

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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State of Kansas

ATTORNEY GENERAL

Opinion No. 85-142

Cities and Municipalities—Public Recreation and Playgrounds—Petition; Election. Ken Eland, Hoxie City Attorney, Hoxie, October 21, 1985.

Under the provisions of K.S.A. 1984 Supp. 12-1904a and K.S.A. 12-1905, a proposition to establish a joint city-school district recreation commission must be approved by the voters of the city and the school district.

K.S.A. 12-1902, 12-1904 and 12-1905 are contained in enactments which are not uniformly applicable to all cities, and are therefore subject to a charter ordinance adopted under city home rule powers. Accordingly, a city may exempt itself from: (1) the prohibition against both a city and school district conducting independent recreation programs; (2) the requirement of holding an election on the question of establishing a city recreation commission; and (3) the requirement of holding an election on the question of establishing a joint recreation commission (Kansas Constitution, Article 12, Section 5). However, a school district must submit any proposition to establish a joint recreation commission to an election of district voters. Cited herein: K.S.A. 12-1901, 12-1902, 12-1904; K.S.A. 1984 Supp. 12-1904a; K.S.A. 12-1905; 12-1906; Kan. Const., Art. 12, § 5. TRH

Opinion No. 85-143

Constitution of the State of Kansas—Public Institutions and Welfare—Tax Levy for Certain Institutions.

State Institutions and Agencies; Historical Property—State Tax Levies for Buildings—Tax Levy for Certain State Institutions. Senator August Bogina, Jr., 10th District, Topeka, October 21, 1985.

The state property tax imposed under K.S.A. 76-6b04 and deposited in the state institutions building

fund is levied for the use and benefit of state institutions which care for certain specified classes of persons, including those who are mentally ill or mentally retarded. Depending on the facts, buildings and facilities which are owned by the state and which are used for the care and treatment of such persons could qualify as state institutions under K.S.A. 76-6b04 and 76-6b05, regardless of whether they were operated directly by the state or by a municipality or corporation acting under contract with, and supervision of, the state. Funds from the state institutions building fund could accordingly be expended for the acquisition, construction, reconstruction, remodeling and maintenance of such buildings and facilities. Cited herein: K.S.A. 76-6b04; 76-6b05; Kan. Const. Art. 7, § 6. JSS

Opinion No. 85-144

Taxation—Mortgage Registration—Exemptions.

Banks and Banking—Banking Code; Dissolution; Insolvency—Powers of Federal Deposit Insurance Corporation. John E. Lang, Pottawatomie County Counselor, Westmoreland, October 21, 1985.

When the federal deposit insurance corporation (F.D.I.C.) becomes receiver or liquidator of an insolvent bank as authorized by K.S.A. 9-1907, possession of and title to all of the assets, business, and property of any kind of the insolvent bank automatically vests in the F.D.I.C. pursuant to K.S.A. 9-1908. Insofar as the Kansas mortgage registration fee is a tax, a mortgage belonging to the F.D.I.C. (an instrumentality of the federal government) which is submitted to the registrar of deeds is exempt from the mortgage registration fee required by K.S.A. 79-3102, as amended by L. 1985, ch. 322, § 1. Cited herein: K.S.A. 9-1907; 9-1908; and 79-3102, as amended by L. 1985, ch. 322, § 1. JLM

ROBERT T. STEPHAN
Attorney General

Doc. No. 003645

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JACK H. BRIER
Secretary of State
State Capitol
Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas

BOARD OF TECHNICAL PROFESSIONS**NOTICE OF MEETING**

The State Board of Technical Professions will meet at 1:30 p.m. Thursday, November 7, and at 9 a.m. Friday, November 8, in Room 202 of the board office, 214 W. 6th, Topeka. The meeting is open to the public.

BETTY ROSE
Executive Secretary
Board of Technical Professions

Doc. No. 003646

State of Kansas

SOCIAL AND REHABILITATION SERVICES**STATE PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES SERVICES****NOTICE OF MEETING**

The State Planning Council on Developmental Disabilities Services will meet from 9 a.m. to 4 p.m. Monday, November 4, and Tuesday, November 5, in Room B, Kansas Neurological Institute, 3107 W. 21st, Topeka.

JOHN KELLY
Executive Secretary

Doc. No. 003652

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for engineering services for technical assistance energy studies for four buildings at the University of Kansas, Lawrence.

Interested firms must be permitted by law to practice engineering in the state of Kansas.

Any questions or expressions of interest should be directed to James Canole, University of Kansas, Facilities Planning Office, Carruth O'Leary Hall, Lawrence 66045, (913) 864-3431, prior to November 15, 1985.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 003641

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for technical services for asbestos abatement for Snow Hall at the University of Kansas, Lawrence. Services will include confirmation of asbestos, specifications for solicitation of bids for an asbestos removal contract and required supervision during the contract period.

Any questions or expressions of interest should be directed in writing to John B. Hipp, Director of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to November 15, 1985.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 003661

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR ARCHITECTURAL SERVICES**

Notice is hereby given of the commencement of negotiations for architectural services to provide consultation and bidding documents for projects involving major repairs, special maintenance, energy conservation and remodeling at the institutions governed by the State Board of Regents. All projects are under \$250,000.

Any questions or expressions of interest should be directed in writing to Warren Corman, Director of Facilities, Board of Regents, Suite 609 Capitol Tower, 400 S. W. 8th, Topeka 66603, (913) 296-3421, prior to November 15, 1985.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 003662

State of Kansas

DEPARTMENT OF ADMINISTRATION

GRANT APPLICATIONS IN REVIEW

Below are applications which have been submitted to the Kansas Review Process. For those requiring review, comments should be sent to the Kansas Single Point of Contact, Judy Krueger, Intergovernmental Liaison, State Office Building, 122A-South, Topeka 66612, (913) 296-3919. Comment period is approximately 30 days.

KS851017-001-66001KS—Dave Romano, Department of Health and Environment, Forbes Field, Topeka 66620, (913) 862-9360, applied for \$638,735 from the U.S. Environmental Protection Agency for a state air pollution program.

KS851017-002-66451KS—Barbara Sabol, Secretary of Health and Environment, Building 740, Forbes Field, Topeka 66620, (913) 862-9360, applied for \$467,000 from the U.S. Environmental Protection Agency for hazardous waste planning grant.

KS851022-001-20106LG—Peggy Pearson, City Clerk, City of Oakley, 209 Hudson, Oakley 67748, (913) 672-3611, applied for \$1,041,750 from the U.S. Department of Transportation for the Oakley municipal airport.

KS851022-002-13612DG—Charlene Kelley, Executive Director, Urban Indian Center, P.O. Box 1016, Lawrence 66044, applied for \$107,126 from the U.S. Department of Health and Human Services for The Lawrence Native American Art Center.

KS851022-003-72002SN—Nancy Shaughnessy, Voluntary Action Center, 4125 Gage Center Drive, Suite 214, Topeka 66604, (913) 272-8890, applied for \$20,978 from the U.S. Department of ACTION for a retired senior volunteer program of Shawnee County.

KS851022-004-13600SN—David L. Marden, Executive Director, Shawnee County Community Assistance and Action, Inc., 605 Topeka Ave., Topeka 66603, (913) 235-9561, applied for \$10,025 from the U.S. Department of Health and Human Services for Head Start training and technical assistance, Shawnee County.

Awards

The Office of Human Development Services of the Department of Health and Human Services announced the award of \$9,020 to SEK-CAP, Inc. for a one-time Head Start expansion.

The U.S. Department of Education announced the following awards: \$88,763 to the University of Kansas to provide comprehensive services to low income children in grades K-3, and \$614,675 to Kansas State University for civil rights-technical assistance grants.

MARVIN A. HARDER
Secretary of Administration

Doc. No. 003653

State of Kansas

STATE HISTORICAL SOCIETY
HISTORIC SITES BOARD OF REVIEW

NOTICE OF MEETING

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, November 23, in the classroom at the Kansas Museum of History, 6425 S.W. 6th, Topeka. The board will make recommendations for funding survey and planning grant applications which have been received for federal fiscal year 1986 Historic Preservation Fund grants. The board will also evaluate the following properties proposed for nomination to the National Register of Historic Places and the Register of Historic Kansas Places:

Yates Center Town Square Historic District,
Yates Center, Woodson County
Argentine Carnegie Library, 28th St. and Metropolitan Ave., Kansas City, Wyandotte County
Old City Hall and Main Fire Station, 805 and 815 N. 6th, Kansas City, Wyandotte County
Wyandotte High School, 2500 Minnesota, Kansas City, Wyandotte County

JOSEPH W. SNELL
Executive Director

Doc. No. 003659

State of Kansas

INSURANCE DEPARTMENT

NOTICE OF HEARING

A formal hearing will be conducted in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, at 10 a.m. Wednesday, November 13. The purpose of this proceeding is to determine whether the application for the proposed acquisition of control of Western States Life Insurance Company, Fargo, North Dakota, and its subsidiary Alliance Life Insurance Company, Wichita, Kansas, by Pacific Standard Life Company, Davis, California, should be approved by the Commissioner of Insurance in accordance with the provisions of K.S.A. 40-3301 *et seq.*

All interested parties may attend and will be given the opportunity to hear the details of the proposed acquisition, to present either oral or written testimony in favor of or in opposition to the transaction, and to ask any questions relative to the transaction.

FLETCHER BELL
Commissioner of Insurance

Doc. No. 003665

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO BIDDERS

Sealed bids on Quotation 6882 for the sale of negative material and photographic paper located at the Kansas Department of Transportation area yard, 3200 S. Topeka Ave., Topeka, will be received until 10 a.m., Thursday, November 21, 1985. Bid blanks may be obtained from H. E. Shubert, Purchasing Agent, 7th Floor, State Office Bldg., Topeka.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 003650

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that advertisement of highway project Shawnee—89 U-0923-01—Branner Street at the Atchison, Topeka and Santa Fe Railroad Viaduct in Topeka, 0.5 mile, bridge replacement (Federal Funds) is hereby withdrawn from advertisement for bid letting scheduled for November 21, 1985, as published in the Kansas Register, October 24, 1985.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 003666

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, until 10 a.m., November 21, 1985, and then publicly opened:

DISTRICT ONE—Northeast

Jefferson—44 C-1736-01—County road, 1.4 miles south and 2.4 miles east of Perry, east, 0.2 mile, bridge replacement. (Federal Funds)

Johnson—435-46 K-0456-08—I-435, ramps east-south and west-north and the third level bridges, 1.6 miles, grading, surfacing and bridge. (Federal Funds)

Johnson—46 U-0571-01—75th Street, Nieman Road to Switzer Road in Shawnee, 0.4 mile, grading and surfacing. (Federal Funds)

Johnson—46 U-0925-01—71st Street at Brush Creek in Prairie Village, bridge replacement. (Federal Funds)

Wyandotte—105 U-0849-01—55th Street at the Brenner Creek Tributary in Kansas City, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT TWO—Northcentral

Dickinson—70-21 K-2588-03—I-70, 0.9 mile west of K-15 east to 2.3 miles east of K-43, 9.0 miles, fencing. (Federal Funds) Bids for fencing on this project will be received only from certified and properly prequalified Disadvantaged Business Enterprises.

