: An act concerning the tort claims act; relating to compromise and settlement of claims; amending K.S.A. 75-6106 and repealing the existing section.

**SB 388**, by Committee on Ways and Means: An act concerning the department of

corrections; relating to prerelease centers; amending K.S.A. 75-52,117 and repealing the existing section.

**SB 389**, by Committee on Federal and State Affairs: An act relating to alcoholic beverages; amending K.S.A. 41-104, 41-305, 41-712, 41-719, 41-2606, 41-2608, 41-2627, 41-2713, 41-2716, 41-2717 and 41-2718, K.S.A. 1984 Supp. 41-102 and 41-2714, and K.S.A. 41-2601 and 41-2701 and K.S.A. 1984 Supp. 41-2704, all three as amended by 1985 House Bill No. 2067, and repealing the existing sections.

**SB 390**, by Committee on Ways and Means: An act concerning motor vehicles; amending K.S.A. 1984 Supp. 66-1,109, as amended by section 6 of 1985 Senate Bill No. 321 and repealing the existing section; also repealing K.S.A. 1984 Supp. 66-1,109 as amended by section 1 of 1985 House Bill No. 2524.

**SB 391**, by Committee on Ways and Means: An act relating to fish and game; concerning powers of wildlife conservation officers; amending K.S.A. 1984 Supp. 74-3302, as amended by section 1 of 1985 House Bill No. 2104, and repealing the existing section; also repealing K.S.A. 1984 Supp. 74-3302, as amended by section 1 of 1985 Senate Bill No. 61.

**SB 392**, by Committee on Ways and Means: An act concerning the secretary of corrections; authorizing the establishment of a work release center in Wyandotte county.

**SB 393**, by Committee on Ways and Means: An act relating to the collection of taxes imposed upon motor vehicles.

**SB 394**, by Committee on Ways and Means: An act repealing K.S.A. 1984 Supp. 74-5605a, relating to qualifications of applicants for training under the Kansas law enforcement training act.

**HR 6133**, by Representative Neufeld: A resolution congratulating the City of Spearville on its 110th anniversary.

**HR 6134**, by Representative Branson: A resolution honoring Professor Sam Follet Anderson on his retirement from the faculty at the University of Kansas.

**HR 6135**, by Representative Branson: A resolution honoring Professor James O. Maloney on his retirement from the faculty of the University of Kansas.

**HR 6136**, by Representative D. Miller: A resolution in memory of Edwin F. Abels.

**HR 6137**, by Representative Flottman: A resolution commending all those doctors who have participated in the Doctor of the Day program.

**HR 6138**, by Representative Harder: A resolution congratulating Robert E. Burkholder on his retirement from Buhler USD 313.

**HR 6139**, by Representative Neufeld: A resolution commending the deed by the St. Louis Southwestern Railway Co. of railroad tracks and rights-of-way to the Ford County Historic Railroad Preservation Foundation.

**HR 6140**, by Representative R. D. Miller: A resolution honoring Roger W. Williams on his retirement as Mayor of the City of Russell.

**HR 6141**, by Representative R. D. Miller: A resolution congratulating and commending the century ownership of the Tiedeman family farm.

**HR 6142**, by Representative D. Miller: A resolution congratulating and commending the De Soto High School "High Q" team and its advisors, Kathy Reddy and Ron Darst, for its performance in the "High Q" competition.

**HR 6143**, by Representative Heinemann: A resolution congratulating and commending Florence Wilson on being named to the Kansas Teachers' Hall of Fame.

**HR 6144**, by Representative Heinemann: A resolution honoring Mary Jo Curley on her retirement from teaching at Garden City Community College.

**HR 6145**, by Representative Heinemann: A resolution memorializing the President and Congress of the United States to fund the Small Business Administration.

**HR 6146**, by Representative Adam: A resolution congratulating and commending the Youth Center at Atchison on 100 years of service.

**HR 6147**, by Representative Teagarden: A resolution congratulating and commending Vivian Cameron for her years of service to her community and state on the 70th anniversary of her graduation from Perry High School.

**HR 6148**, by Representative Polson: A resolution congratulating the Friedens Lutheran Church on its centennial anniversary.

**HR 6149**, by Representatives Blumenthal, Bowden, Hensley and Reardon: A resolution congratulating Harry M. Peterson, Jr. for being selected as an alternate to represent Kansas in the NASA Teacher in Space Project.

**HR 6150**, by Representatives Blumenthal, Bowden, Hensley and Reardon: A resolution congratulating Wendell C. Mohling for being selected to represent Kansas in the NASA Teacher in Space Project.

**HR 6151**, by Representatives Blumenthal, Bowden, Hensley and Reardon: A resolution congratulating Barry L. Schartz for being selected to represent Kansas in the NASA Teacher in Space Project.

**HR 6152**, by Representatives Freeman and Laird: A resolution memorializing Congress to provide aid to the Freedom Fighters of Nicaragua.

**HR 5024**, by Representatives King, Aylward, Barkis, Cloud, Crowell, Fox, Green, Mainey, B. Ott, Peterson, Rezac, Rolf, Roper, Schmidt, Spaniol and Wisdom: 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 the operation or conduct of horse and dog racing by bona fide nonprofit organizations and parimutuel wagering thereon; and providing for county option thereon.

**SR 1854**, by Senators Francisco, Allen, Anderson, Arasmith, Bogina, Burke, Doyen, Ehrlich, Feleciano, Frey, Gaines, Cannon, Gordon, Harder, Hoferer, Johnston, Karr, D. Kerr, F. Kerr, Langworthy, Martin, Montgomery, Morris, Mulich, Norvell, Parrish, Reilly, Salisbury, Steineger, Strick, Talkington, Thiessen, Vidricksen, Walker, Warren, Werts, Winter and Yost: A resolution congratulating and commending Jeanne Daniels on being inducted into the Kansas State High School Activities Hall of Fame.

**SR 1855**, by Senator Karr: A resolution congratulating Phil Hanes for winning the 1985 Kansas Spelling Bee.

**SR 1856**, by Senator Daniels: A resolution congratulating Mabel Miller on her 100th birthday.

**SR 1857**, by Senators Warren, Talkington, Allen, Anderson, Arasmith, Bogina, Burke, Daniels, Doyen, Ehrlich, Feleciano, Francisco, Frey, Gaines, Cannon, Gordon, Harder, Hayden, Hoferer, Johnston, Karr, D. Kerr, F. Kerr, Langworthy, Martin, Montgomery, Morris, Mulich, Norvell, Parrish, Reilly, Salisbury, Steineger, Strick, Talkington, Thiessen, Vidricksen, Walker, Werts, Winter and Yost: A resolution commending all those doctors who have participated in the Doctor of the Day program.

**SR 1858**, by Senators Johnston, Talkington, Allen, Burke, Feleciano, Cannon, Harder, Karr and Parrish: A resolution commending Bryan K. Whitehead on his many years of outstanding service for the Brotherhood of Railway and Airline Clerks.

**SR 1859**, by Senators Johnston, Talkington, Allen, Burke, Feleciano, Cannon, Harder, Karr and Parrish: A resolution commending Jack McClothlin on his many years of outstanding service for the United Transportation Union.

**SR 1860**, by Senator Strick: A resolution commending Bishop Marion F. Forst for his 25 years of service as a bishop in Kansas.

**SR 1861**, by Senator Daniels: A resolution congratulating and commending the City of Valley Center on its centennial anniversary.

**SR 1862**, by Senators Winter, Steineger, Talkington and Yost: A resolution honoring Professor Barkley Clark for his contributions to the field of law.

**SR 1863**, by Senator Arasmith: A resolution congratulating the City of Woodston on its centennial anniversary.

**SR 1864**, by Senator Vidricksen: A resolution proclaiming the week of May 5 through May 11, 1985, as "Small Business Week."

**SCR 1630**, by Senator Burke: A concurrent resolution relating to the 1985 regular session of the legislature, and providing for an adjournment thereof.

Doc. No. 003193



## State of Kansas

## DEPARTMENT OF HUMAN RESOURCES

NOTICE OF  
GRANT APPLICATIONS IN REVIEW

Below are 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.

**KS850424-002-84122KS**—Application to the U.S. Department of Education for \$19,976 to support the implementation of the state teacher incentive policy through the development of technical assistance material and the provision of multiple training activities for public and private school administrators and teachers in Kansas. Contact Kathleen Homlish, State Department of Education, 120 E. 10th, Topeka, KS 66612; 913/296-2288. No review required.

**KS850424-003-84164KS**—Joint application to the U.S. Department of Education for approximately \$847,000 for the Kansas State Plan for Title II of the Education for Economic Security Act of 1984, P.L. 98-337. Contact Dr. David McDonald, Kansas Department of Education, 120 E. 10th, Topeka, KS 66603, or Martine Hammond, Kansas Board of Regents, Suite 609, 400 S.W. 8th, Topeka, KS. Comments due by June 3, 1985.

**KS850425-001 and 002-DDEISKS**—The U.S. Department of the Army submitted the Interim Survey Report and Environmental Impact Statement (EIS) on the Arkansas City and Walnut rivers (Arkansas City, Kansas) and the Draft of the General Design Memorandum and EIS for Local Protection Project Arkansas River (Great Bend, Kansas). Comments should be sent by May 10, 1985 regarding the Arkansas City report, and by May 17, 1985 regarding the Great Bend report, to Gary Flickinger, Kansas Water Office, 109 SW 9th, Topeka, KS 66612.

**KS850426-001-10418RS**—Application to the U.S. Department of Agriculture for \$524,200 to eliminate low water supply and pressure problems within the rural water district by installing 4" and 6" water lines, 150,000 gallon storage tank and pressure regulators on all service connections. Contact Alan Luttrell, Russell County R.W.D. No. 3, Route 2, Box 105A, Russell, KS 67665; 316/793-8411. Comments due by June 5, 1985.

**KS850429-001 and 002-10423JO**—The City of Leawood submitted a report which documents the existing sanitary and health conditions in the Somerside subdivision and determines the most cost-effective and environmentally compatible alternative of providing sanitary sewer service within the planning area. The City also submitted a supplement to update the facilities plan for sewerage-improvements to 83rd Street and Lee Boulevard. Contact Tom Bieszczyk, Director of Public Works, City of Leawood, 9617 Lee Blvd., Leawood, KS 66206; 913/642-5555. Comments due by May 29, 1985.

