

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

DEPARTMENT ON AGING

NOTICE OF HEARING ON THE
PROPOSED FY 86-FY 87
KANSAS STATE PLAN ON AGING

The Kansas Department on Aging (KDOA) will be holding three public hearings on the proposed FY 86-FY 87 Kansas State Plan on Aging. The hearing schedule is as follows:

Tuesday, July 9, 1985 at 9:45 a.m. in the Trinity Building, 1107 6th St., Dodge City, KS 67801.

Wednesday, July 10, 1985 at 9:45 a.m. at the Downtown Senior Center, 335 W. Lewis, Wichita, KS 67202.

Thursday, July 11, 1985 at 1:30 p.m. at Wyandotte Towers, 915 Washington Blvd., Kansas City, KS 66101.

Copies of the proposed plan will be available for review after June 21, 1985 at Area Agencies on Aging or at KDOA, 610 W. 10th, Topeka, KS 66612, (913) 296-4986 or 1-800-432-3535.

Those wishing to comment on the proposed plan should contact George A. Dugger at KDOA prior to the hearings. KDOA asks that a written copy of the comments be provided 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 through July 25, 1985.

SYLVIA HOUGLAND
Secretary of Aging

Doc. No. 003285

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENT

PUBLIC NOTICE

A Certificate of Need application from Providence-St. Margaret Health Center, Kansas City, Kansas, for the replacement of a CT Scanner, has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective June 23, 1985, unless appealed to the District Court of Wyandotte County, and shall be valid for one year.

A Certificate of Need application from Midwest Health Services, Inc., Topeka, KS, to develop a 60-bed skilled nursing facility, has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective June 28, 1985, unless appealed to the District Court of Shawnee County, and shall be valid for one year.

A Certificate of Need application from The Manor of Garnett, Inc., Garnett, Kansas, to re-open a 60-bed intermediate care facility, has been reviewed and approved by the Kansas Department of Health and Environment. This Certificate of Need shall become effective June 28, 1985, unless appealed to the District Court of Anderson County, and shall be valid for one year.

BARBARA J. SABOL
Secretary of Health
and Environment

Doc. No. 003287

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



PHONE: 913/296-3489

State of Kansas
SOCIAL AND REHABILITATION SERVICES
STATE PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES

NOTICE OF MEETING

The State Planning Council on Developmental Disabilities will meet at 10 a.m., Wednesday, June 12, 1985, in the Staff Development Training Center, Topeka State Hospital Grounds, Topeka, KS.

JOHN KELLY
 Administrator

Doc. No. 003282

State of Kansas
DEPARTMENT OF HEALTH
AND ENVIRONMENT

NOTICE OF HEARING
ON PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 9 a.m., Friday, June 21, 1985, at the Kansas Department of Health and Environment, Conference Room, Building 321, Forbes Field, Topeka, KS, to consider the adoption of proposed temporary and permanent regulations for the licensure of home health agencies.

The regulations, K.A.R. 28-51-100 through 28-51-112, will relate to all aspects of the administration, patient care and treatment, and aide training of the home health agency.

All interested parties may submit comments at any time prior to the hearing by addressing the Director, Bureau of Adult and Child Care Facilities, Kansas Department of Health and Environment, Forbes Field, Topeka, KS 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to speak, each participant will be limited to no more than five minutes for an oral presentation.

Following the hearing June 21, 1985, all written and oral comments submitted by interested parties will be considered by the Secretary of Health and Environment as the basis for making changes to these proposed regulations.

Copies of the regulations and the fiscal impact statement may be obtained by writing to the Bureau of Adult and Child Care Facilities, Department of Health and Environment, Forbes Field, Topeka, KS 66620.

BARBARA J. SABOL
 Secretary of Health
 and Environment

Doc. No. 003278

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 June 1, 1985 through June 30, 1985 shall be 13.56%.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 31st day of May, A.D. 1985.

JACK H. BRIER
 Secretary of State

Doc. No. 003289

(Published in the KANSAS REGISTER, June 6, 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., June 20, 1985, and then publicly opened:

DISTRICT THREE—Northwest

Phillips—36-74 M-1389-01—US-36, beginning at the Phillips-Norton county line, then east to the junction of US-36 and FAS 534, 11.5 miles, cold milling. (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. 003284

(Published in the KANSAS REGISTER, June 6, 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 K.D.O.T. Chief of Construction and Maintenance, Topeka, KS, until 10 a.m. C.D.T., June 20, 1985, and then publicly opened:

DISTRICT TWO—Northcentral

McPherson—56-59 M-1377-01—US-56, beginning at Eby Street then east to FAS 314, 1.6 miles, concrete pavement, pavement patching. (State Funds)

DISTRICT FOUR—Southeast

Coffey—35-16 M-1384-01—I-35, beginning 3.59 miles east from the Coffey-Lyon county line, replace wingwall, south wing. (State Funds)

Franklin—35-30 M-1385-01—I-35, beginning approximately 1.05 miles northeast of the Franklin-Osage county line, concrete pavement removal and replacement. (State Funds)

Montgomery—75-63 M-1386-01—US-75, beginning approximately 4.3 miles south and west of the west junction of US-75 and US-160, replace wingwall and footing, right side. (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. 003273

State of Kansas
DEPARTMENT OF TRANSPORTATION
NOTICE TO CONSULTING
ENGINEERING FIRMS

The Kansas Department of Transportation is inviting all consulting engineering firms who wish to become prequalified to contact K.D.O.T.

Prequalification is based on the following criteria:

1. Firm principals or employees include qualified and licensed professionals who can be assigned the responsibility of performing the type of projects for which the firm has applied.

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

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

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

JOHN B. KEMP
 Secretary of Transportation

Doc. No. 003277

State of Kansas
BOARD OF REGENTS
NOTICE OF HEARING
ON PROPOSED TEMPORARY
AND PERMANENT
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 10:30 a.m., Friday, June 21, 1985, at the Board of Regents' office, 400 S.W. 8th, Suite 609, Topeka, KS 66603, concerning the adoption of proposed temporary and permanent administrative regulations for the implementation of K.S.A. 76-746.

K.S.A. 76-746, as amended by 1985 House Bill 2622, authorizes the Board of Regents to implement a voluntary reduced service program for faculty at the Regents' institutions, pursuant to rules and regulations adopted by the Board. The following is a summary of the substance of the proposed regulations:

1. Any tenured faculty member at a Regents' university or any Kansas Technical Institute faculty member with seven or more years full-time service is eligible to participate in the program commencing with the academic year in which the faculty member becomes 60 years of age and continuing until the end of the academic year in which the individual becomes 65 years of age.
2. Entry into a reduced service agreement is voluntary as to both parties, except that the institution may only refuse to enter into such an agree-

ment when it is not in the best interest of the state institution to do so.

3. Any eligible faculty member shall submit a written request for reduced service to the appropriate unit chairperson and dean for review and transmittal to the chief academic officer of the institution, who shall determine whether entry into the agreement is in the institution's best interest and what terms are appropriate, and shall then recommend approval of the agreement to the chief executive officer of the institution.
4. Each reduced service agreement shall be irrevocable, except that the faculty member may rescind the agreement within 48 hours of signature.
5. Each reduced service agreement shall specify the fractional time appointment to be served, the initial salary for reduced service, the full time benefits to be received by the faculty member, the duration of the agreement including the retirement date, and shall be signed by the faculty member and the institution.
6. Participating faculty members shall retain full-time health care benefits, death and disability coverage and employer-paid retirement benefits until the end of the academic year in which the participant attains age 65 or full retirement, whichever occurs first, and shall continue to have full use of the institution's facilities, retain eligibility for merit increases, and hold tenure proportionate to the fractional time appointment for the duration of the program.
7. Upon mutual consent, an agreement may be modified by further reducing a fractional time appointment prior to the specified date of retirement.
8. Full retirement must occur no later than the end of the academic year in which the participant attains age 70. Retirement under this program does not preclude post-retirement term appointments.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed regulations. Written comments will be accepted prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement concerning the proposed regulations should be submitted to the above address.