DISTRICT FOUR—Southeast

Cherokee—11 C-1307-01—County road, 1.0 mile south of US-66 in Riverton, south, 1.0 mile, grading, surfacing and bridge. (Federal Fund)

Coffey—16 C-1898-01—County road, 4.7 miles south and 2.6 miles east of Waverly, east, 0.1 mile, bridge replacement. (Federal Funds)

Wilson—103 C-1840-01—County road, 1.2 miles south and 1.0 mile east of Neodesha, east, 0.2 mile, bridge replacement. (Federal Funds)

Woodson—104 C-1826-01—County road, 4.0 miles north and 3.6 miles east of Yates Center, east, 0.4 mile, bridge replacement. (Federal Funds)

Woodson—104 C-1827-01—County road, 4.0 miles north and 4.1 miles east of Yates Center, east, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT FIVE—Southcentral

Sedgwick—87 U-0915-01—Maize Road at Cowskin Creek Tributary in Wichita, 0.1 mile, bridge replacement. (Federal Funds)

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

Plans and specifications for the projects 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. 003626

State of Kansas

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

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, 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.

TUESDAY, NOVEMBER 12, 1985

#A-5102

University of Kansas, Lawrence—MASONRY REPAIR, Haworth Hall and Summerfield Hall

#A-5409

Pittsburg State University, Pittsburg—REROOF RUSS HALL, PHASE I

#A-5458

Kansas State Fair, Hutchinson—REROOF GRANDSTAND

#A-5459

Department of Administration, Topeka—STATEHOUSE LIGHTING, State Capitol Grounds

#26827

University of Kansas Medical Center, Kansas City—ANTIBIOTIC ANALYZER SUPPLIES

#63673

Department of Transportation, Garden City and University of Kansas, Lawrence—LUBRICATING OIL

#63678

Department of Transportation, various locations—TRACTORS AND MOWERS

#63682

University of Kansas, Lawrence—HPLC APPARATUS

#63689

Department of Health and Environment, Topeka—ASSESS AND DISPOSE OF HAZARDOUS WASTE, Stanley

#63690

Department of Health and Environment, Topeka—ASSESS AND DISPOSE OF HAZARDOUS WASTE, Kansas City

#63696

Kansas State University, Manhattan—FEEDWATER PUMP, CONDENSATE PUMP AND SETS, CONDENSATE SUMP PUMPS

WEDNESDAY, NOVEMBER 13, 1985

#26819

Kansas Fish and Game Commission, Pratt—ROAD ROCK, TUTTLE CREEK WILDLIFE AREA, Riley County

#26820

Kansas Fish and Game Commission, Pratt—HEAVY EQUIPMENT WORK, TUTTLE CREEK WILDLIFE AREA, Riley County

#26825

Winfield State Hospital and Training Center, Winfield—FROZEN EGGS

#26826

Kansas Correctional Industries, Lansing—LIQUID DETERGENT CONCENTRATE

#63683

Department of Transportation, Garden City—MOWER REPAIR PARTS

#63684

Department of Social and Rehabilitation Services, Topeka—MOP YARN

#63691

Department of Social and Rehabilitation Services, Topeka and University of Kansas Medical Center, Kansas City—CONTINUOUS FORMS "CASE STATUS" AND "DEPARTMENT TIME SHEET"

#63692

Fort Hays State University, Hays—BACKUP/RESTORE SOFTWARE PACKAGE

#63693

University of Kansas, Lawrence—BROADCAST TRANSMITTER

#63694

University of Kansas Medical Center, Kansas City—HPLC APPARATUS

#63695

Kansas Insurance Department, Topeka—MOVEABLE WALL SYSTEM

#63702

Kansas State University, Manhattan—SPECTROPHOTOMETER

#63717

Pittsburg State University, Pittsburg—STEEL MINERAL TANK, RESIN AND GRAVEL

THURSDAY, NOVEMBER 14, 1985

#A-5245

Kansas State Historical Society, Topeka—CORNICE REPAIR AND EXTERIOR RESTORATION, Memorial Building, 120 W. 10th

#26472-A

Statewide—CONTINUOUS MARGINAL PUNCHED "STOCK" COMPUTER FORMS

#26821

Kansas State University, Manhattan—AIR TAXI SERVICE

#26822

Kansas State University, Manhattan—SNOW REMOVAL

#26823

Department of Administration, Building and Grounds, Topeka—SNOW REMOVAL

#63706

Department of Transportation, Topeka—RIP RAP, 1/4 TON SIZE MINIMUM, various locations

#63707

Department of Transportation, Norton—SEALANT, CRACK, HOT APPLIED

#63708

Department of Transportation, Garden City—MOWER REPAIR PARTS

#63710

University of Kansas, Lawrence—REFINISH METAL OFFICE FURNITURE

#63711

Kansas State University, Manhattan—FURNISH AND INSTALL CAPACITATORS FOR POWER FACTOR CORRECTION

#63712

University of Kansas Medical Center, Kansas City—REMOTE CONTROL UNIT COMPATIBLE WITH IBM TERMINALS

#63713

Winfield State Hospital and Training Center, Winfield—LOCKS AND ACCESSORIES

#63714

Kansas State University, Manhattan—INSULATION AND SEALANT

#63715

Kansas State University, Manhattan—PLANT
GROWTH CHAMBER

#63716

Department of Human Resources, Topeka—
CONTINUOUS FORMS-K-CNS 100 AND K-CNS 210

FRIDAY, NOVEMBER 15, 1985

#A-5392

Kansas State Historical Society, Topeka—REROOF
KAW INDIAN MISSION GARAGE, Council Grove

#63316-A

Department of Transportation, various
locations—COLD ASPHALTIC CONCRETE MIX
FOR COLD WEATHER USE

#63722

Department of Transportation, Chanute—AS-1 OR
AB-3 AGGREGATE, Ottawa

#63728

Kansas State University, Manhattan—SOYBEAN
MEAL

#63729

Kansas State Industrial Reformatory,
Hutchinson—WOOD TRUSSES

#63731

Kansas Fish and Game Commission, Pratt—
TRACTOR, Cawker City

#63732

Department of Transportation, Topeka—COAXIAL
RELAY

#63733

Department of Transportation, Garden City and
Parsons State Hospital and Training Center,
Parsons—SHOP EQUIPMENT

#63738

Kansas State University, Manhattan—CENTRIFUGE
ROTORS

#63741

Department of Revenue, Topeka—
MICROCOMPUTER COMPATIBLE MASS
STORAGE DEVICE AND PRINTERS

MONDAY, NOVEMBER 25, 1985

#63721

Department of Administration, Topeka—
COMPUTERIZED LAW ENFORCEMENT
MESSAGE SYSTEM

MONDAY, DECEMBER 2, 1985

#26805

Hospitals Administered by Department of Social and
Rehabilitation Services, Topeka—INDIVIDUAL
PHYSICIANS PROFESSIONAL LIABILITY
INSURANCE

#26817

Kansas State University, Manhattan—WORKERS'
COMPENSATION INSURANCE

FRIDAY, DECEMBER 6, 1985

#26790

Statewide—FINE PAPER PRODUCTS: CUT AND
WRAPPED AND PRINTING PAPERS

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 003651

State of Kansas

**STATE BANK COMMISSIONER
STATE BANKING BOARD**

NOTICE OF MEETING

The State Banking Board will conduct its monthly meeting, in accordance with K.S.A. 74-3006, in the conference room of the State Banking Department, Suite 300, 700 Jackson, Topeka, at 10 a.m. Monday, November 18. The Board reviews matters coming before it relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

EUGENE T. BARRETT, JR.
State Bank Commissioner

Doc. No. 003664

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT**

**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 1:30 p.m. Thursday, November 21, at the Kansas Department of Health and Environment conference room, Building 321, Forbes Field, Topeka, to receive oral and written comments regarding the adoption of the following permanent regulations:

Proposed K.A.R. 28-39-77(a)—This is a new regulation authorized by modification to K.S.A. 39-954 (L. 1985, ch. 151, Sec. 1.) allowing the licensing agency to designate as a receiver persons who meet certain qualifications.

Proposed K.A.R. 28-39-87—This regulation has been amended to require 24-hour licensed nurse coverage in intermediate care nursing homes. Also included in an amendment to clarify nursing coverage for each nursing unit.

All interested parties may submit written and oral comments regarding these proposals at the hearing. All written and oral comments received will be considered prior to submittal of these proposals to the Revisor of Statutes.

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

BARBARA J. SABOL
Secretary of Health
and Environment

Doc. No. 003658

State of Kansas

STATE CONSERVATION COMMISSION**NOTICE OF HEARINGS
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

Five public hearings will be conducted to receive public comment on proposed temporary and permanent regulations of the State Conservation Commission. These regulations will become effective May 1, 1986 as permanent regulations and as temporary regulations upon approval by the State Rules and Regulations Board.

The first hearing will begin at 1:30 p.m. Monday, November 18, at the meeting room of the Consolidated State Bank, 101 E. Cherry, Hill City. The second hearing will begin at 7:30 p.m. Monday, November 18, at the High Plains Journal Communication Center, 1500 E. Wyatt Earp, Dodge City. The third hearing will begin at 1:30 p.m. Tuesday, November 19, at the McPherson County Extension Service, 600 W. Woodside, McPherson. The fourth hearing will begin at 7:30 p.m. Tuesday, November 19, at the Yates Center 4-H Community Building, South Highway 75, Yates Center. The fifth hearing will begin at 1:30 p.m. Wednesday, November 20, at the State Conservation Commission Conference Room 300A, 109 S.W. 9th, Topeka.