**KS850429-003-10423AL**—Application to the U.S. Department of Agriculture for \$2,600,000 to renovate

Allen County Hospital in Iola, Kansas to include additional toilets and showers; new exit door and elevator; upgrade mechanical system; close radiology entrance and construct replacement entrance; remodel patient rooms, outpatient surgery, preparation, change and recovery areas; and to acquire hospital administration building currently being leased. Contact J. Kent Howard, Research Development Group, 6400 Prospect, Kansas City, MO 64132; 816/276-9246. Comments due by June 8, 1985.

**KS850429-004-13628KS**—Application to the U.S. Department of Health and Human Services for \$33,945 to develop and set procedures and programs in the following areas: identification, treatment and prevention of sexual abuse or sexual exploitation and background checks of child care providers and others as provided in P.L. 98-473. Contact Dr. Robert Harder, Kansas Social and Rehabilitation Services, Youth Services, State Office Bldg., 6th Floor, Topeka, KS 66612; 913/296-3271. Comments due by June 8, 1985.

**KS850429-005-DDDFDKS**—The U.S. Department of the Air Force submitted a proposal to construct Ground Wave Emergency Network radio relay stations in Wabaunsee and Decatur counties. Contact Ed Lopez, Department of the Air Force, Air Force Regional Civil Engineer Central Region, 1114 Commerce St., Dallas, TX 75242; 214/767-3361. Comments due by May 24, 1985.

**KS850429-006-20505SG**—Application to the U.S. Department of Transportation for \$188,519. The purpose of this Unified Work Program is to describe the long and short range roles and responsibilities of the Wichita-Sedgwick County Metropolitan Area Planning Department (MAPD) in carrying out the direct federally-aided, transportation related work efforts in Wichita and Sedgwick County. Contact Willard Stockwell, Chief Planner, MAPD, City Hall, 10th Floor, 455 N. Main, Wichita, KS 67202; 316/268-4561. Comments due by June 8, 1985.

**KS850430-001-13600RL**—Application to the U.S. Department of Health and Human Services for \$110,999 to continue the Manhattan Head Start Program. Contact Yvonne Lacy, Head Start Director, Opportunity Pre-School, Inc., 2031 Poyntz Ave., Manhattan, KS 66502; 913/539-4815. Comments due by May 25, 1985.

**KS850430-002-13888KS**—Application to the U.S. Department of Health and Human Services for \$75,561 to provide training for aides employed by home health agencies in Kansas. Contact Martha Artz, Kansas Department of Health and Environment, Bureau of Adult and Child Care Facilities, Forbes Field, Bldg. 740, Topeka, KS 66620; 913/862-9360, ext. 463. Comments due by June 9, 1985.

**KS850430-003-13224WS**—Application to the U.S. Department of Health and Human Services for \$105,748 to continue an integral approach for provision of comprehensive primary medical care in a rural community setting in Washington, Kansas. Contact Marcia Brun, Washington County Horizons Health Services, Inc., 302 E. 2nd, Box 177, Washington, KS 66968; 913/325-2266. Comments due by May 25, 1985.

(continued)

**KS850501-001-13224SN**—Application to the U.S. Department of Health and Human Services for \$105,748. This proposal involves developing home health services in Wabaunsee County and expanding the existing services in Osage County. Contact Mary Canfield, RN, Topeka-Shawnee County Health Dept., 1615 W. 8th, Topeka, KS 66606; 913/233-8961. Comments due by June 9, 1985.

The following grant has been awarded:

The State Park and Resources Authority was awarded \$8,622 for recreation area acquisition for the City of Melvern, Kansas. Contact Stanley Kivett, State Park and Resources Authority, P.O. Box 977, Topeka, KS 66601; 913/296-2281.

LARRY E. WOLGAST  
Secretary of Human Resources

Doc. No. 003192

**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 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, MAY 20, 1985**

#26464 Supplement

University of Kansas Medical Center, Kansas City and statewide—X-RAY FILM AND SUPPLIES (Class 13)

#26522

University of Kansas Medical Center, Kansas City—PHOTOGRAPHIC FILM PROCESSING AND PRINTING

#26548

Statewide—TIRES AND TUBES

#26553

Statewide—MICROCOMPUTER—AT COMPARABLE CONFIGURATION

#26559

University of Kansas Medical Center, Kansas City and University of Kansas, Lawrence—LOW LEVEL RADIOACTIVE WASTE

#26561

Statewide—DAIRY PRODUCTS

#26563

University of Kansas Medical Center, Kansas City—FIRE EXTINGUISHER SERVICE

#61643

University of Kansas Medical Center, Kansas City—HPLC APPARATUS

#61644

University of Kansas Medical Center, Kansas City—MICROSCOPES

#61645

University of Kansas Medical Center, Kansas City—LAB APPARATUS

#61647

University of Kansas Medical Center, Kansas City—ANIMAL CAGES, WATERING AND FEEDING EQUIPMENT

#61648

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

#61650

Kansas State Penitentiary, Lansing—HEATING/AIR CONDITIONING UNITS, EXHAUST FANS

#61680

Kansas Fish and Game Commission, Pratt—TELECOMMUNICATIONS SYSTEM, Emporia

#61712

State Corporation Commission, Wichita—PLUGGING SEVEN (7) ABANDONED OIL WELLS, Miami County

**TUESDAY, MAY 21, 1985**

#A-5134 (a)

Kansas State University, Manhattan—PARTIAL ROOFING SYSTEM REPLACEMENT

#A-5218

Department of Corrections, Topeka—PROVIDE MECHANICAL AND ELECTRICAL SYSTEM IMPROVEMENTS, Wichita

#26557

University of Kansas Medical Center, Kansas City—CLINICAL ANALYZER REAGENTS AND SUPPLIES

#61651

University of Kansas Medical Center, Kansas City—SPECTROPHOTOMETER

#61655

University of Kansas, Lawrence—CHROMATOGRAPHIC APPARATUS

#61656

University of Kansas, Lawrence—LOGIC ANALYZER

#61658

Kansas State Penitentiary, Lansing—FURNISH DOORS, FRAMES, PANELS, HARDWARE AND LOCKS

#61660

Kansas State Fair, Hutchinson—TICKETS

#61662

Kansas State University, Manhattan—IRRIGATION PIPE AND FITTINGS

#61664

Kansas Correctional Industries, Lansing—TWO-WAY RADIO EQUIPMENT

#61666

Wichita State University, Wichita—COAXIAL CABLE

#61668

Department of Social and Rehabilitation Services, Topeka—FURNISH AND INSTALL POWER FACTOR CORRECTION CAPACITORS, Salina

#61677

University of Kansas Medical Center, Kansas City—SOFTWARE—OS/VSI ENVIRONMENT

#61678

Kansas State University, Manhattan—DIRECT ACCESS STORAGE DEVICE-IBM 3380 A4 COMPATIBLE

#61679

University of Kansas Medical Center, Kansas City—UTILITY SOFTWARE PROGRAM

**WEDNESDAY, MAY 22, 1985**

#A-5097

University of Kansas, Lawrence—ROOF REPAIR—Allen Fieldhouse

#A-5227

Pittsburg State University, Pittsburg—PROVIDE EXPANSION OF ENERGY MANAGEMENT SYSTEM CONVERT DOUBLE DUCT SYSTEM TO VAV AND LIGHTING REDUCTION—various buildings

#A-5239

State Park and Resources Authority, Topeka—CONSTRUCTION OF ONE IRRIGATION WELL at Lake Meade State Park

#26550

University of Kansas Medical Center, Kansas City and various state agencies—PERFUSION SUPPLIES (Class 18)

#61672

Kansas Correctional Industries, Lansing—5-GALLON POLYETHYLENE PAILS

#61673

Department of Revenue, Topeka—MICROCOMPUTER

#6174

Wichita State University—PRINTER—IBM 3274 COMPATIBLE

#61676

University of Kansas Medical Center, Kansas City—COMPUTER SYSTEMS—LSI—11 COMPATIBLE

#61682

Kansas Fish and Game Commission, Pratt—FORK LIFT, Junction City

#61683

University of Kansas, Lawrence—DISPLAY COPIER—TEKTRONIX 4014 COMPATIBLE

#61684

University of Kansas Medical Center, Kansas City—PHOENIX/MICRO SYSTEMS LICENSE

#61686

Kansas State University, Manhattan—LAB APPARATUS

#61687

Kansas State University, Manhattan—MICROSCOPES

#61688

Kansas State University, Manhattan—LAB APPARATUS

#61696

State Park and Resources Authority, Topeka—TRACTOR MOWER, Wilson State Park

#61697

University of Kansas Medical Center, Kansas City—VIDEO SYSTEM

#61698

Kansas State Industrial Reformatory, Hutchinson—4000 PSI CONCRETE

#61699

Wichita State University, Wichita—DETERGENT

#61700

Emporia State University, Emporia—ELEVATOR REPAIR

#61701

University of Kansas Medical Center, Kansas City—ANESTHESIA GAS MACHINE

THURSDAY, MAY 23, 1985

#26558

Kansas State Department of Education, Topeka—JANITORIAL SERVICE

#61649

Kansas State Fair, Hutchinson—DECORATION RENTAL FOR 1985 STATE FAIR

#61694

Department of Social and Rehabilitation Services, Topeka—SOFTWARE—TRS-80 MODEL III COMPATIBLE

#61695

Kansas State University, Manhattan—LASER PRINTER—VAX 11/780 COMPATIBLE

#61702

Pittsburg State University, Pittsburg—ELEVATOR REPAIR

#61703

University of Kansas, Lawrence—CEMENT PUMP

#61713

University of Kansas Medical Center, Kansas City—PRINTER—IBM 3274/76 COMPATIBLE, Wichita

#61714

University of Kansas Medical Center, Kansas City—HPLC APPARATUS

#61715

Wichita State University, Wichita—EXCAVATING SILT AND SAND FROM POND

#61716

University of Kansas Medical Center, Kansas City—ELECTRICAL SUPPLIES

#61717

University of Kansas Medical Center, Kansas City—FURNISH AND REPLACE COOLING TOWER FANS

#61718

University of Kansas, Lawrence—OSCILLOSCOPE

#61719

Kansas State University, Manhattan—CARPET AND INSTALLATION

#61720

Kansas State University, Manhattan—FIXED MEDIA DRIVE—HARRIS COMPATIBLE

#61721

University of Kansas Medical Center, Kansas City—TAPE BACKUP—NBI OASYS 64 COMPATIBLE, Wichita