WILLIAM R. KAUFFMAN
General Counsel
Board of Regents

Doc. No. 003283

State of Kansas

SOCIAL AND REHABILITATION SERVICES

CHILDREN AND YOUTH ADVISORY COMMITTEE

NOTICE OF MEETING

The statutorily created Children and Youth Advisory Committee will meet at 1:30 p.m., Monday, June 10, 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. 003281

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, JUNE 17, 1985

#26607

Wichita State University, Wichita—REPAIR OF
MICROSCOPES

#61538-A

Kansas Technical Institute, Salina—DRAFTING
EQUIPMENT

#62292

Topeka State Hospital, Topeka—ADULT CLOTH
DIAPERS

#62294

Kansas State University, Manhattan—VIDEO
EQUIPMENT

#62298

Kansas Neurological Institute, Topeka—
HEALTHCARE FURNITURE

#62299

University of Kansas Medical Center, Kansas
City—SURGICAL INSTRUMENTS

#62300

Kansas Neurological Institute, Topeka—MOBIL
MEDICATION CART AND PHARMACARDS

#62301

Kansas Fish and Game Commission, Pratt—
CONSTRUCT "HAUL ROAD MARSHES," Mined
Land Wildlife Area, Cherokee County

#62302

Department of Transportation, Topeka and Kansas
State University, Manhattan—DRAFTING
EQUIPMENT AND SUPPLIES

62303

Department of Social and Rehabilitation Services,
Topeka—FIRE ALARM SYSTEM

#62304

Department of Transportation, Topeka—VAN

(continued)

#62305

Department of Social and Rehabilitation Services,
Topeka—DICTATION EQUIPMENT, Topeka and
Wichita

#62306

Department of Transportation—FLEXIBLE
DELINEATOR POSTS

#62310

Kansas State University, Manhattan—
MICROCOMPUTER—IBM XT COMPATIBLE

#62311

Pittsburg State University, Pittsburg; Kansas Bureau
of Investigation, Topeka; and Kansas State University,
Manhattan—PHOTOGRAPHIC EQUIPMENT AND
SUPPLIES

#62312

University of Kansas Medical Center, Kansas
City—HARD DISK—COMPUPRO COMPATIBLE

#62313

Department of Administration, Division of Printing,
Topeka—CHIP BOARD

#62324

University of Kansas, Lawrence—MAPS

#62325

Department of Social and Rehabilitation Services,
Topeka—SHARED LOGIC OFFICE AUTOMATION
SYSTEM DATA GENERAL COMPATIBLE

TUESDAY, JUNE 18, 1985

#A-4004(f)

Kansas State Historical Society, Topeka—PROVIDE
MODIFICATIONS FOR AIR HANDLING UNIT-
5A, for Museum of History

#A-5021

Youth Center at Beloit, Beloit—REPLACE BURIED
STEAM AND PUMPED CONDENSATE LINES

#A-5022

Youth Center at Beloit, Beloit—MODIFY
VENTILATION AND REPLACE CONTROLS FOR
TWO AIR HANDLING UNITS

#A-5177

Topeka State Hospital, Topeka—REPLACE 30 TON
CONDENSING UNITS

#26594

Kansas Correctional Industries, Lansing—
BLENDED TRAFFIC PAINT THINNER

#26595

Kansas Correctional Industries, Lansing—
AMORPHOUS SILICA FOR PAINT

#26600

Kansas Correctional Industries, Lansing—NEW 55
GALLON STEEL DRUMS

#26604

Kansas State University, Manhattan—SAND AND
READY MIX CONCRETE

#61673-A

Department of Revenue, Topeka—
MICROCOMPUTER

#62318

Kansas State University, Manhattan—VIDEO
EQUIPMENT

#62319

Kansas State University, Manhattan—
MICROCOMPUTER-INTEL SYSTEM 330A
COMPATIBLE

#62320

Department of Transportation, Topeka—
WEIGHT-IN-MOTION EQUIPMENT

WEDNESDAY, JUNE 19, 1985

#26603

University of Kansas Medical Center, Kansas City
and other state agencies—CRYOGENIC GASES
(GASEOUS HELIUM, LIQUID HELIUM AND
LIQUID NITROGEN)

#26605

Kansas Correctional Industries, Lansing—
TOWELING

#62327

Department of Revenue, Topeka—RE-LOAD
AMMO

#62331

Kansas Correctional Industries, Lansing—STEEL
SHEETS

#62332

Department of Transportation, Hutchinson—
SWEEPER

#62334

Department of Social and Rehabilitation Services,
Topeka—MATTRESS AND BOX SPRING
MACHINERY, Kansas Industries for the Blind,
Kansas City

#62335

Department of Social and Rehabilitation Services,
Topeka—BLIND MADE PRODUCTS

#62336

Kansas Technical Institute, Salina and Emporia State
University, Emporia—VIDEO EQUIPMENT

#62337

University of Kansas Medical Center, Kansas City—
DRAPERIES AND INSTALLATION

THURSDAY, JUNE 20, 1985

#26608

Kansas State Fair, Hutchinson—STATE FAIR
PRIZE RIBBONS, ROSSETTES AND BANNERS

#61712-A

State Corporation Commission, Wichita—
PLUGGING ABANDONED OIL WELLS

#62339

Department of Administration, Division of Printing,
Topeka—GRAPHIC ARTS EQUIPMENT AND
SUPPLIES

FRIDAY, JUNE 21, 1985

#62343

Kansas Neurological Institute, Topeka—
COMPUTER SOFTWARE

MONDAY, JUNE 24, 1985

#62293

Kansas Corporation Commission, Pittsburg—OSAGE
MINE REPAIR OF RECLAMATION, Linn County

THURSDAY, JUNE 27, 1985

#26606

Kansas State University, Manhattan—PEST
CONTROL SERVICE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 003279

(Published in the KANSAS REGISTER, June 6, 1985.)

**NOTICE OF BOND SALE
GENERAL OBLIGATION BONDS
OF THE
CITY OF NESS CITY, KANSAS**

The CITY OF NESS CITY, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 109 S. Iowa, Box 419, Ness City, Kansas until 7:30 P.M. local time on Wednesday, June 12, 1985 for \$392,890.59 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 June 1, 1985 and shall mature on September 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 bond #1 in the denomination of \$7,890.59. Interest will be payable semiannually commencing March 1, 1986 and each September 1 and March 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the Interest Payment Dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the bonds shall be paid by the City.

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

Principal Amount	Maturity Date	Principal Amount	Maturity Date
\$32,890.59	9/1/86	\$40,000.00	9/1/91
40,000.00	9/1/87	40,000.00	9/1/92
40,000.00	9/1/88	40,000.00	9/1/93
40,000.00	9/1/89	40,000.00	9/1/94
40,000.00	9/1/90	40,000.00	9/1/95

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 ($\frac{1}{8}$ th) or one-twentieth ($\frac{1}{20}$ th) of one percent (1%). The difference between the highest and lowest rates specified in any bid shall not exceed two and one half percent ($2\frac{1}{2}$ %). No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on Monday next preceding the day on which the bonds are sold, plus $2\frac{1}{2}$ %, 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 Joyce Clark, City Clerk at the City Hall, 109 S. Iowa, Box 419, Ness City, Kansas 67560, 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. 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 NESS CITY, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bids

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice, and the bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Delivery of 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 William P. Timmerman, 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 24, 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 July 10, 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 William P. Timmerman, 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

(continued)

of printing the bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property, but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

Purpose of Issue

The bonds are being issued for the purpose of constructing certain street improvements in the City of Ness City, 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 for the City of Ness City, Kansas, a third class city, for the year 1984 are as follows:

Equalized Assessed Valuation of Taxable	
Tangible Property	\$5,098,024
Tangible Valuation of Motor Vehicles	1,471,181
Motor Vehicle Inventory Valuation	55,850
Total Equalized Assessed Tangible	
Valuation	\$6,625,055
Percent of Assessed Valuation to Actual Valuation (\$42,468,301)—	
15.6%	

Bonded Indebtedness

The total direct bonded indebtedness of the City of Ness City, Kansas, at the date hereof, including this \$392,890.59 proposed issue of bonds, is in the amount of \$900,890.59. The City will retire \$441,562.50 of outstanding Temporary Notes from the proceeds of the bonds and other available funds. The City has outstanding \$145,000 water revenue bonds, a self supporting debt.

Overlapping Indebtedness

Ness County Hospital District #2	\$16,740.00
----------------------------------	-------------

Total Direct and Overlapping Indebtedness

\$917,630.59	
Percentage of Direct Debt to Assessed	
Valuation	13.6%
Percentage of Direct and Overlapping	
Debt to Assessed Valuation	13.9%
Per-Capita Debt (1,823 pop.)	\$503.00

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 of Ness City, Kansas,

or from Zahner and Company, 127 W. 10th Street, Kansas City, Missouri, the City's financial advisor.
 DATED this 24th day of May, 1985.

CITY OF NESS CITY, KANSAS
 By JOYCE CLARK, City Clerk
 City Hall
 109 S. Iowa
 Ness City, KS 67560
 (913) 798-2229

Doc. No. 003275

(Published in the KANSAS REGISTER, June 6, 1985.)

NOTICE OF BOND SALE
\$278,000.00
STREET IMPROVEMENT BONDS
SERIES "A," 1985
CITY OF ELLIS
ELLIS COUNTY, KANSAS
 (General obligations, payable from unlimited ad valorem taxes)

Pursuant to K.S.A. 10-106 as amended, written sealed bids will be received by the City Clerk of the City of Ellis, Ellis County, Kansas (the "City"), in the Office of the City Clerk, City Hall, P.O. Box 27, Ellis, Kansas 67637, until 8:00 o'clock p.m., local time on **TUESDAY, JUNE 25, 1985**

at which time and place said bids will be publicly opened and read for the purchase of \$278,000.00 aggregate principal amount of General Obligation Street Improvement Bonds (Series "A," 1985) (the "Bonds"). All bids received will be reported to the City Council for determination of the best bid at a meeting of the Council to be held at said time, date and place.