A summary of the proposed regulations follows:

11-1-2, 11-1-3. Amendments to update the regulations by adding public lands for cost-sharing.

11-2-1 through 11-2-3. New regulations to implement the High Priority Cost-Share Program.

11-3-1 through 11-3-10. New regulations for the Watershed Dam Construction Program.

11-4-1 through 11-4-14. New regulations to implement the Multipurpose Small Lakes Program.

11-5-1 through 11-5-4. New regulations to implement the land treatment above multipurpose small lakes.

Copies of the regulations and fiscal impact statements may be obtained by writing Kenneth Kern, Executive Director, State Conservation Commission, 109 S.W. 9th, Room 300, Topeka 66612, (913) 296-3600.

The regulations are authorized by K.S.A. 2-1904 and 2-1915, as amended by Chapter 342, Section 9, 1985 Session Laws, and by Chapter 342, Section 2, 1985 Session Laws.

All interested persons may attend the hearings and will be given an opportunity to express comments either orally or in writing, or both. If it is not possible to be present, written comments can be directed to the Executive Director, State Conservation Commission, at the address above on or before the hearing date. Prior notice to this office would be helpful in arranging the agenda. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit oral presentations to five minutes.

Following the hearing, all written and oral com-

ments submitted by interested persons will be considered by the Commission.

KENNETH F. KERN
Executive Director
State Conservation Commission

Doc. No. 003648

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 3:30 p.m. Thursday, November 21, at the Kansas Department of Health and Environment conference room, Building 321, Forbes Field, Topeka, to consider the adoption of proposed permanent regulations for the licensure of general hospitals and ambulatory surgical centers.

The regulations, K.A.R. 28-34-3a, 28-34-4a, 28-34-9a, 28-34-18a, 28-34-29a, 28-34-32a and 28-34-62a, will replace existing K.A.R. 28-34-3, 28-34-4, 28-34-9, 28-34-18, 28-34-29 and 28-34-32, and 28-34-62 will be revoked. These regulations relate to general requirements, visitation, medical records, obstetrical and newborn services, long-term care units and building construction.

All interested parties may submit comments at any time prior to the hearing to the Director, Bureau of Adult and Child Care Facilities, Department of Health and Environment, Forbes Field, Topeka 66620. All interested parties will be given a reasonable opportunity at the hearing to present their views, oral or written, 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 five minutes.

Following the hearing, all 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 at the address above.

BARBARA J. SABOL
Secretary of Health
and Environment

Doc. No. 003657

State of Kansas

BOARD OF PHARMACY

NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

A public hearing will be conducted from 10 a.m. to noon Sunday, November 17, at the Holiday Inn South, 3802 S. Topeka, Topeka, to consider the adoption of proposed permanent rules and regulations of the State Board of Pharmacy.

All interested parties may submit written comments prior to the hearing by addressing them to the Executive Secretary, Kansas State Board of Pharmacy, 503 Kansas Ave., P.O. Box 1007, Topeka 66601. All interested parties will be given a reasonable opportunity at the hearing to present their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to 10 minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Board of Pharmacy as a basis for making changes to the proposed regulations for adoption in 1986.

Summaries of the regulations follow. Copies of the regulations and the fiscal impact statements in connection with the same may be obtained by writing to the address above.

The following is a brief summary of the proposed permanent regulations for adoption in 1986:

K.A.R. 68-1-1b. Continuing educational unit. This regulation deals with the requirements of continuing education for registrants under the Kansas Pharmacy Act. The proposed change provides that applicants for registration who have graduated from an approved and recognized school or college of pharmacy within 12 months of the first annual registration date shall be exempt from continuing education requirements for the first annual registration. The proposed change also eliminates carryover of continuing education into the next annual registration period.

K.A.R. 68-1-2. Grades required. This regulation deals with the grade requirements for successful qualification for registration by examination. The proposed change would eliminate the requirement for receiving a score of not less than 75 percent on the practice of pharmacy examination and the law examination for applicants by reciprocity.

K.A.R. 68-1-7. Reinstatement after lapse. This regulation deals with procedures required to be followed when a pharmacist fails to renew a registration under the provisions of K.S.A. 65-1632 and amendments thereto for three or more consecutive years. The proposed change requires that the applicant take a written examination and further provides that the applicant may be requested, under these circumstances, to appear before the Board to determine competency prior to reinstatement.

K.A.R. 68-2-12a. Minimum requirements. This regulation sets forth those requirements that a registered

pharmacy must possess and have available for use. The proposed change eliminates a listing of specific equipment and provides that the pharmacy shall have the equipment and supplies necessary to compound, dispense, label, administer and distribute drugs and devices. The regulation further provides that the equipment shall be in good repair and shall be available in sufficient quantities to meet the needs of the practice of pharmacy conducted therein.

K.A.R. 68-2-21. Patient profile records. This proposed permanent regulation requires that pharmacies shall establish and maintain patient profile records for each patient serviced by the pharmacy. The profile must contain information sufficient to allow monitoring of patient drug therapy.

K.A.R. 68-4-5. Procedure for approval of manufacturing supervisory personnel. This regulation requires Board approval of those persons designated as supervisors of manufacturing activities. The Board of Pharmacy is proposing this regulation be revoked.

K.A.R. 68-5-14. Gross immorality. This regulation defines gross immorality, which is a basis for license suspension and revocation under the Kansas Pharmacy Act. The proposed amendment includes, within the definition of gross immorality, the intentional falsification or altering of records or prescriptions and the unlawful possession of drugs and unlawful diversion of drugs to others.

K.A.R. 68-5-9. Period of suspension. This regulation limits suspension to 90 days for first offenses under the Pharmacy Act, and to one year for each subsequent offense. The Board of Pharmacy is proposing this regulation be revoked.

K.A.R. 68-11-1. Fees for examination and registration as a pharmacist. This regulation sets forth the fees to be paid to the Board by each applicant for examination and registration as a pharmacist. The proposed amendment increases the fee for examination from \$125 to \$175.

K.A.R. 68-20-9. Fees for registration and reregistration. This regulation sets forth the fees for registration and reregistration under the Uniform Controlled Substances Act. The proposed changes include clarification of when fees are required to be paid and makes the regulation conform with K.S.A. 65-4115, which exempts payments for registration fees under the Controlled Substances Act when the registrants are registered pursuant to the Kansas Pharmacy Act.

EVERETT L. WILLOUGHBY
Executive Secretary

Doc. No. 003667

State of Kansas

PARK AND RESOURCES AUTHORITY**NOTICE OF HEARING
ON PROPOSED****ADMINISTRATIVE REGULATIONS**

The State Park and Resources Authority will conduct a public hearing at 1 p.m. Tuesday, November 19, in Room 520, 503 Kansas Ave., Topeka, on regulations proposed to be amended by the Authority.

All interested parties may present oral or written comments at the hearing. Additional information on the public hearing or proposed regulations may be obtained by contacting the Park and Resources Authority office in Topeka.

The permanent regulations to be amended are as follows:

1. Quiet Hours—Quiet hours shall be observed between the hours of 11 p.m. and 6 a.m.
2. Written permission required to be obtained from the Director of the State Park and Resources Authority or the Director's designated representative for any special events where a specified number of persons are attending and/or alcoholic beverages are present.

LYNN BURRIS
Director, State Park
and Resources Authority

Doc. No. 003668

State of Kansas

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

A public hearing will be held at 7 p.m. Wednesday, November 20, at the Ramada Inn, 1950 S. Range, Colby, to consider the adoption of proposed rules and regulations of the Kansas Fish and Game Commission.

All interested parties may submit written comments prior to the hearing by addressing them to the Director of the Kansas Fish and Game Commission, Route 2, Box 54A, Pratt 67124. Following the hearing, all written and oral comments submitted by interested parties will be considered by the Commission as the basis for making any changes to the proposed regulations.

The following is a brief summary of the proposed regulations:

23-1-12. Spring turkey season—a temporary regulation that establishes the season dates, open areas and permit numbers for spring turkey season. No fiscal impact.

23-2-16. Coyote seasons—a temporary regulation that opens coyote season during portions of the firearms deer season. This is new authority granted by the 1985 legislature. No fiscal impact.

23-3-13. Taking of bait fish or minnows—revised to add a citation to regulation 23-8-2 (wildlife area; restrictions). No fiscal impact.

23-8-2. Wildlife areas—redefines wildlife areas. No fiscal impact.

23-12-11. Furbearing animals and coyotes; field trials—defines sanctioned or licensed field trials and is edited for clarity. No fiscal impact.

23-18-1. License fees—implements license fees increases for calendar year 1987 and brings the fees to the statutory maximum. This regulation would increase revenue for the agency by \$90,000 the first year and approximately \$400,000 each year after.

23-16-1. Importation and possession of certain wildlife—prohibits importation and possession of Asian racoon dogs. No fiscal impact.

23-1-13. Waterfowl; steel shot—requires the use of steel shot for waterfowl hunting statewide in 1987. Implements Commission policy on steel shot adopted 11-15-84. No fiscal impact.

23-8-34. Wildlife areas; steel shot—requires the use of steel shot for all shotgun hunting on Marais Des Cygnes, Neosho, Cheyenne Bottoms, Jamestown and Texas Lake Wildlife Areas. Requires the use of steel shot for waterfowl hunting on all other wildlife areas. The regulation on the use of steel shot on the five areas was implemented this season by posting. The second portion will be implemented in 1986. Like regulation 23-1-13, this regulation implements Commission policy on steel shot adopted 11-15-84. No fiscal impact.

23-8-19. Marais Des Cygnes Wildlife Area—changes the permit requirement for waterfowl hunting. No fiscal impact.

23-2-14. Antelope and deer; season restrictions—changes the definition of legal firearms and is edited for clarity. No fiscal impact.

23-8-11. Wildlife areas; use restrictions—specifies the removal of all blinds from wildlife areas at the close of the season. No fiscal impact.

23-6-2. Beaver taking by state revocation. Depredation statutes give landowners the necessary authority to deal with problem animals. No fiscal impact.

23-8-26. Cheyenne Bottoms Wildlife Area—special hunting area—revocation. These areas can be described by posting pursuant to 23-8-18 and 23-8-11. No fiscal impact.