#61729

University of Kansas, Lawrence—HPLC DETECTOR

#61730

University of Kansas, Lawrence—LAB APPARATUS

FRIDAY, MAY 24, 1985

#A-4970

Topeka State Hospital, Topeka—REROOF MAINTENANCE SHOP AND OFFICE

#A-5092

University of Kansas, Lawrence—PROVIDE DYCHE HALL TOWER ROOF REPAIRS AND LIGHTING PROTECTION SYSTEM

#26562

Statewide—CORRECTIONAL OFFICERS UNIFORM COMPONENTS

#61731

University of Kansas, Lawrence—OPTICAL TABLE

#61732

University of Kansas Medical Center, Kansas City—PROTEIN SEQUENCER

#61733

University of Kansas Medical Center, Kansas City—CO<sub>2</sub> ANALYZER

#61734

Department of Social and Rehabilitation Services, Topeka—VENDING MACHINES

(continued)

#61735

Larned State Hospital, Larned—MISCELLANEOUS  
GROCERIES

#61736

Kansas State University, Manhattan—IMAGE  
PROCESSING SYSTEMS

#61737

University of Kansas, Lawrence—EQUIPMENT  
MAINTENANCE FOR COURIER TERMINAL AND  
PRINTER DEVICES

#61738

University of Kansas Medical Center, Kansas City—  
BOOK DETECTION SYSTEM, Wichita

#61747

Emporia State University, Emporia—  
MULTICHANNEL ANALYZER

#61748

University of Kansas Medical Center, Kansas City—  
STEEL LIBRARY SHELVING, Wichita

#61749

Kansas Department of Transportation, various  
locations—PLANT MIX BITUMINOUS MIXTURE

#61750

Kansas Department of Transportation, Topeka—AB  
SPECIAL AGGREGATE, Wabaunsee

#61751

Kansas State Industrial Reformatory,  
Hutchinson—ROAD GRAVEL/FILL DIRT

#61752

Kansas Department of Transportation, various  
locations—READY MIX CLASS A CONCRETE

#61753

University of Kansas Medical Center, Kansas City—  
DESIGN ADJUSTABLE FREQUENCY DRIVE

#61754

University of Kansas Medical Center, Kansas City—  
FURNISH AND INSTALL STORM WINDOWS

#61755

Wichita State University, Wichita—DRAPERIES  
AND WALLCOVERINGS

#61756

Wichita State University, Wichita—PRINTER—  
IBM 3081

#61757

Kansas State Industrial Reformatory,  
Hutchinson—MISCELLANEOUS MEATS

FRIDAY, MAY 31, 1985

#26556

University of Kansas, Lawrence—JULY 1985 MEAT  
PRODUCTS

TUESDAY, JUNE 4, 1985

#26555

University of Kansas Medical Center, Kansas City—  
SHEEP AND RABBIT WHOLE BLOODNICHOLAS B. ROACH  
Director of Purchases

Doc. No. 003188

(Published in the KANSAS REGISTER, May 9, 1985.)

**NOTICE OF BOND SALE**  
**\$420,000**  
**GENERAL OBLIGATION BONDS**  
**SERIES 1985**  
**OF THE**  
**CITY OF PARSONS, KANSAS**

THE CITY OF PARSONS, KANSAS will receive sealed bids at the CITY CLERK'S OFFICE, PARSONS MUNICIPAL BUILDING, PARSONS, KANSAS, until 11:30 A.M., C.D.T., on

TUESDAY, MAY 14, 1985

for \$420,000 General Obligation Bonds, Series 1985, of the City (the "Bonds"), at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

*Terms of the Bonds*

The Bonds will be dated May 1, 1985, and will mature serially on November 1 in the years and in the amounts set forth below. The Bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of Bonds maturing in the same year. Interest will be payable November 1, 1985, and thereafter semiannually on May 1 and November 1 in each year.

The principal of the Bonds will be payable 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 will be payable 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 preceding the interest payment dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the Bonds will be paid by the City.

The Bonds will not be subject to redemption prior to their maturity and will mature serially as follows:

Principal Amount	Maturity Date November 1	Principal Amount	Maturity Date November 1
\$45,000	1985	\$35,000	1990
45,000	1986	35,000	1991
45,000	1987	35,000	1992
45,000	1988	40,000	1993
55,000	1989	40,000	1994

*Conditions of Bids*

Bids will be received for 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 must be a multiple of one-eighth ( $\frac{1}{8}\%$ ) or one-twentieth ( $\frac{1}{20}\%$ ) of one percent (1%). The difference between the highest and lowest rates specified in any bid shall not exceed two and one-half percent (2½%). No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published in the weekly *Credit Markets* in New York, New York, in the issue dated May 13, 1985, plus 2%, and no bid of less than par and accrued interest will be considered.

### *Bid Form and Good Faith Deposit*

Bids must be submitted on the OFFICIAL BID FORM furnished by the City, and are to be addressed to the City at PARSONS MUNICIPAL BUILDING, PARSONS, KANSAS 67357, ATTENTION: MILDRED VANCE, CITY CLERK, and will be plainly marked BOND BID. Each bid shall specify the total interest cost to the City on the basis of such bid and the average annual net interest rate on the basis of such bid. The net interest cost to the City will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The City will be entitled to rely on such dollar amount as stated in the bid as the basis of determining the lowest net interest cost bid. If there is any discrepancy between the said net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the principal amount of the Bonds and made payable to Treasurer, City of Parsons, Kansas. In the event a bidder whose bid is accepted fails to carry out his contract to purchase the Bonds, said deposit will be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

### *Award of Bids*

The sealed bids for the Bonds will be opened publicly and only at the time and place specified in this notice. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City.

### *Delivery of the Bonds*

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City. The Bonds will be sold subject to the unqualified approving opinion of Stinson, Mag & Fizzell, Bond Counsel, of Kansas City, Missouri, a copy of whose opinion will be printed on the reverse side of each Bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds will be paid by the City. Said legal opinion will contain a statement to the effect that the Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City and that, under existing law, the interest on the Bonds will be exempt from present federal income taxation.

CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of this notice.

All expenses in relation to the printing of CUSIP numbers on the Bonds will be paid by the City.

The number and denominations of Bonds and names of the registered owners to be shown on the Bonds initially delivered will be submitted in writing by the successful bidder to the Bond Registrar not later than May 30, 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 will be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before June 26, 1985, at any bank in the State of Kansas or Kansas City, Missouri, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser. The purchase price, together with any premium and accrued interest from the date of the Bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

### *Purpose*

The Bonds are being issued for the purpose of paying the cost of improving the Municipal Airport, improving certain designated streets in the City, purchasing a fire truck and building a canopy for the downtown mall.

### *Assessed Valuation and Bonded Indebtedness*

The total assessed valuation of the taxable tangible property within the City for the year 1985 for the computation of limits upon bonded indebtedness is \$25,830,669, including personal motor vehicles, motor vehicle dealers' inventory, business aircraft and farm machinery and equipment.

The total general obligation bonded indebtedness of the City, including bonds outstanding as of March 31, 1985 and this proposed issue of Bonds, is \$909,000. As of March 31, 1985, the City also has outstanding \$85,000 of temporary notes (after subtracting the notes that will be retired from the proceeds of the Bonds).

### *Official Information*

Additional copies of this Notice of Bond Sale, the Official Bid Form and further information may be obtained from the City at the address given above and from Zahner and Company, 127 W. 10th, Kansas City, MO 64105, (816) 221-4311.

Dated this 30th day of April, 1985.

CITY OF PARSONS, KANSAS  
By Mildred Vance, City Clerk

Doc. No. 003191

(Published in the KANSAS REGISTER, May 9, 1985.)

**NOTICE OF BOND SALE**  
**\$14,015,000**  
**CITY OF WICHITA, KANSAS**  
**GENERAL OBLIGATION BONDS**  
**(SERIES 703 and SERIES 704)**

SEALED bids will be received in the Office of the City Clerk, at City Hall, 455 North Main, City of Wichita, Kansas 67202-1679, until 10:00 a.m., Central Daylight Time, on May 21, 1985, and will be considered by the Governing Body of the City of Wichita, Kansas at its regular place of meeting in the City Commission Room in the City Hall, 455 North Main Street, in the City of Wichita, Kansas at 10:00 a.m. Central Daylight Time on May 21, 1985, at which time and place all proposals will be publicly opened, read aloud, and considered for the purchase of all, but not less than all of each series of two series of General Obligation Bonds aggregating the principal sum of \$14,015,000. Series 703 is in the principal amount of \$8,305,000 (the Series 703 Bonds); and Series 704 is in the principal amount of \$5,710,000 (the Series 704 Bonds). The Series 703 Bonds and Series 704 Bonds will be jointly referred to as the Bonds. No oral or auction bids will be considered.

*Details of the Bonds—Series 703*

The Series 703 Bonds shall be issued in the form of fully registered certificated bonds without coupons, each in the denomination of \$5,000.00 or in integral multiples thereof, not exceeding the principal amount of Bonds maturing in each year. Interest on the Series 703 Bonds will be payable semiannually, commencing March 1, 1986 and each September 1 and March 1 thereafter. The Series 703 Bonds shall be dated June 1, 1985 and shall become due serially on September 1 in each of the years and in the principal amounts as follows:

<i>Date of Maturity</i>	<i>Amount</i>
September 1, 1986	\$295,000
September 1, 1987	320,000
September 1, 1988	345,000
September 1, 1989	375,000
September 1, 1990	405,000
September 1, 1991	440,000
September 1, 1992	480,000
September 1, 1993	520,000
September 1, 1994	565,000
September 1, 1995	610,000
September 1, 1996	665,000
September 1, 1997	720,000
September 1, 1998	785,000
September 1, 1999	850,000
September 1, 2000	930,000

*Details of the Bonds—Series 704*

The Series 704 Bonds shall be issued in the form of fully registered certificated bonds without coupons, each in the denomination of \$5,000.00 or integral multiples thereof, not exceeding the principal amount of Bonds maturing in each year. Interest on the Series 704 Bonds will be payable semiannually, commencing December 1, 1985 and each June 1 and December 1 thereafter. The Series 704 Bonds shall be dated June 1, 1985, and shall become due serially on June 1 in

each of the years and in the principal amounts as follows:

<i>Date of Maturity</i>	<i>Amount</i>
June 1, 1986	\$190,000
June 1, 1987	205,000
June 1, 1988	225,000
June 1, 1989	245,000
June 1, 1990	270,000
June 1, 1991	295,000
June 1, 1992	320,000
June 1, 1993	350,000
June 1, 1994	385,000
June 1, 1995	420,000
June 1, 1996	460,000
June 1, 1997	505,000
June 1, 1998	555,000
June 1, 1999	610,000
June 1, 2000	675,000

*Place of Payment*

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 trust office of the Chase Manhattan Bank, N.A., in the City and State of New York (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 and Bond Registrar to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the interest payment dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

*Redemption*

The Bonds maturing in the year 1996 and thereafter are subject to redemption prior to maturity at the City's option on or after the principal payment date in 1995, in whole at any time or in part in integral multiples of \$5,000.00, in inverse order of maturity and by lot within maturities, on any interest payment date at the redemption prices set forth below, plus accrued interest to the redemption date:

<i>Redemption Dates</i>	<i>Redemption Prices</i>
1995	102.00%
1996	101.50%
1997	101.00%
1998	100.50%
1999 and thereafter	100.00%

Notice of any call for redemption will be mailed to the registered owners of such Bonds to be redeemed at the address shown on the registration books maintained by the Bond Registrar not less than thirty (30) days prior to the date fixed for such redemption and payment. Interest will not be payable on the Bonds to be redeemed after the redemption date if notice has been given and if sufficient monies have been deposited with the Bond Registrar on or prior to the redemption date to pay the principal of, applicable redemption premiums, if any, and interest on the bonds to be redeemed to the redemption date.