Details of the Bonds

The Bonds will consist of an issue of \$278,000.00 principal amount of General Obligation Street Improvement Bonds, Series "A," 1985. The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, with the exception of one bond, be dated July 1, 1985, and becoming due serially on November 1 of each year in the principal amounts as follows:

SERIES "A," 1985—\$278,000.00	
<i>Year</i>	<i>Principal Amount</i>
1986	\$18,000
1987	\$20,000
1988	\$30,000
1989	\$30,000
1990	\$30,000
1991	\$30,000
1992	\$30,000
1993	\$30,000
1994	\$30,000
1995	\$30,000

The Bonds will bear interest at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on November 1 and May 1 of each year, beginning on May 1, 1986.

Both principal and interest on the Bonds will be payable in lawful money of the United States of

America at the Office of the Treasurer of the State of Kansas in the City of Topeka, Kansas, (the "Paying Agent" and the "Bond Registrar") to the registered owners thereof whose names are on the registration books of the Bond Registrar as of the 15th day of the month preceding each interest payment date.

The Bonds will be registered in the Office of the Kansas State Treasurer pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas, registered as either fully registered certificated bonds and/or uncertificated bonds. The successful bidder (the "Purchaser"), may express its preference, and the City will honor said successful purchaser's preference regarding the plan of registration.

The City will pay for all initial registration costs and for printing a reasonable supply of registered bond blanks as determined by the Registrar and Paying Agent. Any additional costs or fees that might be incurred in the secondary market will be the responsibility of the bondholders.

The type and denominations of the Bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the City by July 10, 1985.

Authority, Purpose and Security for the Bonds

The Bonds are being issued pursuant to and in full compliance with the constitution and laws of the State of Kansas including K.S.A. 12-6a01 *et seq.*, Article 1 of Chapter 10 and Chapter 49 of the 1983 *Kansas Session Laws*, and all amendments thereto, for the purpose of paying the cost of certain street improvements.

The General Obligation Street Improvement Bonds, Series "A," 1985, will be general obligations of the City, payable as to both principal and interest from special assessments levied against property especially benefitted by the construction of said improvements and from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property within the City.

Conditions of Bids

Bids will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all Bonds maturing in the same year. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by *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, plus 2%, and the difference between the highest and lowest interest rates specified in any bid shall not exceed 2%. No bid of less than the principal amount of the Bonds plus accrued interest thereon to the date of delivery will be considered. 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.

Basis of Award

The award of the Bonds shall be made on the basis

of the lowest net interest cost to the City, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the City. If there is any discrepancy between said net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids which provide for identical amounts for the lowest net interest cost are received, the City shall determine which bid, if any, shall be accepted, and its determination shall be final.

Delivery of and Payment for the Bonds

The City will pay for printing and registering the Bonds and will deliver the same properly prepared, executed and registered to the successful bidder within 60 days after the date of sale at such bank or trust company located in the contiguous United States of America, as may be specified by the successful bidder without cost to the successful bidder. Payment for the Bonds shall be made in federal reserve funds or other funds which shall be available to the City on the same day the Bonds are delivered to the successful bidder. The successful bidder will be furnished with a certified transcript 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 the delivery of the Bonds affecting their validity.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Bond Counsel, Topeka, Kansas, whose unqualified approving opinion will be furnished and paid for by the City, and will be printed on the Bonds and provided to the successful bidder as and when the Bonds are delivered. Said opinion will also state that in the opinion of Bond Counsel, under existing laws and regulations, the interest on the Bonds is exempt from federal income taxation and from Kansas intangible personal property tax.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on certificated bonds, or assigned to uncertificated bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the successful bid and this Notice of Bond Sale. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid for by the City.

Good Faith Deposit

Each bid must be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$5,560.00 (2% of the total par value of the Bonds) made payable to the order of the Treasurer of the City of Ellis, Kansas, to secure the City from any loss resulting from the failure of the bidder to comply with the terms of its bid. No interest

(continued)

(Published in the KANSAS REGISTER, June 6, 1985.)

SENATE BILL No. 161

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1985, for the attorney general, department of economic development, Kansas public employees retirement system, department of human resources, Fort Hays state university, state library, university of Kansas, university of Kansas medical center, state board of agriculture, department of education, Kansas state university, Wichita state university, Kansas technical institute, Kansas water office, board of state fair managers, Kansas state grain inspection department, Kansas state university veterinary medical center, state board of regents, attorney general — Kansas bureau of investigation and department of administration; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

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

Section 1. For the fiscal year ending June 30, 1985, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures \$80,000

Sec. 3.

DEPARTMENT OF ECONOMIC DEVELOPMENT

(a) There is appropriated for the above agency from the state general fund the following:

Industrial development \$75,000

(b) On the effective date of this act, the limitation imposed upon the transfer of moneys during fiscal year 1985 from the Kansas advanced technology commission—research projects grants account of the state general fund by section 23(b) of chapter 23 of the 1984 Session Laws of Kansas for Wichita state university is hereby increased from \$130,000 to \$200,833.

(c) On the effective date of this act, the limitation imposed upon the transfer of moneys during fiscal year 1985 from the Kansas advanced technology commission—research projects grants account of the state general fund by section 23(b) of chapter 23 of the 1984 Session Laws of Kansas for Pittsburg state university is hereby increased from \$85,000 to \$170,000.

Sec. 4.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) The expenditure limitation established by the state finance council on the administrative expenss account of the Kansas public employees retirement fund is hereby increased from \$2,284,486 to \$2,426,091.

Sec. 5.

DEPARTMENT OF HUMAN RESOURCES

(a) There is appropriated for the above agency from the state general fund the following:

Administration and staff services \$14,450
Employment service 25,000
Labor relations and employment standards 21,135
Mediation and fact-finding 6,000

Total \$66,585

(b) The expenditure limitation established by section 30(b) of chapter 23 of the 1984 Session Laws of Kansas on the job training partnership act—title III—dislocated workers fund is hereby increased from \$924,805 to \$1,783,824.

(c) The expenditure limitation established by section 30(b) of chapter 23 of the 1984 Session Laws of Kansas on the job training partnership act—title II-A—disadvantaged training fund is hereby increased from \$11,784,850 to \$13,396,173: Provided, That any transfers of moneys from this fund to state agencies shall be in addition to any expenditure limitation imposed on this fund.

(d) The expenditure limitation established by section 30(b) of chapter 23 of the 1984 Session Laws of Kansas on the job training partnership act—title II-B—summer youth training fund is hereby increased from \$4,465,938 to \$6,057,792.

(e) The expenditure limitation established by the state fi-

will be paid on the deposit made by the successful bidder. Said check will be returned to the bidder if the bid is not accepted. If a bid is accepted, said check may be deposited by the City or held by the City until the bidder has complied with all of the terms and conditions of this notice, at which time the check will be deposited and credited to the order of the bidder. If a bid is accepted but the City shall fail to deliver the Bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the City as and for liquidated damages.

Bid Forms

All bids shall be subject to the terms and conditions contained in this Notice of Bond Sale and must be made on the bid forms which may be obtained from the City Clerk, or upon equivalent forms. No additions or alterations may be made to such forms and any erasures may cause rejection of any bid. The City reserves the right to waive irregularities and to reject any and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes and addressed to the undersigned City Clerk, City Hall, P.O. Box 27, Ellis, Kansas 67637, and marked "Bid for the Purchase of Bonds." Bids may be submitted by mail or delivered in person, and must be received by the undersigned prior to 8:00 o'clock p.m. local time on June 25, 1985.

Assessed Valuation and Indebtedness

The total equalized assessed valuation of the taxable, tangible property within the City for the year 1984 is \$3,609,015.00, including motor vehicle valuation of \$1,064,148.00, motor vehicle dealer's inventory valuation of \$00.00, and farm machinery and business aircraft valuation of \$00.00. The total general obligation bonded indebtedness of the City as of May 1, 1985, including the Bonds being sold, is \$753,000.00, plus temporary notes in the amount of \$286,002.08, of which amount the sum of \$286,002.08 will be retired from the proceeds of these bonds and certain other funds.

Bond Ratings

The outstanding general obligation bonds of the City have not been rated and the City has not applied for a rating on the Bonds herein offered for sale.

DATED this 24th day of May, 1985.

BERNIE SCHOENTHALER
City Clerk
City Hall
P.O. Box 27
Ellis, KS 67637
(913) 726-4812

Doc. No. 003280

nance council on the occupational information system—federal fund is hereby decreased from \$126,284 to \$101,784.

(f) The position limitation established by section 3 of chapter 16 of the 1984 Session Laws of Kansas for the department of human resources is hereby decreased from 1,051.5 to 1,039.5.

(g) The expenditure limitation established by section 30(b) of chapter 23 of the 1984 Session Laws of Kansas on the expenditures of moneys made available to the state under section 903 of the social security act, as amended, account of the employment security administration fund is hereby decreased from \$249,000 to \$151,000.