23-8-24. Field trial events; special use permits—strikes the list of wildlife areas where events may be held and gives the Director authority to issue permits on any wildlife area open to hunting. No fiscal impact.

23-8-18. Cheyenne Bottoms Wildlife Area—changes the permitting requirements. No fiscal impact.

23-1-10. Turkey season restrictions—legalizes decoys and non-electronic turkey calls for hunting turkeys. No fiscal impact.

Copies of regulations and fiscal impact notes can be obtained by contacting the Fish and Game Commission at the address above.

A business meeting of the Fish and Game Commission is also scheduled at the same location following the public hearing to discuss general business matters. The business meeting will begin at approximately 8 p.m.

GARY CAPLINGER
Chairman

Doc. No. 003655

State of Kansas

**BEHAVIORAL SCIENCES
REGULATORY BOARD****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing is scheduled for Wednesday, November 20, from 10 a.m. to noon, in Room 201, 214 W. 6th, Topeka, to consider proposed permanent and temporary rules and regulations of the Behavioral Sciences Regulatory Board regarding the practice of psychology and social work. The psychology regulations will be reviewed at 10 a.m., followed by review of social work regulations at 11 a.m.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Board's office at the address above. All interested parties will be given a reasonable opportunity at the hearing to express their views, orally, in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Board as the basis for making changes to the proposed regulations.

A copy of the regulations and the fiscal impact statement may be obtained by writing to the address above.

MARY ANN GABEL
Executive Secretary

Behavioral Sciences Regulatory Board

Doc. No. 003647

State of Kansas

KANSAS DENTAL BOARD**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10 a.m. Friday, November 15, at the business offices of the Board of Dental Examiners of the State of Kansas, 4301 Huntoon, Topeka, to allow all licensed dentists, dental hygienists, and all other interested parties a reasonable opportunity to present their views and arguments concerning the proposed amendments to regulations 71-1-14, 71-4-1, 71-4-2 and 71-4-3, which are to be considered by the Dental Board at the public hearing. The regulations which the Dental Board proposes to amend are summarized as follows:

71-1-14. This regulation deals with advertising guidelines. The proposed amendments clarify that advertising of discounts may include the advertising of discounts extended to particular classes of patients or discounts upon terms of payment. The proposed amendment, if adopted, would further require that each licensee providing services under contract with a

preferred provider organization, independent practice association, health maintenance organization or under an insurance group contract require, as a contract provision, that the organization or group comply with the provisions of Kansas law and the regulations of the Kansas Dental Board when advertising dental services to be provided.

71-4-1. The proposed amendment is intended to state the requirements for continuing dental education as applied to dentists and dental hygienists and to clarify and shorten the existing regulation.

71-4-2. The present regulation deals with continuing education requirements. The proposed amendments allow credit for teaching of courses, but limits the credit to only one presentation if the same or similar material is being presented on a repeated basis. The proposed amendments also authorize continuing dental education credit for commercially sponsored courses and delete the existing requirements that such courses be sponsored by the American dental association or other similar groups. The proposed amendments allow continuing dental education credit for home study courses, subject to prior approval by the Board, and credit would be authorized for authorship of published dental articles or books as well as for teaching approved dental education courses. Finally, the proposed amendments specify eligibility standards for continuing dental education courses; specify the number of hours of continuing dental education required to be completed by a dental hygienist returning to active practice following a period of disability or retirement; and allow the Kansas Dental Board discretion in determining whether an applicant returning to active practice following a period of disability or retirement shall be required to complete an examination in lieu of or in addition to the continuing dental education hours required of such licensee and if so, the nature of such an examination.

71-4-3. It is proposed to amend this regulation to shorten and to clarify the language.

All interested parties will be given the opportunity to present oral or written testimony in presenting their views and arguments in favor of or in opposition to the proposed amendments.

The full text of the proposed regulations and the fiscal impact statement may be obtained from the Kansas Dental Board upon written request.

KANSAS DENTAL BOARD

Doc. No. 003660

State of Kansas

KANSAS ADULT AUTHORITY**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 9 a.m. Tuesday, November 19, in the conference room of the Kansas Adult Authority, Fourth Floor, 700 Jackson, Topeka, to consider the adoption, revocation and amendment of proposed permanent rules and regulations of the Kansas Adult Authority.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Chairman, Kansas Adult Authority, Fourth Floor, 700 Jackson, Topeka 66603. All interested parties will be given a reasonable opportunity to present their views, orally, on the proposed regulations during the hearing.

Copies of the full text of the regulations and the fiscal impact statement may be obtained by writing to the Chairman of the Kansas Adult Authority at the address above.

The following is a summary of the regulations:

45-1-1: Definitions: Amends this section by deleting unnecessary definitions and clarifying other definitions.

45-2-1 to 45-2-6: Revoked.

45-4-4: Amended to reflect name change of K.A.A. and to allow board to request presence of member of institution's clinical staff at parole hearing.

45-4-5: Amended to reflect name change of K.A.A.

45-4-6: Amended to allow for review of findings if parole hearing conducted by only one member of board; makes clear that an appeal to the board can be granted only for newly discovered evidence.

45-4-7: Amended to clarify language.

45-4-9: Language of regulation clarified to make clear that board may impose special condition of parole that parolee must continue with medication.

45-4-11: Revoked.

45-4-12: Revoked.

45-5-1: Revoked.

45-6-1: Former regulation amended to eliminate any need for certification as parole eligible by the secretary of corrections; makes clear that inmate must achieve parole eligibility pursuant to statute and that the pre-parole investigation and the opportunity for public comment will be completed prior to the inmate being docketed for parole.

45-6-2: Language of previous regulation clarified; future parole hearings may not be advanced or deferred without approval of board.

45-6-3: Clarifies language of previous regulation; does not change meaning of previous regulation.

45-6-4: Revoked.

45-6-5: Amends previous regulation to reflect name change of K.A.A.

45-6-6: Revoked.

45-7-1: Clarifies language of previous regulation and makes clear that a parole officer may impose

special conditions on a parolee under that officer's supervision.

45-7-2: Makes clear that the board must approve the final parole plan of an inmate who has been granted parole subject to an approved parole plan.

45-7-3: Clarifies language concerning release dates of inmates who have been granted parole; revokes that portion of regulation dealing with deferred release and with transportation on release.

45-7-4: New regulation concerning procedures to be followed when an inmate has been granted parole and subsequently commits an institutional infraction before the inmate's release; outlines the rights of an inmate if the board is considering rescission of parole or further deferment of the release date to comply with recent case law.

45-7-5: Outlines procedure for request for side trips and stopovers for persons granted parole.

45-8-1: Revoked.

45-9-1: Provides details for scheduling final parole revocation hearing and revokes portions of previous regulation dealing with rights of the inmate at the hearing since these rights are dealt with by a new regulation.

45-9-2: Outlines the rights of a parolee at a parole revocation hearing to bring procedures into compliance with recent case law.

45-9-3: New regulation dealing with the time an inmate whose parole has been revoked may be required to serve and addresses the question of good time that may be earned while on parole or when inmate is a fugitive from justice.

45-10-1: Clarifies language of previous regulation to make clear that conditional releasees shall be placed under supervision in the same manner as parolees and subject to the same terms and conditions as parolees; makes clear that a conditional releasee has the same rights as a parolee at a final hearing to revoke conditional release.

45-11-1: Makes substantial changes in prior regulation to make clear that inmates may be discharged from supervision only when they reach their maximum sentence date or discharge is recommended by a parole officer and approved by the board.

45-14-1: Clarifies language of previous regulation and eliminates parts of previous regulation covered by department of corrections regulations or statutes.

45-16-1: Requires board to adopt the findings of the sentencing court with regard to restitution if the sentencing court has made such a finding; revokes that part of regulation dealing with payment procedures since this is covered by new regulation.

45-16-2: Requires the board to determine amount of restitution based on presentence report, findings of the pre-parole investigation and interview with an inmate; allows the board to request sentencing court to hold a restitution hearing.

45-16-3: New regulation dealing with transportation expenses when a parolee has to be returned to the state to answer criminal charges or a probation, parole or conditional release violation warrant; provides that board may adopt statement of expenses provided by

agency or department that has incurred such expenses if board finds expenses to be reasonable and necessary.

45-16-4: New regulation dealing with monitoring of the restitution payments by parole officer and providing for making changes in the repayment or restitution schedule.

ELWAINE F. POMEROY
Chairman
Kansas Adult Authority

Doc. No. 003639

(Published in the KANSAS REGISTER, October 31, 1985.)

NOTICE OF BOND SALE
\$900,000
GENERAL OBLIGATION
SEWERAGE IMPROVEMENT BONDS
SERIES "B" 1985
OF THE
CITY OF OTTAWA, KANSAS
(Payable from Unlimited Ad Valorem Taxes)

Sealed bids will be received by the undersigned, City Clerk of the City of Ottawa, Kansas, on behalf of the commission at the City Hall, 4th and Walnut, Ottawa, KS 66067, until 10:30 a.m., Central Standard time, Wednesday, November 6, 1985, for the purchase of \$900,000 principal amount of general obligation sewerage improvement bonds, Series "B" 1985 of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body immediately thereafter.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, dated December 1, 1985, and becoming due serially on December 1 in the years, without option of prior payment, as follows:

Year	Principal Amount
1986	\$30,000
1987	30,000
1988	35,000
1989	35,000
1990	35,000
1991	35,000
1992	40,000
1993	40,000
1994	45,000
1995	45,000
1996	45,000
1997	45,000
1998	50,000
1999	50,000
2000	55,000
2001	55,000
2002	55,000
2003	55,000
2004	60,000
2005	60,000

The bonds will bear interest from the date thereof at

rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1986.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and 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 city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, 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 and bond registrar at least two weeks prior to the closing date.

Conditions of Bids

Proposals 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 of the same maturity. Each interest rate specified shall be in a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. No rate specified shall be lower than any rate specified for an earlier maturity of the bonds. No bid of less than the par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be authorized. Each bid shall specify the total interest cost to the city during the life of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid.