*Interest Rate*

Proposals will be received on the Bonds of each series bearing such rate or rates of interest not ex-



ceeding six (6) different interest rates as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth ( $\frac{1}{8}\%$ ) or one-twentieth ( $\frac{1}{20}\%$ ) of one percent (1%). The difference between the highest interest rate bid and the lowest rate of interest bid shall not exceed two percent (2%) per annum. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the twenty bond index of tax exempt municipal bonds published by the *The Weekly Bond Buyer* in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus two percent (2%). A bid for the purchase of less than all of each series of Bonds or bid at a price less than par and accrued interest will not be considered.

#### *Bid Form and Good Faith Deposit*

Bids for each series shall be submitted on the OFFICIAL BID FORM furnished by the City and should be addressed to Donald C. Gisick, City Clerk, 455 North Main Street, Wichita, Kansas 67202-1679, plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, and the net interest cost of the bid, and the average annual net interest rate, all certified by the bidder to be correct, and the City may rely upon the certificate of correctness of the bidder. No bid will be considered if made on other than the Official Bid Form and no bid will be considered if such form is amended or modified. Each bid must be accompanied by a certified or cashier's check in the amount of two percent (2%) of the total par value of each series of Bonds payable to the City Treasurer, City of Wichita, on which no interest will be allowed. The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of the contract to purchase the Bonds; but in the event that the successful bidder shall fail to comply with the terms of the bid, the check or the proceeds thereof shall then be forfeited and retained by the City as and for liquidated damages.

#### *Award of the Bonds*

Each series of Bonds will be sold separately. The sealed bid for each series of Bonds shall be opened publicly and only at the time and place specified in this notice, and each Series of Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities or informalities. Unless all bids are rejected, the Bonds of each series will be awarded to the bidder whose proposal results in the lowest net interest cost to the City, and the net interest cost will be determined by deducting the amount of any premium bid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities. If there is a discrepancy between the lowest net interest cost and the average annual interest rate specified, the net interest cost figure shall govern and the interest rates in the bid shall be adjusted accordingly.

#### *Delivery and Payment*

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City. Delivery of the Bonds will be made on or before June 20, 1985, at any bank or trust company in New York, New York. Payment shall be made in immediately available federal reserve funds. The number, denomination of Bonds, and the names and tax identification numbers of the initial registered owners to be initially printed on the Bonds must be submitted in writing by the successful bidder to the Bond Registrar at least ten (10) business days prior to the date of delivery of the Bonds. In the absence of such information, the City will deliver the Bonds in the denomination of each maturity registered in the name of the successful bidder.

#### *Legal Opinion*

The Bonds will be sold subject to 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. The cost of this legal opinion and the expenses of printing the Bonds and legal opinion will be paid by the City. The Series 703 legal opinion will cite in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships. The Series 704 legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships. A manually signed original of each such opinion will be furnished without expense to the purchaser of the Bonds at the delivery thereof. 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 and a certificate relating to the completeness and accuracy of the Official Statement and Notice of Bond Sale.

#### *Purpose of Issues*

The Bonds are being issued for the purpose of constructing certain internal improvements in the City of Wichita, Kansas, as follows:

(continued)

**SERIES 703**

- Paving projects in the amount of \$4,247,607
- Sewer projects in the amount of \$2,659,878
- Sidewalk projects in the amount of \$9,130
- Water Main projects in the amount of \$1,388,385

**SERIES 704**

- Paving projects in the amount of \$3,369,004
- Sewer projects in the amount of \$1,629,299
- Dam and Bridge projects in the amount of \$180,000
- Sidewalk projects in the amount of \$125,264
- Water Main projects in the amount of \$6,433
- Park Improvement projects in the amount of \$400,000

**Security**

The Bonds constitute general obligations of the City of Wichita, Kansas, and the full faith, credit and resources of the City are pledged to the payment of the principal of and the interest on such Bonds; and the City is obligated to levy ad valorem taxes without limitation as to rate or amount upon all the taxable property within the territorial limits of said City to pay the principal of and interest on the Bonds.

**CUSIP Identification Numbers**

CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder(s) to accept delivery of and to pay for said Bonds in accordance with the terms of this notice. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

**Assessed Valuation**

The assessed valuation of all taxable tangible property within the City of Wichita, Kansas, for the year 1984, is as follows:

Equalized assessed valuation of taxable tangible property .....	\$932,981,921
Estimated tangible valuation of motor vehicles .....	\$211,594,313
Estimated tangible valuation of motor vehicle dealers' inventory .....	\$ 7,071,669
Assessed valuation of business aircraft (1982) .....	\$ 8,962,461
Assessed valuation of farm machinery and equipment (1982) .....	\$ 22,680
Equalized assessed tangible valuation for computation of bonded indebtedness limitations .....	\$1,160,633,044

**Bonded Indebtedness**

The total bonded indebtedness of the City of Wichita, Kansas, as of June 1, 1985, is \$256,530,000 which amount excludes all revenue and refunding bonds, but includes temporary notes in the amount of \$24,150,000 (including the \$21,140,000 of temporary notes to be sold on May 28, 1985) and the two Series of bonds described in this Notice of Bond Sale in the aggregate amount of \$14,015,000. Of the currently issued and outstanding temporary notes of the City, \$11,005,358 will be retired out of the proceeds of the bonds herein offered for sale.

**Rating of the Bonds**

The City has applied to Moody's Investor's Service, Inc. and Standard & Poor's Corporation for ratings on the Bonds. General Obligation Bonds issued by the City of Wichita since 1975 have been rated Aa by Moody's Investor's Service and rated AA by Standard & Poor's Corporation.

**Other Pending Bond and Temporary Note Issues**

Neither the City of Wichita, nor Sedgwick County, nor Unified School District No. 259 (Wichita Public School System), contemplates the issuance of any additional General Obligation Bonds within the next thirty (30) days. The City of Wichita plans to sell \$21,140,000 in temporary notes on May 28, 1985 to be dated June 1, 1985, to become due on December 19, 1985. These temporary notes will consist of \$16,414,642 in renewals and \$4,725,358 in new notes. In addition, the City of Wichita is currently reviewing the advisability of advance refunding its outstanding Water Utility Revenue Bonds and the advisability of issuing additional single family mortgage revenue bonds.

**Redistribution of Notice and Official Statement**

Authorization is given to redistribute this Notice of Bond Sale and the Official Statement, but the entire Notice of Bond Sale and Official Statement, and not portions thereof, must be redistributed. The successful bidder, upon request, will be furnished with fifty (50) copies of the Notice of Bond Sale and Official Statement, without cost; additional copies will be furnished at a nominal charge.

**Official Statement**

This Notice of Bond Sale and the Official Statement has been prepared under the authority of the Governing Body of the City of Wichita, Kansas. Additional copies of this Notice of Bond Sale, or copies of the Official Statement, or further information may be received from the office of the City Treasurer, City Hall, 455 North Main, Wichita, KS 67202-1679, (316) 268-4109.

Figures used in this Notice of Bond Sale and in the Official Statement through December 1, 1984, were obtained from the City of Wichita, Kansas Annual Financial Report for 1984, which Report has been audited by an outside firm of certified public accountants appointed by the Governing Body of the City of Wichita, Kansas.

BY ORDER OF THE GOVERNING BODY OF  
THE CITY OF WICHITA, KANSAS  
THIS 30th DAY OF APRIL, 1985

By: R. C. Brown, Mayor  
Attest: Donald C. Gisick, City Clerk  
(SEAL)

Doc. No. 003190



(Published in the KANSAS REGISTER, May 9, 1985.)

**NOTICE OF BOND SALE**  
**\$200,000.00**  
**GENERAL OBLIGATION BONDS**  
**OF THE**  
**CITY OF WELLSVILLE, KANSAS**

The CITY OF WELLSVILLE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL—411 MAIN, WELLSVILLE, KANSAS, until 7:00 o'clock P.M., C.D.T., on THURSDAY, May 16, 1985

For \$200,000 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series A, 1985 Bonds will be dated as of May 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 City.

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

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 5,000	November 1, 1986
5,000	November 1, 1987
10,000	November 1, 1988
10,000	November 1, 1989
10,000	November 1, 1990
10,000	November 1, 1991
10,000	November 1, 1992
10,000	November 1, 1993
15,000	November 1, 1994
15,000	November 1, 1995
15,000	November 1, 1996
20,000	November 1, 1997
20,000	November 1, 1998
20,000	November 1, 1999
25,000	November 1, 2000

**Redemption**

Bonds maturing November 1, 1996, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the City on and/or after November 1, 1995, 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 re-

demption price set forth below, plus accrued interest to the redemption date:

<i>Redemption Period (Dates Inclusive)</i>	<i>Redemption Price</i>
11/1/95 to 11/1/97	102½%
11/1/98 to 11/1/00	102%

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

**Interest Rate**

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest 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 *Credit Markets* (formerly *The Weekly Bond Buyer*) in New York, New York on the Monday next preceding the day on which the bonds are sold ( May 13, 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 City, and shall be addressed to the City at CITY HALL—411 MAIN, WELLSVILLE, KANSAS 66092, ATTENTION: GERALD D. BENNETT, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF WELLSVILLE, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

**Award of Bids**

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice, and the bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless

*(continued)*

all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, will be furnished and paid for by the City, and the bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN June 6, 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 June 13, 1985, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

**Legal Opinion**

Bids shall be conditioned upon the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the City, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

**Purpose of Issue**

The bonds are being issued for the purpose of funding certain street improvements in the City of Wellsville, Kansas.