(h) In addition to other projects for which expenditures may be made for fiscal year 1985 from the employment security administration fund, as prescribed by section 30(b) of chapter 23 of the 1984 Session Laws of Kansas, the department of human resources is hereby authorized to make expenditures for fiscal year 1985 from such fund for the lease-purchase of a building at 433 south Topeka avenue in Topeka, Kansas.

Sec. 6.

FORT HAYS STATE UNIVERSITY

(a) On the effective date of this act, any unencumbered balance in the following account of the federal revenue sharing fund is hereby lapsed: Major repairs, special maintenance and remodeling for institutions of higher education—maintenance and repair projects.

(b) The expenditure limitation established by section 2(b) of chapter 21 of the 1984 Session Laws of Kansas on the general fees fund is hereby decreased from \$3,258,724 to \$3,240,724.

(c) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures (including official hospitality) \$18,000

Sec. 7.

STATE LIBRARY

(a) The expenditure limitation established by the state finance council on the federal library services and construction act fund is hereby increased from \$1,054,820 to No limit.

(b) The expenditure limitation established by section 2(b) of chapter 18 of the 1984 Session Laws of Kansas on the state operations account of the federal library services and construction act fund is hereby increased from \$239,552 to No limit.

(c) There is appropriated for the above agency from the state general fund the following:

Reference services \$1,625

Sec. 8.

UNIVERSITY OF KANSAS

(a) The expenditure limitation established by section 44(b) of chapter 23 of the 1984 Session Laws of Kansas on the general fees fund is hereby increased from \$24,840,000 to \$26,340,000.

(b) On the effective date of this act, of the \$55,850,779 appropriated for the above agency by section 44(a) of chapter 23 of the 1984 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$1,500,000 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue funds all moneys now or hereafter lawfully credited to and available in such funds, except that expenditures shall not exceed the following:

Plan and construct human development center—federal fund No limit

Provided, That expenditures may be made from this fund to raze buildings numbered 27A, 27B, 27C, 28, 29, 55 and 57 in order to clear the site for construction of the human development center.

Plan and construct human development center—gift fund No limit

Sec. 9.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) The expenditure limitation established by section 48(b) of chapter 23 of the 1984 Session Laws of Kansas on the hospital revenue fund is hereby increased from \$59,443,113 to \$62,443,113.

(b) On the effective date of this act, of the \$51,067,773 appropriated for the above agency by section 48(a) of chapter 23 of the 1984 Session Laws of Kansas from the state general fund in

the operating expenditures (including hospitality) account, the sum of \$3,000,000 is hereby lapsed.

(c) On the effective date of this act, of the \$3,518,560 appropriated for the above agency by section 48(a) of chapter 23 of the 1984 Session Laws of Kansas from the state general fund in the contractual agreements and scholarships for medical education account, the sum of \$46,908 is hereby lapsed.

(d) On the effective date of this act, of the \$5,593,696 appropriated for the above agency by section 48(a) of chapter 23 of the 1984 Session Laws of Kansas from the state general fund in the operating expenditures for utilities account, the sum of \$311,543 is hereby lapsed.

(e) On the effective date of this act, of the \$1,247,004 appropriated for the above agency for the fiscal year ending June 30, 1985, by section 2(b) of chapter 13 of the 1984 Session Laws of Kansas from the Kansas educational building fund in the purchase equipment for and construct addition to Applegate energy center account, the sum of \$500,000 is hereby lapsed.

(f) There is appropriated for the above agency from the university of Kansas hospital fund the following:

Purchase equipment for addition to Applegate energy center \$500,000

(g) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$650,000 from the hospital revenue fund to the university of Kansas hospital fund.

Sec. 10.

STATE BOARD OF AGRICULTURE

(a) The expenditure limitation established by the state finance council on the Kansas corn commission fund is hereby increased from \$188,223 to \$188,266.

(b) The expenditure limitation established by the state finance council on the Kansas grain sorghum commission fund is hereby increased from \$395,405 to \$395,505.

(c) The expenditure limitation established by the state finance council on the Kansas soybean commission fund is hereby increased from \$397,064 to \$397,126.

(d) The expenditure limitation established by the state finance council on the federal pesticide enforcement fund is hereby increased from \$189,039 to \$207,421.

Sec. 11.

DEPARTMENT OF EDUCATION

(a) The expenditure limitation established by section 51(a) of chapter 23 of the 1984 Session Laws of Kansas on expenditures for state aid payments for special education teaching units from the special education services account of the state general fund is hereby increased from \$61,173,165 to \$61,458,383.

(b) The expenditure limitation established by section 51(b) of chapter 23 of the 1984 Session Laws of Kansas on the elementary and secondary school aid—federal fund is hereby increased from \$26,295,000 to \$27,854,470.

(c) The expenditure limitation established by the state finance council on the education of handicapped children fund—federal is hereby increased from \$11,229,430 to \$12,169,219.

(d) The expenditure limitation established by section 51(b) of chapter 23 of the 1984 Session Laws of Kansas on the educational research grants and projects fund—federal is hereby increased from \$750,000 to \$910,403.

(e) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures \$10,000

Sec. 12.

KANSAS STATE UNIVERSITY

(a) The expenditure limitation established by section 39(b) of chapter 23 of the 1984 Session Laws of Kansas on the general fees fund is hereby decreased from \$16,197,798 to \$16,147,798.

(b) On the effective date of this act, of the \$196,000 appropriated for the above agency for the fiscal year ending June 30, 1985, by section 3(b) of chapter 13 of the 1984 Session Laws of Kansas from the Kansas educational building fund in the plan and construct plant sciences greenhouses account, the sum of \$110,000 is hereby lapsed.

(continued)

Sec. 13.

WICHITA STATE UNIVERSITY

(a) The expenditure limitation established by section 46(b) of chapter 23 of the 1984 Session Laws of Kansas on the general fees fund is hereby increased from \$10,693,966 to \$11,071,053.

(b) On the effective date of this act, of the \$27,857,283 appropriated for the above agency by section 46(a) of chapter 23 of the 1984 Session Laws of Kansas from the state general fund in the salaries and wages account, the sum of \$377,087 is hereby lapsed.

Sec. 14.

KANSAS TECHNICAL INSTITUTE

(a) There is hereby appropriated for the above agency from the state general fund the following:

Other operating expenditures (including official hospitality) \$3,975

(b) The expenditure limitation established by section 10(b) of chapter 21 of the 1984 Session Laws of Kansas on the general fees fund is hereby decreased from \$274,000 to \$236,025.

(c) There is appropriated for the above agency from the Kansas educational building fund the following:

Replace telephone system \$70,000

Sec. 15.

KANSAS WATER OFFICE

(a) The expenditure limitation established by section 8(b) of chapter 20 of the 1984 Session Laws of Kansas on the conversion of materials and equipment fund is hereby increased from \$0 to \$2,500.

Sec. 16.

BOARD OF STATE FAIR MANAGERS

(a) The expenditure limitation established by the state finance council on the state fair fee fund is hereby increased from \$1,497,391 to \$1,513,679.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$16,288 from the state general fund to the state fair fee fund.

Sec. 17.

KANSAS STATE GRAIN INSPECTION DEPARTMENT

~~(a) On the effective date of this act, the director of accounts and reports shall transfer \$30,000 from the grain inspection fee fund to the state general fund.~~

Sec. 18.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures (including official hospitality) \$20,000

(b) The expenditure limitation established by section 4(b) of chapter 21 of the 1984 Session Laws of Kansas on the hospital and diagnostic laboratory revenue fund is hereby decreased from \$1,162,000 to \$1,142,000.

Sec. 19.

STATE BOARD OF REGENTS

(a) On the effective date of this act, any unencumbered balance in the following account of the Kansas educational building fund is hereby lapsed: Major repairs, special maintenance, remodeling and technical assistance for energy conservation for institutions of higher education.

Sec. 20.

ATTORNEY GENERAL — KANSAS BUREAU
OF INVESTIGATION

(a) The expenditure limitation established by section 4(b) of chapter 19 of the 1984 Session Laws of Kansas on the criminal justice statistics— federal fund is hereby increased from \$33,816 to \$72,757.

Sec. 21. On or before June 30, 1985, the secretary of administration shall submit a report to the legislative coordinating council and to each member of the legislature detailing by state agency and purpose the total amount of moneys expended or encumbered by state agencies from moneys appropriated by the legislature for the fiscal year ending June 30, 1985, for interest under lease purchase or installment purchase agreements or

under certificate of participation financing or refinancing arrangements for personal property or fixtures acquired for one or more state agencies. Such report shall include projected amounts of interest by fiscal year which such state agencies are obligated to pay during the ensuing fiscal years under such agreements and financing or refinancing arrangements in effect on June 30, 1985, for which appropriations will be requested to be made by the legislature for such fiscal years.

Sec. 22. *Position limitations.* The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations made in this act or in any appropriations act of the 1984 regular session of the legislature or in any other appropriation act of the 1985 regular session of the legislature may be exceeded upon approval by 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.