Basis of Award

The award of the bonds will 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 the 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 providing for identical amounts for the lowest net interest cost are received, the governing body shall determine which bid, if any, shall be accepted, and its determination

(continued)

shall be final. The city reserves the right to reject all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to Charter Ordinance No. 7 of the city of Ottawa for the purpose of paying the cost of construction of a new sewerage treatment facility and collection system improvement. The bonds and the interest thereon will constitute general obligations of the city payable from ad valorem taxes which may be levied without limitation as to rate and amount upon all taxable tangible property, real and personal, within the territorial limits of the city.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Gaar & Bell, Overland Park, Kansas, Bond Counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered 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.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days after the date of sale at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder or elsewhere at the expense of the successful bidder. The successful bidder will also be furnished with a certified transcript of the 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 federal reserve funds, immediately subject to use by the city.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$18,000 payable to the order of the city to secure the city from any loss resulting from the failure of the successful bidder to comply with the terms of its bid. No interest will be paid upon the successful bidder's good faith check. Said check shall be returned to the bidder if its bid is not accepted. If a bid is accepted, said check will be held by the city until the bidder shall have complied with all of the terms and conditions of the notice, at which time the check will be returned to the successful bidder or paid to its order at the option of the city. 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 will be returned to the bidder. If a bid is accepted but the bidder defaults 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.

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 or assigned such number to 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 purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Bid Forms

All bids must be made on forms which may be procured from the City Clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned City Clerk, and marked Proposal for the Purchase of Sewerage Improvement Bonds. Bids may be submitted by mail or delivered in person to the undersigned at the City Hall and must be received by the undersigned prior to 10:30 a.m., Central Standard Time, Wednesday, November 6, 1985.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1984 is \$24,070,435. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$3,172,849.47. The city also has outstanding as of October 1, 1985, temporary notes in the principal amount of \$1,725,000, of which \$900,000 principal amount will be retired out of proceeds from the bonds, and no fund warrants in the principal amount of \$123,000.

Dated this 16th day of October, 1985.

ORLIN W. SMITH
City Clerk
City Hall
4th & Walnut
Ottawa, Kansas 66067
(913/242-2190)

Doc. No. 003663

(Published in the KANSAS REGISTER, October 31, 1985.)

NOTICE OF BOND SALE
\$2,383,900
GENERAL OBLIGATION BONDS
SERIES 142 AND SERIES 143
OF THE
CITY OF WINFIELD, KANSAS

The city of Winfield, Kansas will receive sealed bids at the office of the City Clerk, City Hall, 200 E. 9th, Winfield, Kansas, until 7 p.m., C.S.T., Monday, November 4, 1985, for \$2,383,900 par value general obligation bonds of the city—Series 142 in the principal amount of \$383,900 and Series 143 in the principal amount of \$2,000,000, at which time and place such bids will be publicly opened. No oral or auction bids will be considered, and no bids for less than the entire \$2,383,900 of bonds will be considered.

The Series 142 and Series 143 bonds will be dated as of December 1, 1985, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of the bonds maturing in each year, except one bond of Series 142 in the amount of \$3,900. Interest will be payable semiannually, commencing June 1, 1987, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

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

Principal Amount (Series 142)	Principal Amount (Series 143)	Total Principal Amount	Maturity Date
\$23,900	\$ -0-	\$ 23,900	12-1-87
40,000	160,000	200,000	12-1-88
40,000	175,000	215,000	12-1-89
40,000	195,000	235,000	12-1-90
40,000	210,000	250,000	12-1-91
40,000	230,000	270,000	12-1-92
40,000	250,000	290,000	12-1-93
40,000	270,000	310,000	12-1-94
40,000	300,000	340,000	12-1-95
40,000	210,000	250,000	12-1-96

Redemption

Bonds maturing December 1, 1994, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the city on and after December 1, 1993, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at a re-

demption price of 101 percent thereof so called for redemption, plus accrued interest to the redemption date.

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

Interest Rate

Proposals will be received on the bonds bearing such rate or rates of interest, not exceeding six different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8th or 1/20th of 1 percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 3 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold (October 28, 1985), plus 2 percent, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at City Hall, 200 E. 9th, Winfield, KS 67156, Attention: Don Drennan, City Clerk, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to Treasurer, City of Winfield, 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 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

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paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Gaar & Bell, Bond Counsel, of Wichita, Kansas. The number, denomination of bonds, and names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than November 27, 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 December 12, 1985, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

Bids shall be conditioned upon the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the city. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefitted 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 Series 142 Bonds are being issued for the purpose of constructing various internal improvements in the city of Winfield, Kansas. The Series 143 Bonds are being issued for the purpose of constructing improvements to the flood protection levy system for Timber Creek and Timber Creek Watershed, which includes the Walnut River in and around the city of Winfield, Kansas.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on said bonds. All expenses in relation to printing of

CUSIP numbers on said bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the city.

Assessed Valuation

Assessed valuation figures for the city of Winfield, Kansas, for the year 1985, are as follows:

Equalized assessed valuation of taxable tangible property	\$25,421,957
Tangible valuation of motor vehicles	\$ 5,547,284
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$30,969,241

Bonded Indebtedness

The total bonded indebtedness of the city of Winfield, Kansas, at the date hereof, including this \$2,383,900 proposed issue of bonds, is \$5,729,645. In addition, the city has outstanding temporary improvement notes in the amount of \$574,152, \$350,501 of which will be retired from the proceeds of the bonds, special assessments which have been collected in cash, and other available funds.

Official Statement

Additional copies of this notice of bond sale, 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 Winfield, Kansas 67156.

Dated October 21, 1985.

CITY OF WINFIELD, KANSAS
By DON DRENNAN, City Clerk

Doc. No. 003642

(Published in the KANSAS REGISTER, October 31, 1985.)

NOTICE OF BOND SALE
\$11,555,000
CITY OF WICHITA, KANSAS
GENERAL OBLIGATION BONDS
(SERIES 705 and SERIES 706)

Sealed bids will be received in the office of the City Clerk, City Hall, 455 N. Main, Wichita, KS 67202-1679, until 10 a.m., Central Standard Time, on November 12, 1985, and will be considered by the governing body of the city of Wichita, Kansas, at its regular place of meeting in the City Commission Room in the Wichita City Hall at 10 a.m., Central Standard Time, on November 12, at which time and place all proposals will be publicly opened, read aloud, and considered for the purchase of all, but not less than all of each series of two series of general obligation bonds aggregating the principal sum of \$11,555,000. Series 705 is in the principal amount of \$5,895,000 (the Series 705 Bonds), and Series 706 is in the principal amount of \$5,660,000 (the Series 706 Bonds). The Series 705 Bonds and Series 706 Bonds will be jointly referred to as the bonds. No oral or auction bids will be considered.

Details of the Bonds—Series 705

The Series 705 Bonds shall be issued in the form of fully registered certificated bonds without coupons, each in the denomination of \$5,000 or in integral multiples thereof, not exceeding the principal amount

of bonds maturing in each year. Interest on the Series 705 Bonds will be payable semiannually, commencing March 1, 1987 and each September 1 and March 1 thereafter. The Series 705 Bonds shall be dated December 1, 1985 and shall become due serially on September 1, in each of the years and in the principal amounts, as follows:

Date of Maturity	Amount	Date of Maturity	Amount
September 1, 1987	\$245,000	September 1, 1994	\$420,000
September 1, 1988	265,000	September 1, 1995	450,000
September 1, 1989	285,000	September 1, 1996	480,000
September 1, 1990	315,000	September 1, 1997	520,000
September 1, 1991	335,000	September 1, 1998	570,000
September 1, 1992	360,000	September 1, 1999	610,000
September 1, 1993	380,000	September 1, 2000	660,000

Details of the Bonds—Series 706

The Series 706 Bonds shall be issued in the form of fully registered certificated bonds without coupons, each in the denomination of \$5,000 or integral multiples thereof, not exceeding the principal amount of bonds maturing in each year. Interest on the Series 706 Bonds will be payable semiannually, commencing June 1, 1986 and each December 1 and June 1 thereafter. The Series 706 Bonds shall be dated December 1, 1985, and shall become due serially on December 1 in each of the years and in the principal amounts, as follows:

Date of Maturity	Amount	Date of Maturity	Amount
December 1, 1986	\$210,000	December 1, 1993	\$360,000
December 1, 1987	220,000	December 1, 1994	390,000
December 1, 1988	240,000	December 1, 1995	420,000
December 1, 1989	260,000	December 1, 1996	450,000
December 1, 1990	280,000	December 1, 1997	490,000
December 1, 1991	310,000	December 1, 1998	520,000
December 1, 1992	330,000	December 1, 1999	570,000
		December 1, 2000	610,000

Place of Payment

The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal trust office of the Chase Manhattan Bank, N.A., in the city and state of New York (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent and bond registrar to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

Redemption

The bonds maturing in the years 1996, and thereafter, are subject to redemption prior to maturity at the city's option on or after the principal payment date in 1995, in whole at any time or in part in integral multiples of \$5,000, in inverse order of maturity and by lot within maturities, on any interest payment date at the redemption prices set forth below, plus accrued interest to the redemption date:

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

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

Interest Rate

Proposals will be received on the bonds of each series bearing such rate or rates of interest not exceeding six different interest rates as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest rate bid and the lowest rate of interest bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold (November 11, 1985), plus 2 percent, and no bid of less than par and accrued interest will be considered. A bid for the purchase of less than all of each series of bonds or bid at a price less than par and accrued interest will not be considered.

Bid Form and Good Faith Deposit

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

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proceeds thereof shall then be forfeited and retained by the city as and for liquidated damages.

Award of the Bonds

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

Delivery and Payment

The bonds, duly printed, executed and registered, will be furnished and paid for by the city. Delivery of the bonds will be made on or before December 19, 1985, at any bank or trust company in New York, New York. Payment shall be made in immediately available federal reserve funds. The number, denomination of bonds, and the names and tax identification numbers of the initial registered owners to be initially printed on the bonds must be submitted in writing by the successful bidder to the bond registrar at least 10 business days prior to the date of delivery of the bonds. In the absence of such information, the city will deliver the bonds in the denomination of each maturity registered in the name of the successful bidder.

Legal Opinion

The bonds will be sold subject to the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the city. The Series 705 legal opinion will cite in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest from the collection of special assessments which have been levied on benefitted property, but any portion of said special assessments not so paid will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships. The Series 706 legal opinion will state in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial

limits of the city; and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships. A manually signed original of each such opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate relating to the completeness and accuracy of the official statement and notice of bond sale.