**CUSIP Identification Numbers**

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

**Assessed Valuation**

Assessed valuation figures of the City of Wellsville, Kansas, for the year 1984, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property .....	\$2,260,741
Tangible Valuation of Motor Vehicles ...	\$ 750,355
Tangible Valuation of Motor Vehicle Dealers' Inventory .....	\$ -0-
Assessed Valuation of Farm Machinery and Equipment (1982) .....	\$ -0-
Assessed Valuation of Business Aircraft (1982) .....	\$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .....	\$3,011,096

**Bonded Indebtedness**

The total bonded indebtedness of the City of Wellsville, Kansas, at the date hereof, including this \$200,000 proposed issue of bonds, is in the amount of \$684,000.

**Official Statement**

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the bonds, or further information may be received from the office of the City Clerk, City Hall—411 Main, City of Wellsville, Kansas 66092 or from Stifel, Nicolaus and Co., Inc., 111 S. Main, Wichita, Kansas 67202, (316) 264-6321, financial consultants to the City of Wellsville, Kansas.

DATED MARCH 28, 1985.

CITY OF WELLSVILLE, KANSAS  
By GERALD D. BENNETT, City Clerk

Doc. No. 003182

(Published in the KANSAS REGISTER, May 9, 1985.)

**NOTICE OF BOND SALE  
\$2,293,884.00  
GENERAL OBLIGATION  
SCHOOL BUILDING BONDS  
OF**

**UNIFIED SCHOOL DISTRICT NO. 400  
McPHERSON COUNTY, KANSAS (LINDSBORG)**

The UNIFIED SCHOOL DISTRICT NO. 400, McPHERSON COUNTY, KANSAS (LINDSBORG) will receive sealed bids at the OFFICE OF THE CLERK, 126 S. MAIN, LINDSBORG, KANSAS, until 3:30 o'clock P.M., C.D.T., on

TUESDAY, MAY 21, 1985

for \$2,293,884.00 par value GENERAL OBLIGATION SCHOOL BUILDING 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 1985 Bonds will be dated as of June 1, 1985, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except one bond in the denomination of \$3,884.00, not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1986, and each December 1 and June 1 thereafter. The principal

of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the Interest Payment Dates (the "Record dates"). The fees of the Bond Registrar for registration and transfer of the bonds shall be paid by the District.

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

Principal Amount	Maturity Date
\$148,884.00	December 1, 1986
150,000.00	December 1, 1987
150,000.00	December 1, 1988
150,000.00	December 1, 1989
150,000.00	December 1, 1990
150,000.00	December 1, 1991
155,000.00	December 1, 1992
155,000.00	December 1, 1993
155,000.00	December 1, 1994
155,000.00	December 1, 1995
155,000.00	December 1, 1996
155,000.00	December 1, 1997
155,000.00	December 1, 1998
155,000.00	December 1, 1999
155,000.00	December 1, 2000

**Redemption**

Bonds maturing December 1, 1996, 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 December 1, 1995, 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:

Redemption Period (Dates Inclusive)	Redemption Price
December 1, 1995 thru June 1, 1996	101.00%
December 1, 1996 thru June 1, 1997	100.75%
December 1, 1997 thru June 1, 1998	100.50%
December 1, 1998 thru June 1, 1999	100.25%
December 1, 1999 and thereafter	100.00%

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

**Interest Rate**

Proposals will be received on the bonds bearing such rate or rates of interest, as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference

between the highest and lowest interest rates specified in any bid shall not exceed three percent (3%). No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20' bond index of tax exempt municipal bonds published by the *Credit Markets* (formerly *The Weekly Bond Buyer*) in New York, New York on the Monday next preceding the day on which the bonds are sold ( May 20, 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 126 S. MAIN, LINDSBORG, KANSAS 67456, ATTENTION: 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 TREASURER, UNIFIED SCHOOL DISTRICT NO. 400, McPHERSON COUNTY, KANSAS (LINDSBORG). 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 JUNE 4, 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. Pay-

(continued)

ment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before July 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.

**Legal Opinion**

Bids shall be conditioned upon the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the District. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the District, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the District; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

**Purpose of Issue**

The bonds are being issued for the purpose of building additions to existing school buildings and the costs of an additional school building in the District.

**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 of Unified School District No. 400, McPherson County, Kansas (Lindsborg), for the year 1984, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property .....	\$27,060,468
Tangible Valuation of Motor Vehicles ..	\$ 2,146,784
Tangible Valuation of Motor Vehicle Dealers' Inventory .....	\$ 23,855
Assessed Valuation of Farm Machinery and Equipment (1982) .....	\$ 328,300
Assessed Valuation of Business Aircraft (1982) .....	\$ 1,050
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .....	\$29,560,457

**Bonded Indebtedness**

The total bonded indebtedness of the District at the date hereof includes only this proposed issue of bonds in the amount of \$2,293,884.00.

**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 Clerk or from Stern Brothers &

Co., Suite 810, One Main Place, Wichita, Kansas 67202, the District's financial consultants.

DATED APRIL 23, 1985.

UNIFIED SCHOOL DISTRICT NO. 400  
McPHERSON COUNTY, KANSAS (LINDSBORG)

By: Norma J. Oborg, Clerk

Doc. No. 003181

(Published in the KANSAS REGISTER, May 9, 1985.)

**HOUSE BILL No. 2131**

AN ACT authorizing the secretary of administration to enter into certificate of participation financing arrangements.

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

Section 1. (a) The secretary of administration is authorized to enter into certificate of participation financing arrangements to provide financing or refinancing for personal property and fixtures acquired for one or more state agencies, subject to approval of the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto, except that such approval may also be given when the legislature is in session.

(b) As used in this section, certificate of participation financing means an installment purchase or lease purchase agreement that is subject to appropriations and which is structured to allow investors to receive a portion of the principal and interest payments made by state agencies as required by the agreement.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 9, 1985.

HOUSE adopted Conference Committee report April 24, 1985.

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

Passed the SENATE as amended April 13, 1985.

SENATE adopted Conference Committee report April 13, 1985.

ROBERT V. TALKINGTON  
President of the Senate.  
LU KENNEY  
Secretary of the Senate.

APPROVED May 2, 1985.

JOHN CARLIN  
Governor.

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 2nd day of May, 1985.

(SEAL)

JACK H. BRIER  
Secretary of State.

(Published in the KANSAS REGISTER, May 9, 1985.)

## HOUSE BILL No. 2037

AN ACT relating to natural gas; concerning the regulation of production from certain common sources of supply; amending K.S.A. 55-703 and repealing the existing section.

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

Section 1. K.S.A. 55-703 is hereby amended to read as follows: 55-703. (a) Whenever the available production of natural gas from any common source of supply is in excess of the market demands for natural gas from the common source of supply, or whenever the market demands for natural gas from any common source of supply can be fulfilled only by the production of natural gas from the common source of supply under conditions constituting waste, or whenever the commission finds and determines that the orderly development of and production of natural gas from any common source of supply requires the exercise of its jurisdiction, then any person, firm or corporation having the right to produce natural gas from the common source of supply may produce only that portion of all the natural gas that may be currently produced without waste and to satisfy the market demands, as will permit each developed lease to ultimately produce approximately the amount of gas underlying the developed lease and currently produce proportionately with other developed leases in the common source of supply without uncompensated cognizable drainage between separately-owned, developed leases or parts thereof.

*Except as otherwise provided in subsection (b), the commission shall regulate the taking of natural gas from any and all common sources of supply within this state in order to prevent the inequitable or unfair taking of natural gas from a common source of supply by any person, firm or corporation and to prevent unreasonable discrimination in favor of any one common source of supply as against another and in favor of or against any producer in any common source of supply. In promulgating rules, regulations and formulas, to attain such results the commission shall give equitable consideration to acreage, pressure, open flow, porosity, permeability and thickness of pay, and such other factors, conditions and circumstances as may exist in the common source of supply under consideration at the time, as may be pertinent.*

The commission in determining the market demand for gas from a common source of supply shall consider the reasonable current requirements for current consumption and use within and without the state, and such other factors, conditions, or circumstances that would aid in establishing the market demand.

*(b) The provisions of this section shall not apply to that portion of a common source of supply which is within the corporate boundaries of a city of the second class and upon which is located a producing natural gas well which is solely owned by such city and the total production from which is consumed by and for the benefit of such city. Such well shall not be allowed to be produced in an amount which exceeds two times the amount authorized by any rule, regulation or formula promulgated by the commission pursuant to subsection (a).*

*The provisions of this subsection shall expire on July 1, 1988.*

Sec. 2. K.S.A. 55-703 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 9, 1985.

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

Passed the SENATE April 12, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED April 26, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26th day of April, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

## HOUSE BILL No. 2620

AN ACT concerning the Attica Hospital District No. 1 of Harper county, Kansas; and relating to the validation and approval of the issuance of bonds.

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

Section 1. Any election held prior to the effective date of this act for the approval of the issuance of general obligation bonds of Attica Hospital District No. 1 of Harper county, Kansas, in an amount not to exceed \$1,300,000 for the purpose of enlarging and improving the extended care unit of the District's hospital located in Attica, Kansas, under the authority of K.S.A. 80-2501, *et seq.*, notice of which was first published 18 days prior to the election instead of 21 days prior to the election is hereby validated. The District is hereby authorized to issue such bonds in the amount and for the purpose approved by the voters at such election. The bonds so issued shall be legal and binding general obligations of the District.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 25, 1985.

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

Passed the SENATE April 26, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED May 3, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this third day of May, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

HOUSE BILL No. 2595

AN ACT amending the Kansas retailers' sales tax act; relating to the definition of political subdivision; amending K.S.A. 79-3602 and repealing the existing section.

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

Section 1. K.S.A. 79-3602 is hereby amended to read as follows: 79-3602. (a) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(b) "Director" means the state director of taxation.

(c) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease or the rental thereof. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(d) "Retailer" means a person regularly engaged in the business of selling tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(e) "Retail sale" or "sale at retail" means all sales made within the state of tangible personal property or electrical energy, gas, water, services or entertainment for use or consumption and not for resale.