Sec. 23. *Appeals to exceed limitations.* Upon written application to the governor and 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, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 24. *Effective date.* 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 28, 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 27, 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 28th day of May, 1985.

(SEAL) JACK H. BRIER
Secretary of State.

[Editor's note: Section 17 of SB 161 was line-item vetoed by Gov. John Carlin.]

State of Kansas

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

Applications set for hearing are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, KS, commencing at 9:30 a.m. unless otherwise noticed.*

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

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka, KS 66612, or telephone (913) 296-3808 or 296-2110.

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

**Applications set for June 27, 1985—
TOPEKA, KANSAS*****Renoticed Application for Extension and
Consolidation of Certificates of Convenience
and Necessity:***

Studer Truck Line, Inc.) Docket No. 22,729 M
P.O. Box 36) Docket No. 25,855 M
Beattie, Kansas 66406) Docket No. 34,133 M
) Docket No. 60,696 M
) Docket No. 64,306 M
) MC ID No. 100102

Applicant's Attorney: John Jandera, 641 Harrison Street, Topeka, Kansas 66603

Building material, coal, fertilizer, fertilizer ingredients, livestock, grain, feed, feed ingredients, seeds, hay, farm machinery,

Between points in the counties of Republic, Cloud, Ottawa, Saline, McPherson, Marion, Chase, Lyon, Coffey, Franklin, Miami, Johnson, Douglas, Shawnee, Osage, Wabaunsee, Morris, Geary, Dickinson, Clay, Riley, Pottawatomie, Jackson, Jefferson, Leavenworth, Wyandotte, Atchison, Doniphan, Brown, Nemaha, Marshall and Washington.

Also,

Between points in the above described counties, on the one hand, and on the other, points in Kansas.

Feed and feed ingredients,

Between Pratt County, Kansas, on the one hand, and on the other, points in Kansas.

Chemicals,

From Crawford County, Kansas, on the one hand, and on the other, points in Kansas.

***Petroleum products, liquefied petroleum gases,
and fertilizer ingredients,***

Between points in Brown, Nemaha, Marshall, Riley, Washington, Republic, Cloud, Clay, Pottawatomie,

Jackson, Geary, Dickinson, Morris and Wabaunsee counties.

Also,

Between said points, on the one hand, and on the other, points in Kansas.

Liquefied petroleum gases, and fertilizer ingredients,

Between points in Saline, McPherson, Harvey, Marion, Chase, Lyon and Jefferson counties, Kansas.

Also,

Between said counties, on the one hand, and on the other, points in Kansas.

Anhydrous ammonia,

Between Sedgwick, McPherson, Clay and Ford counties, Kansas.

Also,

Between said counties, on the one hand, and on the other, points in Kansas.

Liquid bulk fertilizer, excluding anhydrous ammonia,

Between all points and places within the state of Kansas.

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

Stan Bulthaup, dba) Docket No. 145,503 M
Baulthaup Trucking)
807 North Walnut)
Beloit, Kansas 67420)

Applicant's Attorney: None

Farm and livestock products,

Between all points and places in Mitchell, Sedgwick, Butler, Coffey, Kingman, Pratt, Sumner, Cowley, Harper and Reno counties, Kansas.

Also,

Between all points and places in Mitchell, Sedgwick, Butler, Coffey, Kingman, Pratt, Sumner, Cowley, Harper and Reno counties, Kansas, on the one hand, and on the other hand, all points and places in the state of Kansas.

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

Vernon L. Blundell, and) Docket No. 59,244 M
Diana C. Blundell, dba)
B & D Trucking)
807 Westlawn)
Dodge City, Kansas 67801) MC ID No. 100592

TO:

Raymond Cognasi and
Leo den Hoed, dba
C & D Trucking
407 Smith Street
Dodge City, Kansas 67801

Applicant's Attorney: John Fierro, 200 West Wyatt Earp, Dodge City, Kansas 67801

(continued)

Livestock and unprocessed hay and grain:

Between all points and places in Decatur and Sheridan counties.

Also,

Between all points and places within said counties, on the one hand, and points and places in Kansas, on the other.

Lumber, finished and unfinished,

Between all points in Decatur and Sheridan counties.

New and used farm machinery, set up and knocked-down,

Between all points and places in Decatur and Sheridan counties.

Also,

Between all points and places within said counties, on the one hand, and points and places in Gove and Thomas counties, on the other.

Processed mill feeds,

Between all points and places in Decatur and Sheridan counties.

Also,

Between points and places within said counties, on the one hand, and Phillipsburg, Norton and Colby, Kansas, on the other.

Application for Extension of Certificate of Convenience and Necessity:

Raymond Cognasi and) Docket No. 59,244 M
Leo den Hoed, dba)
C & D Trucking)
407 Smith Street)
Dodge City, Kansas 67801)

Applicant's Attorney: John Fierro, 200 West Wyatt Earp, Dodge City, Kansas 67801

Livestock and hay,

Between all points and places in the Decatur and Sheridan counties.

Also,

Between all points and places within said counties, on the one hand, and points and places in Kansas, on the other.

Lumber,

Between all points and places in Decatur and Sheridan counties.

Farm machinery,

Between all points and places in Decatur and Sheridan counties.

Also,

Between all points and places within said counties, on the one hand, and points and places in Gove and Thomas counties, on the other.

Processed mill feeds,

Between all points and places in Decatur and Sheridan counties.

Also,

Between points and places within said counties, on

the one hand, and Phillips, Norton and Thomas counties, Kansas, on the other.

Grain, dry feed and dry feed ingredients,

Between points and places in Kansas west of US Hwy 183.

Also,

Between points and places in the above described territory, on the one hand, and points and places in Kansas, on the other hand.

**Applications set for July 2, 1985—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Venus Automotive, Inc.) Docket No. 146,320 M
1316 Grand Avenue)
Kansas City, Missouri)
64106)

Applicant's Attorney: None

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

Between all points and places in Wyandotte and Johnson counties, Kansas.

Also,

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

Application for Certificate of Convenience and Necessity:

Floyd W. Rettig) Docket No. 146,146 M
R.R. 1, Box 2)
Hanover, Kansas 66945)

Applicant's Attorney: None

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

Between all points and places in Washington County, Kansas.

Also,

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

Application for Certificate of Convenience and Necessity:

Kenneth W. Goering, dba) Docket No. 146,318 M
Ken Goering Motors, Inc.)
113 South Ash)
McPherson, Kansas 67460)

Applicant's Attorney: None

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

Between all points and places within McPherson

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

Application for Extension of Certificate of Convenience and Necessity:

Steve Hake, dba) Docket No. 145,508 M
 Kansas Trucking Co.)
 Box 23)
 Tipton, Kansas 67485) MC ID No. 121593
 Applicant's Attorney: None

Grain,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Merle Snider Chev-Olds,) Docket No. 146,496 M
 Inc.)
 Route 2, Highway 160)
 West)
 Winfield, Kansas 67156)
 Applicant's Attorney: None

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

Between all points and places in Cowley, Sumner, Sedgwick, Chautauqua, Butler and Elk counties, Kansas.

Application for Certificate of Convenience and Necessity:

Lloyd M. Swor, dba) Docket No. 146,389 M
 Southwest Service Co.)
 7814 South Seneca)
 Wichita, Kansas 67233)
 Applicant's Attorney: None

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

Between all points and places in Sedgwick County, Kansas.

Also,

Between all points and places in Sedgwick County, Kansas, on the one hand, and all points and places in Kansas, on the other hand.

**Applications set for July 9, 1985—
 TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

G.M.L.C. Enterprises, Inc.) Docket No. 146,368 M
 4401 Speaker Road)
 Kansas City, Kansas)
 66106)
 Applicant's Attorney: Arthur Cerra, 2100 CharterBank
 Center, P.O. Box 19251, Kansas City, Missouri
 64141-2251

General commodities (except classes A and B explosives, household goods and commodities in bulk),

Between all points and places in Johnson, Wyandotte and Leavenworth counties, Kansas, on the one hand, and all points and places in Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Korte Trucking, Inc.) Docket No. 146,367 M
 606 Bancroft)
 Garden City, Kansas 67846)

Applicant's Attorney: William Barker, 3401 S.W. Harrison, Topeka, Kansas 66611

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

Between points in Scott, Kearny, Finney, Haskell, Gray and Ford counties, Kansas, on the one hand, and on the other, all points in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Commercial Cartage Co.) Docket No. 49,754 M
 343 Axminister Drive)
 Fenton, Missouri 63206) MC ID No. 100470

Applicant's Attorney: None

Commodities in bulk,

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Chemical Marketing) Docket No. 146,148 M
 Service, Inc.)
 Suite 2900 4th National)
 Bank)
 6th & Boulder Streets)
 Tulsa, Oklahoma 74119)

Applicant's Attorney: John Jandera, 641 Harrison Street, Topeka, Kansas 66603

Sulfur, sulfuric acid and spend acid,

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

Application for Certificate of Convenience and Necessity:

Ralph Arensdorf, dba) Docket No. 146,495 M
 Arensdorf Trucking)
 R.F.D. 3)
 Kingman, Kansas 67068)

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

(continued)

Livestock, hay, grain, dry feed, dry feed ingredients, fencing materials, farm supplies and farm machinery,

Between points in Comanche, Barber, Harper, Kiowa, Sedwick, Sumner, Pratt, Ford, Kingman, Edwards, Stafford, Reno and Harvey counties, Kansas.