Purpose of Issue

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

Series 705

Paving projects in the amount of	\$3,762,715
Sewer projects in the amount of	\$1,307,245
Water main projects in the amount of	\$ 799,797
Sidewalk projects in the amount of	\$ 25,239

Series 706

Paving projects in the amount of	\$2,733,672
Sewer projects in the amount of	\$1,913,094
Traffic signalization project in the amount of	\$ 11,393
Sidewalk and bike trail projects in the amount of	\$ 157,557
Bridge projects in the amount of	\$ 275,000
Public improvement projects in the amount of	\$ 569,284

Security

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

CUSIP Identification Numbers

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

Assessed Valuation

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

Equalized assessed valuation of taxable, tangible property	\$ 932,981,921
Estimated tangible valuation of motor vehicles	\$ 211,594,313
Equalized assessed tangible valuation for computation of bonded indebtedness limitations	\$1,144,576,234

Bonded Indebtedness

The total bonded indebtedness of the city of Wich-

ita, Kansas, as of December 1, 1985, is \$265,293,000, which amount excludes all revenue and refunding bonds but includes temporary notes in the amount of \$27,525,000 (including the \$22,785,000 of temporary notes to be sold on November 19, 1985) and the two series of bonds described in this notice of bond sale in the aggregate amount of \$11,555,000. Of the currently issued and outstanding temporary notes of the city, \$8,929,193 will be retired out of the proceeds of the bonds herein offered for sale.

Rating of the Bonds

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

Other Pending Bond and Temporary Note Issues

Neither the city of Wichita, nor Sedgwick County, nor Unified School District No. 259 (Wichita Public School System) contemplates the issuance of any additional general obligation bonds within the next 30 days. The city of Wichita plans to sell \$22,785,000 in temporary notes on November 19, 1985 to be dated December 1, 1985, to become due on June 19, 1986. These temporary notes will consist of \$18,883,635 in renewals and \$3,901,365 in new notes. In addition, the city of Wichita is currently reviewing the advisability of advance refunding its outstanding general obligation bonds. The Wichita Public Building Commission is currently reviewing the advisability of advance refunding its outstanding revenue bonds and the propriety of issuing additional revenue bonds within the next 90 days.

Redistribution of Notice and Official Statement

Authorization is given to redistribute this notice of bond sale and the official statement, but the entire notice of bond sale and official statement, and not portions thereof, must be redistributed. The successful bidder, upon request, will be furnished with 50 copies of the notice of bond sale and official statement, without cost; additional copies will be furnished at a nominal charge.

Official Statement

This notice of bond sale and the official statement has been prepared under the authority of the governing body of the city of Wichita, Kansas. Additional copies of this notice of bond sale, copies of the official statement, or further information may be received from the office of the City Treasurer, City Hall, 455 N. Main, Wichita, KS 67202-1679, (316) 268-4109.

Figures used in this notice of bond sale and in the official statement through December 31, 1984, were obtained from the city of Wichita, Kansas, Annual Financial Report for 1984, which report has been audited by an outside firm of certified public accountants appointed by the governing body of the city of Wichita, Kansas.

Dated October 22, 1985.

By R. C. Brown, Mayor

Doc. No. 003649 Attest: Donald C. Gisick, City Clerk

(Published in the KANSAS REGISTER, October 31, 1985.)

**NOTICE OF BOND SALE
\$777,000
GENERAL OBLIGATION
INTERNAL IMPROVEMENT BONDS
OF THE
CITY OF LIBERAL, KANSAS**

The city of Liberal, Kansas, will receive sealed bids at the office of the City Clerk, 325 N. Washington, Liberal, Kansas, until 6 p.m., C.S.T., Monday, November 4, 1985, for \$777,000 par value general obligation internal improvement bonds of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series C, 1985 Bonds will be dated as of November 1, 1985, and shall mature on October 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof, except one bond in the amount of \$2,000 not exceeding the principal amount of bonds maturing in each year. Interest will be payable semi-annually, commencing April 1, 1986, and each October 1 and April 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

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

Principal Amount	Maturity Date
\$72,000	October 1, 1986
75,000	October 1, 1987
75,000	October 1, 1988
75,000	October 1, 1989
80,000	October 1, 1990
80,000	October 1, 1991
80,000	October 1, 1992
80,000	October 1, 1993
80,000	October 1, 1994
80,000	October 1, 1995

Interest Rates

Proposals will be received on the bonds bearing such rate or rates of interest, not exceeding five different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8th or 1/20th of 1 percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 2 percent. No interest rate shall exceed the

(continued)

maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold (October 28, 1985), plus 2 percent, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at 325 N. Washington, Liberal, KS 67901, Attention: Craig R. Simons, City Clerk, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to Treasurer, City of Liberal, 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 all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Gaar & Bell, Bond Counsel, of Wichita, Kansas. The number, denomination of bonds, and names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than November 19, 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 November 27, 1985, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

Bids shall be conditioned upon the unqualified approving opinion of Gaar & Bell, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the city. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefitted 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 within the city of Liberal, Kansas.

CUSIP Identification Numbers

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

Assessed Valuation

Assessed valuation figures for the city of Liberal, Kansas, for the year 1984, are as follows:

Equalized assessed valuation of taxable tangible property	\$40,776,773
Tangible valuation of motor vehicles	\$ 9,544,530
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$50,321,303

Bonded Indebtedness

The total bonded indebtedness of the city of Liberal, Kansas, at the date hereof, including this \$777,000 proposed issue of bonds, is \$4,117,000. The city will retire \$785,000 of outstanding temporary notes from the proceeds of the bonds, special assessments which have been collected in cash, and other available funds.

Official Statement

Additional copies of this notice of bond sale, copies of the city's official statement relating to the bonds, or further information may be received from the office of the City Clerk, City Hall, 325 N. Washington, Liberal, KS 67901, or First Securities Company of Kansas, Inc.,

Suite 200, One Main Place, Wichita, KS 67202, (316) 262-4411, the city's financial consultants.

Dated October 21, 1985.

CITY OF LIBERAL, KANSAS
By CRAIG R. SIMONS, City Clerk

Doc. No. 003640

(Published in the KANSAS REGISTER, October 31, 1985.)

NOTICE OF BOND SALE

\$245,000

STREET AND SEWER BONDS

SERIES "B," 1985

CITY OF MARYSVILLE

MARSHALL 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 Marysville, Marshall County, Kansas, in the office of the City Clerk, City Hall, 209 N. 8th, Marysville, KS 66508, until 8 p.m. local time on Tuesday, November 12, 1985, at which time and place said bids will be publicly opened and read for the purchase of \$245,000 aggregate principal amount of general obligation street and sewer bonds (Series "B," 1985). 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 \$245,000 principal amount of general obligation street and sewer bonds, Series "B," 1985. The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, dated November 1, 1985, and becoming due serially on November 1 of each year in the principal amounts as follows:

Series "B," 1985—\$245,000.00

Year	Principal Amount
1986	\$20,000
1987	\$25,000
1988	\$25,000
1989	\$25,000
1990	\$25,000
1991	\$25,000
1992	\$25,000
1993	\$25,000
1994	\$25,000
1995	\$25,000

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 May 1, 1987.

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 uncertificated bonds. The successful bidder (the purchaser) may express his 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 of 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 bondholder.

The type and denomination 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 December 1, 1985.

Redemption of Bonds

None of said bonds shall be callable for redemption prior to its stated maturity.

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 and sewer improvements.

The general obligation street and sewer bonds, Series "B," 1985, will be general obligations of the city payable in part from special assessments levied against property especially benefitted by said street and sewer improvements and also payable as to both principal and interest 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 in a multiple of 1/8th or 1/20th of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by The Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent, and the difference between the highest and lowest interest rates specified in any bid shall not exceed 2 percent. No bid of less than the principal amount of the bonds plus accrued interest thereon to the date of their 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.

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Basis of Award

The award of the bonds shall be made on the basis of the lowest net interest cost to the city, which shall 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 taxation and from Kansas intangible personal property taxes.

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 \$4,900 (2 percent of the total par value of the bonds) made payable to the order of the Treasurer of the City of Marysville, Kansas, to secure the city from any loss resulting from the failure

of the bidder to comply with the terms of the bid. No interest 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 Building, 209 N. 8th, Marysville, KS 66508, 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 p.m. local time on November 12, 1985.

Assessed Valuation and Indebtedness

The total equalized assessed valuation of the taxable tangible property within the city for the year 1985 is \$10,531,116, including motor vehicle valuation of \$1,978,917 and motor vehicle dealers' inventory valuation of \$118,562. The total general obligation bonded indebtedness of the city as of October 1, 1985, including the bonds being sold, is \$1,089,800 plus temporary notes in the amount of \$545,928.75 of which amount the sum of \$259,553.75 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 21st day of October, 1985.

Paula Holle
City Clerk
City Building
209 N. 8th
Marysville, KS 66508
(913) 562-5331

Doc. No. 003638

State of Kansas

KANSAS JUDICIAL COUNCIL

NOTICE OF NOVEMBER MEETINGS

Meetings of the Kansas Judicial Council and its advisory committees scheduled for November, 1985 are:

Date	Committee	Time	Location
Nov. 1	Civil Code	9:30 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 1	Probate Law	9:30 a.m.	Room 266, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 6	Administrative Procedure	9:00 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 8	Judicial Council	9:00 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 14	Criminal Law	9:30 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 15	Court Unification	9:30 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 15	Family Law	9:30 a.m.	Room 266, Kansas Judicial Center 301 W. 10th, Topeka
Nov. 22	Pattern Jury Inst.	9:30 a.m.	Room 259, Kansas Judicial Center 301 W. 10th, Topeka

DAVID PRAGER, Chairman
Kansas Judicial Council

Doc. No. 003656

State of Kansas

LEGISLATURE

INTERIM AGENDA

Notice is hereby given to interested parties that the following committee meetings have been scheduled during the period of November 4 through November 15, 1985.

Date	Room	Time	Committee	Agenda
Nov. 4 Nov. 5	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Communications, Computers and Technology	4th: Committee discussion on Proposal No. 16, Proposal No. 17, and Proposal No. 18. 5th: Presentation by Dr. Phil Bradford, KDED, on high technology and committee discussion on Proposal No. 19.
Nov. 4 Nov. 5	531-N 531-N	9:00 a.m. 9:00 a.m.	Special Committee on Financial Institutions and Insurance	Hearings on Proposal No. 15—Bonding of State Employees.
Nov. 4 Nov. 5	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Federal and State Affairs	Consideration of final reports.