(f) "Tangible personal property" means corporeal personal property.

(g) "Selling price" means the total cost to the consumer exclusive of discounts allowed and credited, but including freight and transportation charges from retailer to consumer.

(h) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for (1) an amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; (2) an amount equal to the allowance given for the trade-in of property.

(i) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(j) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity.

(k) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603 and amendments thereto.

(l) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property

to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and fish, the primary purpose of which is use in agriculture, the production of food for human consumption, the production of animal, dairy, poultry or fish products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(m) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and immediately consumed or dissipated in

(1) the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, (2) the providing of services or (3) the irrigation of crops, for sale in the regular course of business, and which is not reusable for such purpose. The following items of tangible personal property are hereby declared to be "consumed" but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon or an indication of, the type or types of property to be included within the definition of "property which is consumed" as herein set forth:

(1) Insecticides, herbicides, germicides, pesticides, fungicides, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production of fruit, vegetables, feeds, seeds, animals or animal products whether fed, injected, applied or otherwise used; and

(2) electricity, gas and water.

(n) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law.

(o) "Municipal corporation" means any city incorporated under the laws of Kansas.

(p) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(q) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

Sec. 2. K.S.A. 79-3602 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 9, 1985.

MIKE HAYDEN

Speaker of the House.

GENEVA SEWARD

Chief Clerk of the House.



Passed the SENATE April 25, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED May 3, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this third day of May, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

HOUSE BILL No. 2130

AN ACT relating to the state civil service board; concerning qualifications and compensation of members; amending K.S.A. 75-2929a and 75-2929b and repealing the existing sections.

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

Section 1. K.S.A. 75-2929a is hereby amended to read as follows: 75-2929a. (a) There is hereby created the state civil service board. The board shall consist of five members appointed by the governor, subject to confirmation by the senate as provided by K.S.A. 75-4315b, ~~except that the members of the first board shall be those persons designated by subsection (c) and amendments thereto.~~

(b) Members shall be in sympathy with the application of merit principles to public employment. Not more than three members of the board shall be of the same political party. Except as otherwise provided in this section, no member of the board may hold any other public office or public employment, except military office or the office of notary public. No two members of the board may reside in the same congressional district at the time of their appointment so long as there are five or more congressional districts in this state, ~~except that subsequent redistricting of congressional districts shall not disqualify any member of the board who is serving at the time of redistricting from being reappointed as a member of the board.~~

(c) ~~Persons serving as members of the state civil service commission immediately prior to the effective date of this act shall become members of the state civil service board created by this act and shall serve until the expiration of the terms for which they were appointed as members of the state civil service commission. Upon the expiration of the term of any member, a successor shall be appointed as provided in subsection (a), and shall hold office for a term of four years and until a successor is appointed and qualified. All vacancies in the board shall be filled by appointment for the unexpired term in the case of vacancies occurring before the end of a term.~~

Sec. 2. K.S.A. 75-2929b is hereby amended to read as follows: 75-2929b. (a) The board shall be attached to the department of administration and shall be within the department as a part thereof. All budgeting, purchasing and related management functions of the board shall be administered under the direction and supervision of the secretary of administration. All vouchers for expenditures and all payrolls of the board shall be approved by the chairperson of the board or a person or persons designated by such chairperson and the secretary of administration or a person or persons designated by such secretary.

(b) The board shall organize annually by electing one of its members as chairperson and one as vice-chairperson. The board shall meet regularly at least once each calendar quarter year, and special meetings may be called by the chairperson or by a majority of the board. A quorum of the board shall consist of three (3) members. No action may be taken by the board without

the affirmative vote of at least three (3) members. In the holding of hearings of appeals by employees or appointing authorities pursuant to the Kansas civil service act, the board may delegate to one or more of its members the authority to hold *serve as a hearing examiner* for such a hearing, but action upon any such appeal shall require the concurrence of at least three (3) members of the board.

(c) Meetings of the board shall be open to the public and no meeting or hearing of the board shall be held unless at least three (3) members of the board are present. The director of personnel services shall act as secretary of the board or may designate a person to serve as the secretary of the board. The board shall keep records and minutes of its business and official actions, and such records and minutes shall be public records open to public inspection, subject to rules and regulations specifying the hours and conditions of inspection.

(d) ~~Members~~ Each member of the state civil service board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, or serving as hearing examiner at a hearing under the Kansas civil service act shall be paid per diem compensation, of \$70 and shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto, except that (1) each member, who resides more than 100 miles from the location of an authorized meeting or hearing, shall receive per diem compensation of \$35 for each day in travel to or from such meeting or hearing if such travel is on a day other than the day or days of such meeting or hearing, and (2) the chairperson of the state civil service board shall receive additional compensation at the rate of \$2,400 per annum payable monthly during the chairperson's service in that office.

Sec. 3. K.S.A. 75-2929a and 75-2929b are hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 25, 1985.

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

Passed the SENATE April 25, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED May 3, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this third day of May 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

## SENATE BILL No. 172

AN ACT establishing a farm assistance, counseling and training program.

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

Section 1. Inasmuch as the economy of this state is based, to a large extent, on agriculture and inasmuch as the survival of the individual farmers, ranchers and agribusinessmen in this state is placed in jeopardy as a result of low commodity prices, high interest rates, the declining value of land used for agricultural purposes, the federal budget deficit, the forces of nature and the increasing rate of farm foreclosures, it is therefor declared that the purpose of this act shall be to establish a program to directly assist farmers, ranchers and agribusinessmen in avoiding and alleviating the problems and distress resulting from or associated with the adverse conditions and forces with which they are presently faced.

Sec. 2. (a) The secretary of the state board of agriculture with the cooperation of the director of extension of Kansas state university shall coordinate a farm assistance, counseling and training referral program. For the purposes of providing such assistance and program, the secretary shall utilize the services of the director and division of extension of Kansas state university, other state agencies, county extension personnel, municipal and community services organizations and personnel and private business and professional agencies or services available for such purpose. The secretary shall compile a directory of programs and services which may be utilized in providing the assistance contemplated by this act. Staff required by the secretary for the purposes of implementing this act shall be employed by the secretary with the approval of the director of extension and shall serve in the offices of the division of extension at Kansas state university. Personnel employed by the secretary for the purpose of implementing this act shall be employed as special project employees and shall be in the unclassified service under the Kansas civil service act. The personnel employed by the secretary for this purpose and county extension personnel shall be utilized in: (1) Receiving requests for assistance; (2) determining the eligibility of persons requesting assistance; and (3) determining if such assistance can best be provided by staff or by referral to an appropriate public or private agency or party for direct assistance. Personnel receiving requests for assistance will provide where possible such assistance or refer the person requesting such assistance to an agency or person qualified to provide such assistance in the home community or county of the person requesting such assistance.

(b) Persons shall be eligible to receive assistance pursuant to this act if they: (1) Are primarily engaged in the business of farming, ranching, agribusiness or other agriculture-related activities; and (2) will be unable to continue in such business or activity or be seriously handicapped in such continued operation without the assistance provided pursuant to this act.

(c) The assistance to be made available to eligible persons by staff or by referral to appropriate persons or agencies shall include farm management, legal assistance, financial planning, employment services, business planning and other support counseling.

The secretary shall provide legal assistance through a contract for legal services with any private or corporate law firm.

(d) The provisions of this act shall expire on June 30, 1987.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body March 12, 1985.

SENATE concurred in HOUSE amendments April 26, 1985.

ROBERT V. TALKINGTON

*President of the Senate.*

LU'KENNY

*Secretary of the Senate.*

Passed the HOUSE as amended April 26, 1985.

MIKE HAYDEN

*Speaker of the House.*

GENEVA SEWARD

*Chief Clerk of the House.*

APPROVED May 3, 1985.

JOHN CARLIN

*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this third day of May, 1985.

JACK H. BRIER

*Secretary of State.*

(SEAL)

(Published in the KANSAS REGISTER, May 9, 1985.)

## SENATE BILL No. 101

AN ACT making and concerning appropriations for the fiscal years ending June 30, 1985, June 30, 1986, June 30, 1987, June 30, 1988, and June 30, 1989, to initiate and complete certain capital improvement projects for Kansas state university, university of Kansas medical center and state board of regents; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing disbursements and acts incidental to the foregoing.

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

Section 1. For the fiscal years ending June 30, 1985, June 30, 1986, June 30, 1987, June 30, 1988, and June 30, 1989, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements and acts incidental to the foregoing are hereby directed or authorized to initiate and complete capital improvement projects as provided in this act.

Sec. 2.

## KANSAS STATE UNIVERSITY

(a) The above agency is hereby authorized to initiate and complete capital improvement projects to renovate and construct addition to Weber hall and to construct chemistry-biochemistry building, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the Kansas educational building fund for the capital improvement projects and for the fiscal years specified as follows:

Renovate and construct addition to Weber hall	
For the fiscal year ending June 30, 1986	\$2,000,000
For the fiscal year ending June 30, 1987	2,877,000
For the fiscal year ending June 30, 1988	1,503,123
Construct chemistry-biochemistry building	
For the fiscal year ending June 30, 1986	600,000
For the fiscal year ending June 30, 1987	4,200,000
For the fiscal year ending June 30, 1988	4,343,000
For the fiscal year ending June 30, 1989	600,000

(c) The appropriations made by this section shall not be subject to the provisions of K.S.A. 46-155 and amendments thereto.

Sec. 3.

## UNIVERSITY OF KANSAS MEDICAL CENTER

(a) The above agency is hereby authorized to initiate and complete a capital improvement project to renovate inpatient pediatric unit in Robinson hall, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the university of Kansas hospital fund for the capital improvement project and for the fiscal year specified as follows:

Renovate inpatient pediatric unit in Robinson hall	
For the fiscal year ending June 30, 1985	\$150,000

(c) In addition to the purposes for which expenditures may be made for fiscal year 1986 from the university of Kansas hospital fund, expenditures may be made for fiscal year 1986 from such fund for the following capital improvement project, subject to the expenditure limitation prescribed therefor:



Renovate inpatient pediatric unit in Robinson hall . . . . . \$750,000

(d) In addition to the purposes for which expenditures may be made for fiscal year 1987 from the university of Kansas hospital fund, expenditures may be made for fiscal year 1987 from such fund for the following capital improvement project, subject to the expenditure limitation prescribed therefor:

Renovate inpatient pediatric unit in Robinson hall . . . . . \$1,100,000

Sec. 4.