Also,

Between the above described area, on the one hand, and points and places in the state of Kansas, on the other hand.

Gypsum, gypsum products and gypsum rock,

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

Application for Transfer of Certificate of Convenience and Necessity:

Jerry Arensdorf and) Docket No. 29,647 M
Ralph Arensdorf, dba)
Arensdorf Trucking)
P.O. Box 155)
Medicine Lodge, Kansas)
67104) MC ID No. 100233

TO:
Arensdorf Trucking, Inc.
P.O. Box 155
Medicine Lodge, Kansas 67104

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

Livestock, hay, grain, dry feed, dry feed ingredients, building materials, fencing materials, farm supplies and farm machinery,

Between points in Comanche, Barber, Harper, Kiowa, Sedgwick, Sumner, Pratt, Ford, Kingman, Edwards, Stafford, Reno and Harvey counties, Kansas.

Also,

Between the above described area, on the one hand, and points and places in the state of Kansas, on the other hand.

Gypsum, gypsum products and gypsum rock,

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

**Applications set for July 11, 1985—
TOPEKA, KANSAS**

Application for Consolidation, Redescription and for Extension of Certificate of Convenience and Necessity:

C & C Truck Line, Inc.) Docket No. 25,665 M
Rural Route 3)
Concordia, Kansas 66901) MC ID No. 100130

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

Livestock, grain, dry feed, dry feed ingredients, farm machinery, dry fertilizer and seed,

Between points and places in Thomas, Norton, Phillips, Smith, Jewell, Republic, Washington, Mar-

shall, Nemaha, Graham, Rooks, Osborne, Mitchell, Cloud, Clay, Riley, Pottawatomie, Ellis, Russell, Lincoln, Ottawa, Dickinson, Geary, Wabaunsee, Shawnee, Douglas, Leavenworth, Barton, Ellsworth, Saline, Morris, Lyon, Rice, McPherson, Marion, Chase, Reno, Harvey, Kingman, Sedgwick, Butler, Greenwood, Elk, Harper, Sumner, Cowley and Chautauqua counties.

Also,

Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Food and related items,

Between points and places in Cloud County.

Also,

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

Building materials,

Between points and places in Leavenworth, Wyandotte, Johnson, Mitchell, Ottawa, Sedgwick and Cloud counties.

Also,

Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Package oil,

Between points and places in McPherson, Sedgwick, Butler and Phillips counties.

Also,

Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Floyd A. Kochenower &) Docket No. 146,317 M
Patsy G. Kochenwoer,)
dba P & F Truck Line)
R.R. 1)
Princeton, Kansas 66078)

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

Livestock, grain, dry feed, dry feed ingredients, seeds, dry fertilizer, building materials, agricultural machinery,

Between points and places in Wyandotte, Johnson, Douglas, Osage, Lyon, Franklin, Miami, Linn, Anderson and Coffey counties.

Also,

Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Stephen W. Miller) Docket No. 146,147 M
R.R. 2, P.O. Box 91)
Osborne, Kansas 67473)

Applicant's Attorney: John Jandera, 641 Harrison Street, Topeka, Kansas 66603

Livestock, grain, feed, feed ingredients, dry fertilizer,
Between points in Osborne, Smith, Phillips, Rooks, Ellis, Russell, Lincoln, Mitchell and Jewell counties, Kansas.

Also,
Between points in said counties, on the one hand, and on the other, points in the state of Kansas.

Application for Transfer of Contract Carrier Permit:

Emerald Delivery Systems) Docket No. 125,277 M
5104-10 Winner Road)
Kansas City, Missouri)
64127) MC ID No. 104923

TO:
Fox Trucking Company, Inc.
1220 Senlac
Carrollton, Texas 75006

Applicant's Attorney: John Michaels, 601 West 47th Street, Kansas City, Missouri 64112

General commodities,

Between Sedgwick County, Kansas, on the one hand, and on the other, Butler, Cowley, Marion, Dickinson, Morris, Geary, Riley, Marshall, Nemaha, Brown, Doniphan, Pottawatomie, Jackson, Atchison, Wabaunsee, Shawnee, Jefferson, Leavenworth, Wyandotte, Lyon, Douglas, Johnson, Franklin, Miami, Chase, Osage, Coffey, Anderson, Linn, Greenwood, Wilson, Woodson, Allen, Bourbon, Neosho, Crawford, Elk, Chautauqua, Montgomery, Labette and Cherokee counties, Kansas.

Under contract with The Fox-Vliet Drug Co., Wichita, Kansas.

**Applications set for July 16, 1985—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Lawrence R. Feik, dba) Docket No. 146,365 M
L and J Trucking)
Box 102)
Spalding, Nebraska 68665)

Applicant's Attorney: None

Livestock and grain,

Between points and places in Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Kendall L. Becker,) Docket No. 35,005 M
Bruce D. Unruh,)
Wade R. Mastre,)
and David Unruh, dba)
Unruh House Moving)
P.O. Box 375)
Moundridge, Kansas)
67107) MC ID No. 100362

TO:

Kendall L. Becker,
Weldon Koehn, Wade R. Mastre,
and David Unruh, dba
Unruh House Moving
P.O. Box 375
Moundridge, Kansas 67107

Applicant's Attorney: John Jandera, 641 Harrison Street, Topeka, Kansas 66603

Frame houses, buildings, and granaries, in whole or in part,

Between all points and places in Kansas, in the counties of Harvey, Reno, Pawnee, Stafford, Edwards, Sedgwick, Sumner, Harper, Barber, Comanche, Kiowa, Pratt, Kingman, Salina, McPherson, Rice and Ellsworth.

Frame houses and buildings and granaries,

Between all points and places in Marion County, Kansas.

Also,

Between all points and places in Marion County, on the one hand, and all points and places in counties of Harvey, Reno, Pawnee, Stafford, Edwards, Sedgwick, Sumner, Harper, Barber, Comanche, Kiowa, Pratt, Kingman, Salina, McPherson, Rice and Ellsworth, on the other.

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

Fredonia Truck Line, Inc.) Docket No. 30,825 M
Route 4, Box 325)
Fredonia, Kansas 66736) MC ID No. 100280

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

Livestock, hay, dry feed, dry feed ingredients, seeds, grain, hay tankage, fruit and vegetables, vermiculite and vermiculite products, peridotite, quartzite, salt, farm machinery, building materials and fencing materials,

Between all points and places within Butler, Greenwood, Woodson, Elk, Wilson, Neosho, Cowley, Chautauqua and Montgomery counties.

Also,

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

Concrete and cinder blocks,

Between all points and places in Elk County.

Also,

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

(continued)

Application for Extension of Certificate of Convenience and Necessity:

Fredonia Truck Line, Inc.) Docket No. 30,825 M
Route 4, Box 325)
Fredonia, Kansas 66736) MC ID No. 100280

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

General commodities (except classes A and B explosives and household goods),

Between all points and places in Greenwood, Woodson, Allen, Bourbon, Elk, Wilson, Neosho, Crawford, Chautauqua, Montgomery, Labette and Cherokee counties.

Also,

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

Application for Certificate of Convenience and Necessity:

Robert E. Freeman, Jr.) Docket No. 146,390 M
dba A & A Services)
1250 Garfield)
Topeka, Kansas 66604)

Applicant's Attorney: None

Persons,

Between points within Shawnee and Pottawatomie counties, Kansas.

Application for Certificate of Convenience and Necessity:

Randy White, dba) Docket No. 146,369 M
Randy White Agri)
Enterprises)
Box 284)
110 South Poplar)
Solomon, Kansas 67480) MC ID No. 122142

Applicant's Attorney: None

Grain and livestock,

Between all points and places in Saline and Dickinson counties, Kansas.

**Applications set for July 18, 1985—
TOPEKA, KANSAS**

Application for Certificate of Convenience and Necessity:

Transport Distribution) Docket No. 146,366 M
Company)
1401 Fairfax)
Kansas City, Kansas 66115)

Applicant's Attorney: John Jandera, 641 Harrison Street, Topeka, Kansas 66603

General commodities (except commodities in bulk, class A and B explosives and household goods),

Between points in Johnson, Wyandotte, Leavenworth and Douglas counties, Kansas, on the one hand, and on the other, points in Kansas.