(continued)

Nov. 4 Nov. 5	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	4th: Staff review of selected agencies FY 1987 capital improvement requests; hearing on prevailing wage for state construction projects. 5th: Update on Sheridan Coliseum, Fort Hays State University; presentation by the Fish and Game Commission on proposed use of federal Digell-Johnson funds in FY 1986 and on FY 1987 capital improvement requests; presentation by SRS and institutions on FY 1987 capital improvement requests.
Nov. 7 Nov. 8	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Medical Malpractice	Committee discussion and decisions.
Nov. 12	519-S	9:00 a.m.	Special Commission on Agriculture and Livestock	Proposal No. 4—Fence Laws.
Nov. 12	527-S	10:00 a.m.	Special Committee on Education	Hearings on Proposal No. 22—Violence in Public Schools; consideration of committee reports—Proposals No. 20-22.
Nov. 12 Nov. 13	531-N 531-N	10:00 a.m. 9:00 a.m.	Special Committee on Public Health and Welfare	Committee discussion and direction to staff.
Nov. 13	123-S	10:00 a.m.	Special Committee on Ways and Means	Subcommittee: Mental Health and Retardation.
Nov. 13 Nov. 14	527-S 527-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
Nov. 13 Nov. 14	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Local Government	Committee review of final reports and bill drafts.
Nov. 14 Nov. 15	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Communications, Computers and Technology	14th: Discussion on the consultants' report on the state's computer needs. 14th and 15th: Committee discussion and recommendations on Proposals No. 16, No. 17, No. 18, and No. 19.
Nov. 14 Nov. 15	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means	Agenda to be determined.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 003654

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET**

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

Kansas Court of Appeals
Wyandotte County Courthouse, Division No. 5 Courtroom
Kansas City, Kansas

Before Abbott, P.J.; Briscoe, J.;
and Steven P. Flood, District Judge, Assigned.

Monday, November 4, 1985
9:00 a.m.

Case No.	Case Name	Attorney	County
57,900 S.C.	Dennis L. Cook, appellant, v. State of Kansas, appellee.	R. Wayne Lampson	Wyandotte
57,566	State of Kansas, appellee, v. Dwayne Mertha Davis, appellant.	Attorney General, Dexter Burdett, Assistant District Attorney	Wyandotte
58,234	State of Kansas, appellee, v. Mark D. Heath, appellant.	Attorney General, Dexter Burdett, Assistant District Attorney	Wyandotte
57,107	Providence-St. Margaret Health Center, Inc., appellant, v. J. E. Dunn Construction Co., appellee, v. URS Company (formerly URS/Hewitt & Roger), appellee.	Ruben Jorge Krisztal Attorney General, Nick Tomasic, District Attorney	Wyandotte
57,906	Verna E. Simmons, appellee, v. Security National Bank & Casualty Reciprocal Exchange, appellants, and Kansas Workers' Compensation Fund.	Robert R. Cain Bill E. Fabian	Wyandotte
		1:00 p.m.	
57,190 S.C.	In the matter of the marriage of Susan Jane Ozga and John Ozga.	David W. Carson William D. Wingfield	Johnson
57,576	State of Kansas, appellee, v. Janice Owen, appellant.	Attorney General, Frank Kohl, Assistant County Attorney	Leavenworth
57,187	State of Kansas, appellee, v. Douglas Kennedy, appellant.	Lonnie A. Hamilton Attorney General, Kenneth Moore, Assistant District Attorney	Wyandotte
		Michael L. Sexton	

(continued)

57,742	Garry L. Baldwin, appellee, v. Jensen-Salsbery Laboratories, v. Lumbermen's Mut. Cas. Co., appellant.	George E. Mallon Jon S. Willard	Wyandotte
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Tuesday, November 5, 1985
9:00 a.m.

Case No.	Case Name	Attorney	County
57,440 S.C.	State of Kansas, appellee, v. James Salvatore Lowe, Jr., a/k/a James S. Atchinson, a/k/a Ogi S. Lowe, appellant.	Attorney General, Bruce W. Beye, Assistant District Attorney David R. Gilman	Johnson
57,727	State of Kansas, appellee, v. George D. Buck, appellant.	Attorney General, Joseph Cosgrove, Assistant District Attorney David R. Gilman	Johnson
57,358	State of Kansas, appellee, v. James Martin Wiltse, appellant.	Attorney General, Paul J. Morrison, Assistant District Attorney David R. Gilman Attorney General, Paul J. Morrison, Assistant District Attorney	Johnson
57,745 S.C.	State of Kansas, appellee, v. Thomas Linsin, appellant.	David R. Gilman Attorney General, Paul J. Morrison, Assistant District Attorney James R. Borth Attorney General, Paul J. Morrison, Assistant District Attorney	Johnson
57,823	State of Kansas, appellee, v. Sam G. Neal, appellant.	Steven R. Anderson	Johnson
1:00 p.m.			
57,300 S.C.	In the matter of the marriage of Deena L. Linquist Kerbow and Gary D. Kerbow.	Stuart D. Mitchelson, Karen L. Borell, Barry K. Duwe	Johnson
57,326 S.C.	In the matter of the marriage of Jane Anne Sixta and Lorrin Lee Sixta	Gregory M. Dennis, David W. Beaver	Johnson
58,042	In the interest of Heather Keithley, a child under 18 years of age, and in the interest of Shannon Keithley, a child under 18 years of age	David J. Waxse, Jon S. Willard, Michael Mance, Stacy Parkinson, Robert Morse	Johnson
57,172	Daniel J. O'Brien, appellant, v. Georg Kimmerle and Mobay Chemical Corp., appellees.	Leland F. Dempsey, Mark A. Johnson Karen M. Iverson, John L. Vratil	Johnson

Kansas Court of Appeals
County Commissioners Hearing Room, 3rd Floor,
Sedgwick County Courthouse
525 N. Main, Wichita, Kansas

Before Rees, P.J.; Swinehart, J.; and
C. Fred Lorentz, District Judge, Assigned.

Monday, November 4, 1985
9:00 a.m.

Case No.	Case Name	Attorney	County
57,870 S.C.	Kevin Alexander, appellee, v. Alexander Brothers Drywall and Reliance Insurance Company, appellants, and Kansas Workers' Compensation Fund.	Marvin Appling Gary A. Winfrey, Don D. Gribble II	Sedgwick
57,391	In the matter of the application of Ronnie Mundy for issuance of a <i>Writ of Habeas Corpus</i> .	Richard Sanborn Geary N. Gorup, Assistant District Attorney	Sedgwick
57,332	Fourth National Bank and Trust Company, Wichita, Kansas, appellee, v. American Construction Erection Co., Inc., <i>et al.</i> , appellants, Garnishee: Harvey C. Hickman as Trustee in Bankruptcy Estate of American Construction Erection Services Co., Inc.	Harry W. Saums, Patrick L. Dougherty Robert W. Kaplan	Sedgwick
57,343	Tip Top Credit Union of Hillsboro, Kansas, appellee, v. Joseph A. Lies, <i>et al.</i> , appellants.	Richard V. Foote Orval L. Fisher	Sedgwick
57,395	In the matter of the appeal of George Angle, d/b/a Frontier Oil Company.	John C. Frieden, Nancy E. Freund, Cleo Murphy, Stanley Andeel	Sedgwick
1:30 p.m.			
57,278	Ray Wulfemeyer and Gary M. Foster, appellees, v. Bobby Ray Jones and Wanda Mae Jones, appellants, v. Joe A. Davenport and Davenport Auction and Realty, Inc., appellees.	Kenneth F. Ehling, Joe O'Sullivan Patricia Rose Myers, Kenneth Pierce Gerald L. Green	Reno
57,323	Douglas M. Sumner, appellant, v. Yoder Township, <i>et al.</i> , appellees.	Richard J. Rome Gerald L. Green, Timothy J. Chambers	Reno
57,117	<i>In re</i> Estate of Julia Stos.	Richard J. Rome, Arthur P. Hagen	Barton
57,446	Trailmobile, Inc., appellee, v. Guthrie Trailer Sales, Inc.	Bill R. Cole Gene Porter	Barton

(continued)

Tuesday, November 5, 1985

9:00 a.m.

Case No.	Case Name	Attorney	County
57,251	Hazel Dean Fulker, appellee,	Barry Arbuckle, Charles E. Hill	Sedgwick
	v. Charles R. Jackson, M.D. and Alex D. Ammar, M.D., appellants.	Eric E. Davis, William Tinker, Jr.	
57,432	Robert Owen, appellant,	Michael T. Halloran	Sedgwick
	v. B. R. Treadwell and Jones Transfer, appellees.	Robert F. Bailey	
57,093	Clearwater Automotive Center Inc., appellant,	Keith D. Richey	Sedgwick
	v. James E. Hanley, appellee, State of Kansas, appellee,	Steven R. Smith Attorney General, C. Douglas Wright, County Attorney	Cowley
	v. James D. Bowker, appellant. State of Kansas, appellee,	E. Rodney Iverson Attorney General, C. Douglas Wright, County Attorney	Cowley
57,969	James D. Bowker, appellant.	E. Rodney Iverson	
	v. James D. Bowker, appellant.		
1:30 p.m.			
57,331	In the matter of the marriage of Connie S. McClelland and Larry E. McClelland.	John D. Clark, Donald E. Lambdin	Butler
57,539	Norris Grain and Transportation Inc., appellant,	Ray L. Connell	Butler
	v. Board of County Commissioners, Butler County, Kansas, appellees.	Norman G. Manley	
57,180	Associated Grocers' Company of St. Louis, Missouri, appellee,	Michael G. Coash	Butler
	v. Vern Mahlandt, appellant.	Keith E. Martin	
57,225	Jack R. Ellis, appellant,	Gerald W. Scott, Jerry G. Elliott	Thomas
	v. Horace M. Whittaker, appellee.	Darrell L. Warta	

Kansas Court of Appeals
 Court of Appeals Courtroom, 3rd Floor,
 Old Sedgwick County Courthouse
 541 N. Main, Wichita, Kansas

Before Parks, P.J.; Meyer, J.; and
 Donald L. Allegrucci, District Judge, Assigned.

Monday, November 4, 1985

9:00 a.m.