STATE BOARD OF REGENTS

(a) The above agency is hereby authorized to initiate and complete capital improvement projects for major repairs, special maintenance, remodeling and energy conservation for institutions of higher education, subject to the restrictions and limitations imposed by this section.

(b) There is appropriated for the above agency from the state general fund for the capital improvement project and for the fiscal year specified as follows:

Major repairs, special maintenance, remodeling and energy conservation for institutions of higher education  
For the fiscal year ending June 30, 1987 . . . . . \$4,000,000

*Provided*, That the state board of regents is hereby authorized to transfer moneys from this account to an account or accounts of the state general fund of any institution under its jurisdiction to be expended by the institution for projects approved by the state board of regents.

(c) On July 1, 1985, of the \$4,000,000 appropriated for the above agency for the fiscal year ending June 30, 1986, by section 7(b) of chapter 13 of the 1984 Session Laws of Kansas from the state general fund in the major repairs, special maintenance, remodeling and energy conservation for institutions of higher education account, the sum of \$600,000 is hereby lapsed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body March 25, 1985.

SENATE adopted Conference Committee report April 12, 1985.  
ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

Passed the HOUSE as amended April 10, 1985.

HOUSE adopted Conference Committee report April 12, 1985.  
MIKE HAYDEN  
*Speaker of the House.*  
GENEVA SEWARD  
*Chief Clerk of the House.*

APPROVED April 25, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of April, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

HOUSE BILL No. 2383

AN ACT concerning counties; relating to the issuance of revenue bonds for economic development; relating to the limitation on bonded indebtedness; amending K.S.A. 12-1741b and K.S.A. 1984 Supp. 10-306 and repealing the existing sections; also repealing K.S.A. 1984 Supp. 10-306, as amended by section 1 of 1985 Senate Bill No. 14.

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

Section 1. K.S.A. 12-1741b is hereby amended to read as follows: 12-1741b. (a) Subject to the provisions of K.S.A. 12-1744a and 12-1744b, as amended, any county shall have power to issue revenue bonds, the proceeds of which shall be used for the purpose of paying all or part of the cost of purchasing, acquiring, constructing, reconstructing, improving, equipping, furnishing, repairing, enlarging or remodeling of facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes. Any county shall also have the power to enter into leases or lease-purchase agreements by resolution with any person, firm or corporation for the facilities. Except as otherwise provided in subsection (b) of this section, the facilities may be constructed within the county or its environs without limitation as to distance, providing the board of county commissioners declares that the facility, if in being, would promote the welfare of the county.

(b) No county shall issue revenue bonds authorized herein to finance facilities located within the corporate limits of a city or within three miles of the corporate limits of a city or within another county without the issuing county having first received approval of the governing body of the city or county in which the facility is to be located. *Approval of a city governing body shall not be required to finance the construction of facilities located on real estate, the title to which is in the county issuing the revenue bonds. The use of such real estate shall be subject to all zoning regulations, subdivision regulations and building code regulations of the city.*

Sec. 2. K.S.A. 1984 Supp. 10-306 is hereby amended to read as follows: 10-306. Except as provided in K.S.A. 10-307, and amendments thereto, and in any other statute which specifically exempts bonds from the statutory limitations on bonded indebtedness, the limitation on bonded indebtedness of counties shall be governed by the following provisions: (a) The authorized and outstanding bonded indebtedness of any county to which the provisions of subsections (b), (c) and (d) do subsection (b) does not apply shall not exceed 1% 3% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.

(b) ~~The authorized and outstanding bonded indebtedness of Clark, Comanche, Greeley, Hamilton, Hodgeman, Lane and Stanton counties shall not exceed 2.5% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.~~

(c) ~~The authorized and outstanding bonded indebtedness of Geary county shall not exceed 2.75% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.~~

(d) ~~(b) The authorized and outstanding bonded indebtedness of Wyandotte county shall not exceed 6% 30% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.~~

(e) ~~The authorized and outstanding bonded indebtedness of Johnson county shall not exceed 2% of the assessed value of all tangible taxable property within such county, as certified to the county clerk on the preceding August 25.~~

Sec. 3. K.S.A. 12-1741b and K.S.A. 1984 Supp. 10-306 are hereby repealed.

Sec. 4. From and after July 1, 1985, K.S.A. 1984 Supp. 10-306 as amended by Section 1 of 1985 Senate Bill No. 14 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body March 13, 1985.

(continued)

HOUSE adopted Conference Committee report April 13, 1985.

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

Passed the SENATE as amended April 5, 1985.

SENATE adopted Conference Committee report April 13, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED April 29, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 29th day of April, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

SENATE BILL No. 84

AN ACT concerning local retailers' sales taxes; relating to the situs of the leasing of certain telecommunication or data processing equipment; amending K.S.A. 1984 Supp. 12-191, as amended by section 1 of 1985 House Bill No. 2196, and repealing the existing section.

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

Section 1. K.S.A. 1984 Supp. 12-191, as amended by section 1 of 1985 House Bill No. 2196, is hereby amended to read as follows: 12-191. All retail transactions consummated within a county or city having a retail sales tax, which transactions are subject to the Kansas retailers' sales tax, shall also be subject to such county or city retail sales tax, except as otherwise expressly provided in K.S.A. 12-190, and amendments thereto. Except as hereinafter provided, all retail sales, for the purpose of this act, shall be considered to have been consummated at the place of business of the retailer. In the event the place of business of a retailer is doubtful the place or places at which the retail sales are consummated for the purposes of this act shall be determined under rules and regulations adopted by the secretary of revenue which rules and regulations shall be considered with state and federal law insofar as applicable. Retail sales involving the use, consumption, or furnishing of gas, water, electricity and heat, for the purposes of this act, shall be considered to have been consummated at the situs of the user or recipient thereof, and retail sales involving the use or furnishing of telephone service or services taxed under subsection (k) of K.S.A. 79-3603, and amendments thereto, shall be considered to have been consummated at the situs of the subscriber billed therefor. *Retail sales involving the leasing of telecommunication or data processing equipment commonly used in connection with telephone services shall be considered to have been consummated at the situs of the lessee.* Retail sales involving the furnishing of services taxable under subsections (p), (q) and (r) of K.S.A. 79-3603, and amendments thereto, pursuant to a contract under which the sale of such services and the furnishing of tangible personal property exceeds \$10,000 per contract per contractor shall be considered to have been consummated at the situs where such services are performed. The director of taxation is hereby authorized to request and receive from any retailer or from any city or county levying the tax such information as may be reasonably necessary to determine the liability of retailers for any county or city sales tax. The collection of any county sales tax authorized at a county primary or general election or sales tax levied by a class B city authorized at a city primary or general election shall commence

on the first day of the calendar quarter next following the 30th day after the date of the election authorizing the levy of such tax. The collection of any sales tax of a county or class B city approved at any other election shall commence on the first day of the calendar quarter next following the 60th day after the date of the election authorizing the levy of such tax. For the purposes of this section, "county primary election" shall mean the election held on the first Tuesday of August in an even-numbered year; "county general election" shall mean the election held on the Tuesday succeeding the first Monday in November of an even-numbered year; "city primary election" shall mean the election held on the first Tuesday in August of an even-numbered year or a date four weeks preceding an election on the first Tuesday in April; and "city general election" shall mean the election held on the Tuesday succeeding the first Monday in November of an even-numbered year or on the first Tuesday in April.

A city retailers' sales tax shall not become effective within any area annexed by a city levying such tax until the first day of the month following the 30th day after the date that the governing body of such city provided the state department of revenue with a certified copy of the annexation ordinance and a map of the city detailing the annexed area.

Whenever any sales tax, imposed by any class B city or county under the provisions of this act, shall become effective, at any time prior to the time that revenue derived therefrom may be budgeted for expenditure in such year, such revenue shall be credited to the funds of the taxing subdivision or subdivisions and shall be carried forward to the credit of such funds for the ensuing budget year in the manner provided for carrying forward balances remaining in such funds at the end of a budget year.

Sec. 2. K.S.A. 1984 Supp. 12-191, as amended by section 1 of 1985 House Bill No. 2196, is hereby repealed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body February 27, 1985.

SENATE adopted Conference Committee report April 25, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

Passed the HOUSE as amended April 8, 1985.

HOUSE adopted Conference Committee report April 25, 1985.

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

APPROVED May 3, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this third day of May, 1985.

(SEAL) JACK H. BRIER  
*Secretary of State.*

(Published in the KANSAS REGISTER, May 9, 1985.)

HOUSE BILL No. 2070

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.

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

Section 1. K.S.A. 1984 Supp. 40-252 is hereby amended to read as follows: 40-252. Every insurance company or fraternal benefit society organized under the laws of this state or doing business in this state shall pay to the commissioner of insurance fees and taxes specified in the following schedule:

A

*Insurance companies organized under the laws of this state:*

- Capital stock insurance companies and mutual legal reserve life insurance companies:
 

Filing application for sale of stock or certificates of indebtedness	\$25
Admission fees:	
Examination of charter and other documents	500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10
- Mutual life, accident and health associations:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10
- Mutual fire, hail, casualty and multiple line insurers and reciprocal or interinsurance exchanges:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10

In addition to the above fees and as a condition precedent to the continuation of the certificate of authority provided in this code, all such companies shall pay a fee of \$2 for each agent certified by the company and shall also pay a tax annually upon all premiums received on risk located in this state at the rate of 1% per annum less (1) for tax years prior to 1984, any taxes paid on business in this state pursuant to the provisions of K.S.A. 40-1701 to 40-1707, inclusive, and 75-1508 and amendments thereto and (2) for tax years 1984 and thereafter, any taxes paid on business in this state pursuant to the provisions of K.S.A. 75-1508 and amendments thereto and the amount of the firefighters relief tax credit determined by the commissioner of insurance. The amount of the firefighters relief tax credit for a company for the current tax year shall be determined by the commissioner of insurance by dividing (A) the total amount of credits against the 1% tax imposed by this section for taxes paid by all such companies on business in this state under K.S.A. 40-1701 to 40-1707, inclusive, and amendments thereto for tax year 1983, by (B) the total amount of taxes paid by all such companies on business in this state under K.S.A. 40-1703 and amendments thereto for the tax year immediately preceding the current tax year, and by multiplying the result so obtained by (C) the amount of taxes paid by the company on business in this state under K.S.A. 40-1703 and amendments thereto for the current tax year.