Application for Certificate of Convenience and Necessity:

John Banks, dba) Docket No. 146,319 M
Banks Construction Co.)
Box 995)
524 Oil Hill Road)
El Dorado, Kansas 67042)

Applicant's Attorney: Bob Storey, Shadow Wood Office Park, 5863 S.W. 29th Street, Topeka, Kansas 66614-2461

Commodities in bulk, except flour,

Between all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Manhattan Transit, Inc.) Docket No. 109,272 M
217 McCall Road)
Manhattan, Kansas)
66502) MC ID No. 101749

TO:

Manhattan Transit Charters, Inc.
217 McCall Road
Manhattan, Kansas 66502

Applicant's Attorney: Charles Briscoe, 517 First National Bank Tower, Topeka, Kansas 66603

Persons and their baggage in charter party service only,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Ray Allison) Docket No. 146,615 M
P.O. Box 705)
Greensburg, Kansas 67054)

Applicant's Attorney: None

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

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

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 003287

State of Kansas

CONSUMER CREDIT COMMISSIONER**TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Effective May 1, 1985. Expires May 1, 1986.)

**Article 6.—CONSUMER
CREDIT CODE**

75-6-26. Federal Truth-in-lending act requirements. Any creditor who, in the ordinary course of business, regularly extends or offers to extend consumer credit shall disclose to the consumer the information required by title I of the consumer protection act (public law 90-321; 82 stat. 146), as amended, and any regulations issued pursuant to this act as of March 15, 1985. (Authorized by and implementing K.S.A. 16a-6-117; effective, E-82-16, Aug. 12, 1981; amended, T-83-2, Jan. 7, 1982; amended, T-83-6, April 14, 1982; amended, T-84-10, May 25, 1983; amended, T-85-15, May 3, 1984; amended, T-86-12, May 1, 1985.)

DONALD O. PHELPS
Consumer Credit Commissioner

Doc. No. 003247

State of Kansas

INSURANCE DEPARTMENT**TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Effective May 9, 1985. Expires May 1, 1986.)

**Article 4.—ACCIDENT AND
HEALTH INSURANCE**

40-4-34. Accident and health insurance; coordination of benefits; guidelines. Sections 4 and 5 of the national association of insurance commissioners' coordination of benefits guidelines, June 4, 1984 edition, are hereby adopted by reference subject to the following exceptions: (a) **GUIDELINE 2 OF SECTION 4 IS HEREBY AMENDED TO READ AS FOLLOWS:** The definition of "Plan" may include both group and individual automobile "no-fault" contracts but, as to the traditional automobile "fault" contracts, only the medical benefits written on a group or group-type basis may be included. If the definition of "Plan" includes automobile "no-fault" contracts, the term "Plan" shall be construed and so worded to include only a plan providing benefits for or by reason of hospital care or treatment, medical, dental or other health services when those benefits are provided as a result of injuries arising out of a motor vehicle accident. The term "plan" shall include the benefits payable under any medical expense payment provision of any automobile insurance policy, including benefits mandated by law.

(b) **GUIDELINE 4 OF SECTION 4 IS HEREBY AMENDED TO READ AS FOLLOWS:** School accident type coverages, written on either a blanket, group or franchise basis shall not be taken into consideration in coordination of benefits. In this context, school

accident type coverages are defined to mean coverage of grammar school and high school students for accidents only, including athletic injuries, either on a 24 hour basis or "to and from school."

(c) **GUIDELINE 7 OF SECTION 4 IS HEREBY AMENDED AS FOLLOWS:**

(1) The note under "C. Effect on Benefits" on page 5 is deleted;

(2) "Alternative 1: 1." is deleted and the provisions under Alternative 1 are modified to read as follows: This provision shall apply in determining the benefits for a person covered under this Plan for any Claim Determination Period if, for the Allowable Expenses incurred as to such person during such period, the sum of: (a) the benefits that would be payable under this Plan in the absence of this provision; and (b) the benefits that would be payable under all other Plans in the absence therein of provisions of similar purpose to this provision, would exceed such Allowable Expenses.

As to any Claim Determination Period with respect to which this provision is applicable, the benefits that would be payable under this Plan in the absence of this provision for the Allowable Expenses incurred as to such person during such Claim Determination Period shall be reduced to the extent necessary so that the sum of such Expenses under all other Plans, except as provided in paragraph C3 below, shall not exceed the total of such Allowable Expenses. Benefits payable under another Plan include the benefits that would have been payable had claim been duly made therefore.

(3) The provisions of Alternative 2 on page 6 are deleted.

(d) **GUIDELINE 8 OF SECTION 4 IS HEREBY AMENDED AS FOLLOWS:** Subsections (1), (2), (3) and (4) under guideline 8 on pages 6, 7 and 8 are deleted.

(e) **GUIDELINE 13 OF SECTION 5 IS NOT ADOPTED.** (Authorized by K.S.A 40-103, 40-2404a; implementing K.S.A 1984 Supp. 40-2404; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended May 1, 1985; amended, T-86-13, May 9, 1985.)

FLETCHER BELL
Commissioner of Insurance

Doc. No. 003246

State of Kansas

REAL ESTATE COMMISSION**TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Effective May 1, 1985. Expires May 1, 1986.)

**Article 1.—EXAMINATION AND
REGISTRATION**

86-1-5. Fees. (a) Each applicant shall pay a fee in an amount equal to the actual cost of the examination and the administration thereof to the testing service designated by the commission.

(b) The commission shall collect the following fees:

(1) For an original salesperson's license, an amount, based on an annual amount of \$25.00, prorated to the nearest whole month for the period of time from date of licensure until the renewal date determined by the schedule contained in K.A.R. 86-1-4;

(2) For an original broker's or associate broker's license, an amount, based on an annual amount of \$40.00, prorated to the nearest whole month for the period of time from date of licensure until the renewal date determined by the schedule contained in K.A.R. 86-1-4;

(3) For renewal of a salesperson's license, an amount, based on an annual amount of \$25.00;

(4) For renewal of a broker's or associate broker's license, an amount, based on an annual amount of \$40.00;

(5) For reinstatement of a license which has been deactivated or which has been canceled pursuant to K.S.A. 58-3047(d), and amendments thereto, or by reason of termination of a salesperson or associate broker, an amount of \$15.00; and

(6) For reinstatement of all licenses canceled pursuant to K.S.A. 58-3047(e), and amendments thereto, an amount of \$15.00 for each license canceled or \$100.00 for all licenses canceled, whichever is less. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3063, as amended by 1985 SB 105; effective Jan. 1, 1966; amended, E-73-30, Sep. 28, 1973; amended Jan. 1, 1974; amended, E-74-50, Sep. 13, 1974; amended May 1, 1975; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-10, May 1, 1985.)

GENE YOCKERS
Director

Doc. No. 003248

State of Kansas

**BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES****TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Effective March 22, 1985. Expires May 1, 1986.)

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

5-25-4. Safe yield. (a) The approval of all applications for a permit to appropriate water for beneficial use, except those for domestic use, and the approval of all applications for a change in the point of diversion, for which the diversion works have not been completed under the original approved application, shall be subject to the following criteria.

(1) The proposed appropriation, when added to the vested rights, prior appropriation rights and earlier priority applications within a two mile radius circle whose center is the location of the proposed well shall not exceed 3,000 acre-feet. It shall be assumed, for purpose of analysis, that all prior applications, permits, certificates and vested rights are being fully exercised and all limitation clauses listed on permits and certificates shall be in force.

(2) If part of the area within the two mile radius circle about the proposed well is outside the district boundary, the 3,000 acre-feet quantity of water referred to above shall be reduced proportionately by the percentage of acreage lying outside of the district boundaries. Only the vested rights, prior appropriations and earlier priority applications ascribed to wells within the portion of the circle that is within the district shall be considered.

(3) If wells authorized under a vested right or an application are divided by the circumference of the circle, then a reasonable quantity shall be allocated to each well or wells based upon the best available information.

(4) Each analysis for an application for a change in the point of diversion, referred to above, shall include all applications with a priority earlier than the priority established by the filing of the application for change.

(b) Exceptions to this regulation may be granted if it is proven to the satisfaction of the board and the chief engineer that such exceptions neither will impair a use under an existing right, nor prejudicially and unreasonably affect the public interest. (Authorized by K.S.A. 1983 Supp. 82a-1028(o); implementing K.S.A. 1983 Supp. 82a-1028(n); effective May 1, 1980; amended May 1, 1981; amended, T-86-4; March 22, 1985.)

DAVID L. POPE
Chief Engineer-Director
Division of Water Resources

Doc. No. 003245

State of Kansas

DEPARTMENT OF ADMINISTRATION

TEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective May 1, 1985. Expires May 1, 1986.)

Article 18.—MAXIMUM ALLOWANCE
FOR MILEAGE FOR USE OF A
PRIVATELY OWNED CONVEYANCE
FOR PUBLIC PURPOSES

1-18-1a. Mileage rates. (a) Subject to the provisions of subsection (d), each employee who has been authorized to use a privately-owned conveyance to engage in official business for an agency shall be entitled to reimbursement for use of that conveyance at the following rates:

- (1) 10¢ per mile for the use of a privately-owned motorcycle;
- (2) 20.5¢ per mile for the use of a privately-owned automobile;
- (3) 34¢ per mile for the use of a privately-owned airplane; or
- (4) 34¢ per mile for the use of a specially equipped van for the physically handicapped.

(b) In addition to the mileage allowance authorized under subsection (a) of this regulation, the employee may be reimbursed for:

- (1) parking fees at commercial transportation terminals when on an official trip;
- (2) toll road and toll bridge costs; and
- (3) airplane landing and tie-down fees.

(c) When an employee travels by privately-owned airplane, reimbursement may be made for one round trip in a privately-owned automobile or taxi fares charged in travel:

- (1) between the official station or domicile and the airport in the city in which the official station or domicile is located; and
- (2) between the airport in the destination city and the place of official business.

(d) Exceptions to the mileage rates prescribed in subsection (a) shall be as follows:

(1) When a mode of transportation is available and is less costly than transportation by privately-owned conveyance, mileage payments for use of a privately-owned conveyance shall be limited to the cost of that other mode of transportation.

(2) An agency may pay a specified mileage rate that is lower than prescribed by subsection (a) when an employee's travel is not required by the agency and the employee is informed of the specified rate in advance of the travel.

(e) This regulation shall take effect on and after May 1, 1985. (Authorized by and implementing K.S.A. 75-3203, 75-3203a; effective May 1, 1979; amended, E-80-10, July 11, 1979; amended May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, T-83-19, July 1, 1982; amended May 1, 1983; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended, T-85-46, Dec. 19, 1984;

amended, T-86-7, Apr. 1, 1985; amended May 1, 1985; amended, T-86-7, May 1, 1985.)

MARVIN A. HARDER
Secretary of Administration

Doc. No. 003290

State of Kansas

SOCIAL AND REHABILITATION SERVICES

TEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective May 1, 1985. Expires May 1, 1986.)

Article 6.—MEDICAL ASSISTANCE PROGRAM—
CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-55. Cooperation. (a) Establishment of eligibility. Each applicant, recipient, or ineligible caretaker relative shall cooperate with the agency in the establishment of eligibility. Failure to provide information necessary to determine eligibility shall render the assistance family ineligible for participation in the medical assistance program as provided in K.A.R. 30-6-39.

(b) Potential resources. Each applicant or recipient shall cooperate with the agency in obtaining any resources due the applicant, recipient, or any other person for whom assistance is claimed. Failure to avail himself or herself of the resources shall render the applicant or recipient ineligible for participation in the medical assistance program unless the individual demonstrates good cause for the failure.

(c) Social security number. Each applicant or recipient shall provide the agency with the applicant or recipient's social security number. Failure to provide the number, or failure to apply for a number if the applicant or recipient has not previously been issued a number, shall render the applicant or recipient ineligible for assistance. The effective date of this regulation shall be May 1, 1985. (Authorized by and implementing K.S.A. 1984 Supp. 39-708c, 39-709; effective May 1, 1981; amended, T-86-9, May 1, 1985.)

30-6-111. Applicable income. Applicable income means the amount of earned and unearned income which is compared with the appropriate protected income level to establish financial eligibility. (a) Non-SSI. Applicable earned income shall be determined as follows:

(1) Applicable earned income for persons included in the assistance plan shall equal gross earned income, or the adjusted gross earned income from self-employment, less the following items:

(A) Seventy-five dollars for each employed person; and

(B) reasonable and not excessive expenses for child care or expenses for the care of an incapacitated person. The amount of dependent care to be deducted shall not exceed \$160.00 per person for full time employment or \$110.00 for part time employment. The dependent shall be included in the assistance plan before the deduction is allowed.

(2) Gross earned income, or the adjusted gross in-

(continued)

come from self-employment, shall not be reduced when the recipient:

(A) Has terminated employment or reduced earnings without good cause within 30 days preceding the month of eligibility; or

(B) has refused without good cause to accept a bona fide offer of employment within the 30 day period preceding the month of eligibility.

(3) For self-employed persons, adjusted gross earned income shall equal gross earned income less cost of the production of the income. Income-producing costs shall include only those expenses directly related to the actual production of income. These costs shall be verified. The following guidelines shall be used by the agency in calculating the cost of the production of the income:

(A) The intent of the medical assistance program is not to subsidize the payment of debts, the setting up of an individual in business, or a nonprofit activity, or to treat income on the basis of IRS policies.

(B) Any losses suffered from self-employment shall not be deducted from other income nor shall the net loss of a business be considered as an income-producing cost.

(C) If a business is being conducted from a non-home location, business space and utilities may be considered as income-producing costs.

(D) If a business is being conducted from a person's own home, shelter and utility costs shall not be considered as income-producing costs unless it is verified that they are clearly distinguishable from the home operation.

(E) Any payments that increase the equity in equipment, vehicles, or other property shall not be considered as an income-producing cost.

(F) If equipment, vehicles, or other property is being purchased on an installment plan, the actual interest paid may be considered as an income-producing cost.

(G) Depreciation on equipment, vehicles, or other property shall not be considered as an income-producing cost.

(H) Insurance payments on equipment, vehicles, or other property shall not be considered as an income-producing cost unless it is verified that the insurance coverage is mandated by law or creditor. Only that portion of the insurance payment which is directly related to the business shall be allowed.

(I) Inventories and supplies that are reasonable and required for the business may be considered as income-producing costs.

(J) Wages and other mandated costs related to wages paid by the applicant or recipient may be considered as income-producing costs.

(4) Applicable earned and unearned income of a stepparent or the parent of a minor parent not included in the assistance plan. In determining eligibility and the amount of payment, the applicable income to be counted shall equal gross income less the following items:

- (A) Seventy-five dollars, if employed full time;
- (B) fifty dollars, if employed part time;
- (C) the protected income level for the stepparent or

the parent of a minor parent and dependents in the same household who are claimed by the stepparent or the parent of a minor parent for internal revenue service purposes and who are not in the assistance plan;

(D) amounts paid by the stepparent or the parent of a minor parent to persons not living in the same household and claimed as dependents for internal revenue service purposes; and

(E) alimony or child support payments to individuals not living in the household which are made by the stepparent or the parent of a minor parent.

(5) For a legally responsible person in the home who is not included in the assistance plan, all nonexempt unearned income and gross earnings, or adjusted gross earnings of the self-employed, shall be considered without the application of any income disregards, unless otherwise prohibited by law.

(6) Attribution of a sponsor's income to the alien. The income of an alien's sponsor shall be considered in determining eligibility and the amount of payment for the alien as prescribed by the secretary of health and human services.

(b) SSI. Applicable earned income shall be determined as follows:

(1) Wages. The applicable earned income shall be gross income less income disregards, if applicable.

(2) Self-employment. The applicable earned income shall be the adjusted gross income less income disregards, if applicable. The principles set forth in paragraph (a)(2) of this subsection in regard to adjusted gross income shall be applicable to calculations made pursuant to this paragraph.

(c) SSI income disregards.

(1) The following disregards shall apply to persons in independent living or in the home and community-based service program:

(A) The first \$20.00 of any nonexempt, unearned income; and

(B) an applicable earned income disregard calculated as follows: gross earned income minus [(any portion of the unearned income disregard that exceeds monthly earned income) plus (\$65.00 of monthly earned income) plus (1/2 times the remainder of the monthly earned income)] equals applicable earned income disregard.

(2) The following disregards shall apply to persons in long term care who are employed:

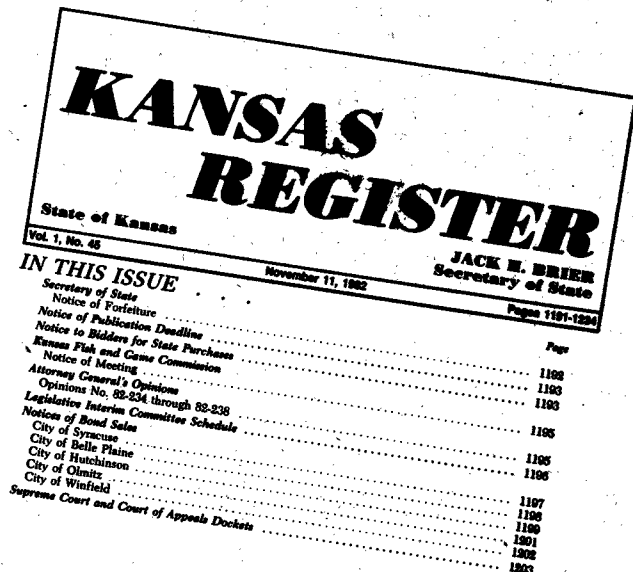
- (A) Seventy-five dollars, if employed full time; and
- (B) fifty dollars, if employed part time.

(d) Applicable unearned income of persons included in the assistance plan. All net, unearned income shall be applicable unless exempted. The effective date of this regulation shall be May 1, 1985. (Authorized by and implementing K.S.A. 1984 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended, T-86-9, May 1, 1985.)

ROBERT C. HARDER
Secretary of Social
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