Funds accepted by a life insurer under an agreement which provides for an accumulation of funds to purchase taxable annuities at later dates shall be taxable premiums either when received or when actually applied to the purchase of annuities, at the option of the insurer. If the funds are declared upon receipt, any interest or other gain that accrues thereon shall not be taxable as premium income, but if the funds are declared when applied to the purchase of annuities, the premium tax shall be paid on the entire amount so applied. Any such funds declared upon receipt which are thereafter withdrawn before application to the purchase of annuities may be deducted from tax base as "premiums" returned on account of cancellations.

In the computation of the gross premiums all such companies shall be entitled to deduct any premiums returned on account of

cancellations, all premiums received for reinsurance from any other company authorized to do business in this state, dividends returned to policyholders and premiums received in connection with the funding of a pension, deferred compensation, annuity or profit-sharing plan qualified or exempt under sections 401, 403, 404, 408, 457 or 501 of the United States internal revenue code. Should any such company remove or maintain, or both, either their home, principal or executive office or offices from this state, every such company shall be subject to the provisions of subsection D of this section.

B

*Fraternal benefit societies organized under the laws of this state:*

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10

C

*Mutual nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations and nonprofit optometric service corporations organized under the laws of this state:*

- Mutual nonprofit hospital service corporations:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10
- Nonprofit medical service corporations:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10
- Nonprofit dental service corporations:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10
- Nonprofit optometric service corporations:
 

Admission fees:	
Examination of charter and other documents	\$500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10

In addition to the above fees and as a condition precedent to the continuation of the certificate of authority, provided in this code, every corporation or association shall pay annually to the commissioner of insurance a privilege fee in an amount equal to 1% per annum of the total of all premiums, subscription charges, or any other term which may be used to describe the charges made by such corporation or association to subscribers for hospital, medical or other health services or indemnity received during the preceding year. In such computations all such corporations or associations shall be entitled to deduct any premiums or subscription charges returned on account of cancellations and dividends returned to members or subscribers.

D

*Insurance companies organized under the laws of any other state, territory or country:*

- Capital stock insurance companies and mutual legal reserve life insurance companies:
 

Filing application for sale of stock or certificates of indebtedness	\$25
Admission fees:	
Examination of charter and other documents	500
Filing annual statement	100
Certificate of authority	10
Annual fees:	
Filing annual statement	100
Continuation of certificate of authority	10

(continued)

In addition to the above fees all such companies shall pay \$5 for each agent certified by the company, except as otherwise provided by law.

As a condition precedent to the continuation of the certificate of authority, provided in this code, every company organized under the laws of any other state of the United States or of any foreign country shall pay a tax upon all premiums received during the preceding year at the rate of 2% per annum.

Funds accepted by a life insurer under an agreement which provides for an accumulation of funds to purchase taxable annuities at later dates shall be taxable premiums either when received or when actually applied to the purchase of annuities, at the option of the insurer. If the funds are declared upon receipt, any interest or other gain that accrues thereon shall not be taxable as premium income, but if the funds are declared when applied to the purchase of annuities, the premium tax shall be paid on the entire amount so applied. Any such funds declared upon receipt which are thereafter withdrawn before application to the purchase of annuities may be deducted from tax base as "premiums" returned on account of cancellations.

In the computation of the gross premiums all such companies shall be entitled to deduct any premiums returned on account of cancellations, dividends returned to policyholders and all premiums received for reinsurance from any other company authorized to do business in this state and premiums received in connection with the funding of a pension, deferred compensation, annuity or profit-sharing plan qualified or exempt under sections 401, 403, 404, 408, 457 or 501 of the United States internal revenue code.

2. Mutual life, accident and health associations:

Admission fees:	
Examination of charter and other documents .....	\$500
Filing annual statement .....	100
Certificate of authority .....	10
Annual fees:	
Filing annual statement .....	100
Continuation of certificate of authority .....	10

In addition to the above fees, every such company organized under the laws of any other state of the United States shall pay \$5 for each agent certified by the company, and shall pay a tax annually upon all premiums received at the rate of 2% per annum.

Funds accepted by a life insurer under an agreement which provides for an accumulation of funds to purchase taxable annuities at later dates shall be taxable premiums either when received or when actually applied to the purchase of annuities, at the option of the insurer. If the funds are declared upon receipt, any interest or other gain that accrues thereon shall not be taxable as premium income, but if the funds are declared when applied to the purchase of annuities, the premium tax shall be paid on the entire amount so applied. Any such funds declared upon receipt which are thereafter withdrawn before application to the purchase of annuities may be deducted from tax base as "premiums" returned on account of cancellations.

In the computation of the gross premiums all such companies shall be entitled to deduct any premiums returned on account of cancellations, dividends returned to policyholders and all premiums received for reinsurance from any other company authorized to do business in this state and premiums received in connection with the funding of a pension, deferred compensation, annuity or profit-sharing plan qualified or exempt under sections 401, 403, 404, 408, 457 or 501 of the United States internal revenue code.

3. Mutual fire, casualty and multiple line insurers and reciprocal or interinsurance exchanges:

Admission fees:	
Examination of charter and other documents and issuance of certificate of authority .....	\$500
Filing annual statement .....	100
Certificate of authority .....	10
Annual fees:	
Filing annual statement .....	100
Continuation of certificate of authority .....	10

In addition to the above fees, every such company or association organized under the laws of any other state of the United States shall pay a fee of \$5 for each agent certified by the

company and shall also pay a tax annually upon all premiums received at the rate of 2% per annum. In the computation of the gross premiums all such companies shall be entitled to deduct any premiums returned on account of cancellations, all premiums received for reinsurance from any other company authorized to do business in this state, and dividends returned to policyholders.

E

Fraternal benefit societies organized under the laws of any other state, territory or country:

Admission fees:	
Examination of charter and other documents .....	\$500
Filing annual statement .....	100
Certificate of authority .....	10
Annual fees:	
Filing annual statement .....	100
Continuation of certificate of authority .....	10

F

Mutual nonprofit hospital service corporations and nonprofit medical service corporations, nonprofit dental service corporations and nonprofit optometric service corporations organized under the laws of any other state, territory or country:

1. Mutual nonprofit hospital service corporations:	
Admission fees:	
Examination of charter and other documents .....	\$500
Filing annual statement .....	100
Certificate of authority .....	10
Annual fees:	
Filing annual statement .....	100
Continuation of certificate of authority .....	10
2. Nonprofit medical service corporations, nonprofit dental service corporations and nonprofit optometric service corporations:	
Admission fees:	
Examination of charter and other documents .....	\$500
Filing annual statement .....	100
Certificate of authority .....	10
Annual fees:	
Filing annual statement .....	100
Continuation of certificate of authority .....	10

In addition to the above fees and as a condition precedent to the continuation of the certificate of authority, provided in this code, every corporation or association shall pay annually to the commissioner of insurance a privilege fee in an amount equal to 2% per annum of the total of all premiums, subscription charges, or any other term which may be used to describe the charges made by such corporation or association to subscribers in this state for hospital, medical or other health services or indemnity received during the preceding year. In such computations all such corporations or associations shall be entitled to deduct any premiums or subscription charges returned on account of cancellations and dividends returned to members or subscribers.

G

All insurers shall pay a fee of \$10 for issuance of an amended certificate of authority.

For the purpose of insuring the collection of the tax upon premiums, assessments and charges as set out in subsection A, C, D or F, every insurance company, corporation or association shall at the time it files its annual statement, as required by the provisions of K.S.A. 40-225, and amendments thereto, make a return, verified by affidavits of its president and secretary or other chief officers, to the commissioner of insurance, stating the amount of all premiums, assessments and charges received by the companies or corporations in this state, whether in cash or notes, during the year ending on the December 31 next preceding.

Commencing in 1985 and annually thereafter the estimated taxes shall be paid as follows: On or before June 15 and December 15 of such year an amount equal to 50% of the full amount of the prior year's taxes as reported by the company shall be remitted to the commissioner of insurance. As used in this paragraph, "prior year's taxes" includes (1) taxes assessed pursuant to this section for the prior calendar year, (2) fees and taxes assessed pursuant to K.S.A. 40-253, and amendments thereto, for the prior calendar year, and (3) taxes paid for maintenance of the department of the state fire marshal pursuant to K.S.A. 75-1508, and amendments thereto, for the prior calendar year.

Upon the receipt of such returns the commissioner of insur-

ance shall verify the same and assess the taxes upon such companies, corporations or associations on the basis and at the rate provided herein and *the balance* of such taxes shall thereupon become due and payable *giving credit for amounts paid pursuant to the preceding paragraph, or the commissioner shall make a refund if the taxes paid in the prior June and December are in excess of the taxes assessed.*

H

The fee prescribed for the examination of charters and other documents shall apply to each company's initial application for admission and shall not be refundable for any reason.

Sec. 2. K.S.A. 1984 Supp. 40-252 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 25, 1985.

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

Passed the SENATE April 26, 1985.

ROBERT V. TALKINGTON  
*President of the Senate.*  
LU KENNEY  
*Secretary of the Senate.*

APPROVED May 2, 1985.

JOHN CARLIN  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

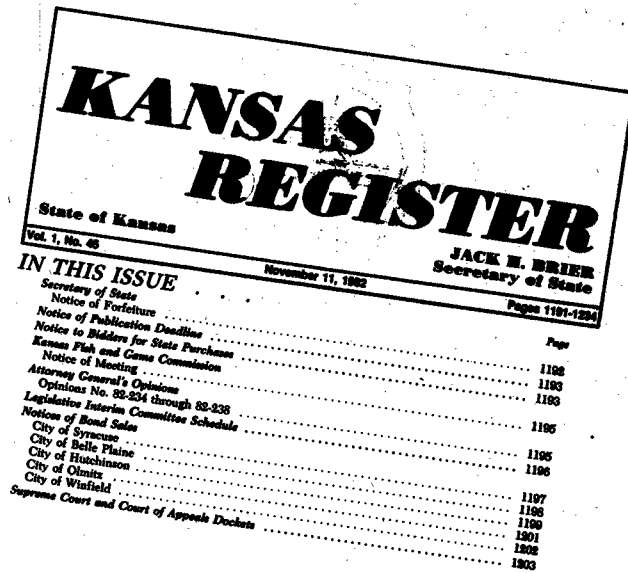
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 2nd day of May, 1985.

(SEAL)

JACK H. BRIER  
*Secretary of State.*

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