Case No.	Case Name	Attorney	County
57,755 S.C.	In the interest of Carl N. Hutson, Jr., a minor child under 18 years of age.	Shannon S. Krysl, William Griffith, Michael McCafferty, Sheila Floodman, Paula Packard Kidd, Jolene Mooney, Robert R. Hiller	Sedgwick
57,801	Merrill Andrews, appellant, v. State of Kansas, appellee.	Gerard C. Scott Attorney General, Geary Gorup, Assistant District Attorney	Sedgwick
57,759	John H. Folkerts, appellant, v. State of Kansas, appellee.	Eric A. Stahl Attorney General, Geary N. Gorup, Assistant District Attorney	Sedgwick
57,689	State of Kansas, appellee, v. Quintin R. Bentley, appellant.	Attorney General, Neal B. Brady, Assistant District Attorney	Sedgwick
57,672	State of Kansas, appellant, v. Michael R. Roman, appellee.	Carl N. Kelly Attorney General, Geary N. Gorup, Assistant District Attorney Michael R. Wilson, Thomas Weilert	Sedgwick
1:00 p.m.			
57,754	In the interest of David Pennington, a child under 18 years of age.	David K. Markham, Charles S. Gray, Richard G. Tucker, John D. Sherwood, Sharon Stice	Labette
57,092	Mid America Ag Network, Inc., appellant, v. Radio Station KFH Co., appellee.	Randall K. Rathbun Richard C. Hite	Sedgwick
57,273	The Bovaird Supply Co., appellant, v. William J. Froelich, Jr. and Bobbe J. Froelich, appellees.	John V. Wachtel, David B. McKinney, Robert T. Cornwell James J. McGannon, John C. Frank, Tom E. Hammond	Pratt

(continued)

57,217	Damac Drilling, Inc., appellant, v. David Shoemake, <i>et al.</i> , appellees, The Buie Co., Inc. v. David Shoemake, <i>et al.</i>	Charles R. Pike, John L. Kratzer, Jr. Robert J. Schmisser, Larry T. Soloman, David G. Gaumer, Rex O. Hawkins, <i>pro se</i>	Kingman
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Tuesday, November 5, 1985

9:00 a.m.

Case No.	Case Name	Attorney	County
57,940	State of Kansas, appellee, v. Donald L. Patterson, Jr., appellant.	Attorney General, Geary Gorup, Assistant District Attorney Richard Ney, Kathy R. Vetter	Sedgwick
57,841	State of Kansas, appellee, v. Ronald E. Dial, appellant.	Attorney General, Geary Gorup, Assistant District Attorney Richard Ney	Sedgwick
57,726	In the interest of Charles Anthony Davis.	Kim D. Steele, Rebecca Pilshaw, Assistant District Attorney	Sedgwick
57,774	Jackie D. Archer, appellee, v. Beech Aircraft Corp. and Northwestern National Insurance Company, Inc.	James B. Zongker David S. Wooding	Sedgwick
57,255	Bernard Steinlage and Marjorie Steinlage, appellants, v. State of Kansas Forestry, Fish and Game Commission, appellee.	Charles M. Tuley John W. Campbell, Assistant Attorney General	Pratt
1:00 p.m.			
57,723 S.C.	State of Kansas, appellee, v. Rickie Lynn Grimes, appellant.	Attorney General, Roger C. Skinner, Assistant District Attorney Kathy R. Vetter	Sedgwick
58,015	State of Kansas, appellee, v. Tommy E. Carson, appellant.	Attorney General, Michael E. Ward Robert C. Brown	Butler
56,978	Ralph C. Johnson, appellee, v. Sue M. Johnson, appellant.	James W. Sargent Robert T. Cornwell	Butler
57,944	William F. Lang, appellant, v. Young's Appliance Center and Kansas Workers' Compensation Fund, appellee.	Bradley J. Prochaska Steven L. Foulston, Roger C. Green	Butler

LEWIS C. CARTER
Clerk of the Appellate Courts

State of Kansas

DEPARTMENT OF HEALTH
AND ENVIRONMENTTEMPORARY ADMINISTRATIVE
REGULATIONS

(Effective September 24, 1985. Expire May 1, 1986.)

Article 31.—HAZARDOUS WASTE MANAGE-
MENT STANDARDS AND REGULATIONS

28-31-1. General provisions. (a) Any reference in these rules and regulations to standards, procedures, or requirements of 40 CFR Parts 124, 260 to 267, or 270 inclusive, shall constitute a full adoption by reference of the part, subpart, and paragraph so referenced, including any notes and appendices associated therewith, unless otherwise specifically stated in these rules and regulations.

(b) When used in any provision adopted from 40 CFR Parts 124, 260 to 267, or 270 inclusive, references to "the United States" shall be replaced with the state of Kansas, "environmental protection agency" shall be replaced with the Kansas department of health and environment, "administrator" or "regional administrator" shall be replaced with the secretary of the department of health and environment and "Federal Register" shall be replaced with the Kansas Register. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-86-32, Sept. 24, 1985.)

28-31-2. Definitions. (a) Incorporation. 40 CFR section 260.10, as in effect on July 15, 1985, is adopted by reference.

(b) "Disposal authorization" means approval from the secretary to dispose of hazardous waste in Kansas.

(c) "Hazardous waste disposal application" means the written information which a hazardous waste generator, transporter or disposal facility is required to submit to the department in order to obtain disposal authorization.

(d) "Kansas generator" means any person who generates more than 50 kilograms and less than 1,000 kilograms of hazardous waste in a calendar month and does not accumulate quantities greater than 1,000 kilograms. Effective July 1, 1986, the minimum quantity shall decrease to 25 kilograms.

(e) Differences between state and federal definitions. When the same word is defined both in the Kansas statutes and in any federal regulation adopted by reference in these rules and regulations and the definitions are not identical, the definition prescribed in the Kansas statutes shall control. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended T-84-5, February 10, 1983; amended May 1, 1984; amended T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985.)

28-31-3. Identification of characteristics and listing of hazardous waste. (a) Incorporation. 40 CFR Part

261, as in effect on July 15, 1985, is adopted by reference, except for section 261.5 (a) which shall read, "A generator is a small quantity generator if less than 50 kilograms of hazardous waste is generated in a calendar month." Effective July 1, 1986, the minimum quantity shall decrease to 25 kilograms.

(b) Delisting procedure. Any person seeking to exclude a waste at a particular generating facility from the list maintained by the secretary may petition the secretary in accordance with the provisions of 40 CFR sections 260.20 and 260.22, as in effect on July 15, 1985. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, February 10, 1983; amended May 1, 1984; amended, T-85-42, December 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985.)

28-31-4. Standards for generators of hazardous waste. (a) Incorporation. 40 CFR Part 262, as in effect on July 15, 1985, is adopted by reference.

(b) Kansas generator requirements. Kansas generators shall be exempt from 40 CFR Part 262.34 (a)(4), as in effect on July 15, 1985. The 90-day time period of 40 CFR Part 262.34, as in effect on July 15, 1985, for accumulation of wastes on-site shall not apply to Kansas generators.

(c) Manifesting exemption. The manifesting requirements of 40 CFR 262 subpart B, as in effect on July 15, 1985, shall not apply to Kansas generators when:

(1) The waste is reclaimed under a contractual agreement by which:

(A) The reclaimer retains ownership of the material at all times;

(B) The type of waste and frequency of reclamation shipments are specified in the agreement;

(C) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the reclaimer of the waste; and

(2) The generator maintains a copy of the agreement for a period of at least three years.

(d) Inspection requirements. Each generator shall document weekly inspections of hazardous waste storage areas in accordance with 40 CFR 265.15(d), as in effect on July 15, 1985.

(e) Notification requirements. Whenever there is a change in the information originally submitted to obtain an EPA identification number as required by 40 CFR 262.12, as in effect on July 15, 1985, the generator shall update that information. These changes shall be submitted on a notification form obtained from the department.

(f) Testing requirements. If a laboratory procedure listed in 40 CFR 261 subpart C, as in effect on July 15, 1985, is used by a potential hazardous waste generator to determine if a solid waste is a hazardous waste, the analysis shall be conducted by a laboratory which is certified by the department for that procedure.

(g) Transportation requirements. Any generator

(continued)

transporting hazardous waste offsite shall only use a transporter who has properly registered with the department according to K.A.R. 28-31-6. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, February 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985.)

28-31-5. Hazardous waste disposal authorization.

(a) Scope. A person shall not transport a hazardous waste for off-site disposal or offer a hazardous waste for transport for off-site disposal in Kansas without first obtaining disposal authorization from the department. A hazardous waste disposal facility permitted in Kansas shall not accept any hazardous waste for disposal without evidence of a disposal authorization issued by the department.

(b) Hazardous waste disposal application. A hazardous waste disposal application shall be made on a form prepared or approved by the department. Laboratory analyses required for preparation of a hazardous waste disposal application shall be conducted by a laboratory certified by the department. The department shall review the application and if all procedures and information are found to be satisfactory, a disposal authorization number shall be issued for a specified time period. If any changes occur in the character of the waste or if handling or disposal procedures are to be altered from those reported on the original hazardous waste disposal application, the person shall submit immediately a revised hazardous waste disposal application and obtain another disposal authorization before proceeding with any off-site transportation or disposal.

(c) Laboratory certification. All laboratories desiring to be certified to perform analyses required in subsection (b) shall comply with all conditions, procedures, standards, and fees specified in K.A.R. 28-15-35 through 28-15-37.

(d) Emergency disposal authorization. In the event of an emergency, the department may waive the written application requirement prescribed in subsection (b) and grant an emergency disposal authorization. The department shall specify the conditions, procedures, and time limitations for which the emergency disposal authorization is granted. Persons granted emergency disposal authorizations shall complete a hazardous waste disposal application and submit it to the department within 15 days after the incident.

(e) Exception requests to the prohibition against underground burial of hazardous waste. Any person may petition the secretary to be granted an exception to the prohibition against underground burial of hazardous waste. Any person submitting such a request shall provide all information required in subsection (b). In addition, the person shall submit a detailed report which describes all economically reasonable and technologically feasible methods for treatment and disposal of the wastes. The department shall review the information submitted and if found not to be complete, shall notify the applicant of the deficiencies in the request. Upon submittal of a complete request,

the 90-day review period shall begin. The economic analysis shall be based on a 30-year time period and shall include the costs to the state for monitoring the land burial facility after post-closure care is terminated. The report shall demonstrate that no economically reasonable or technologically feasible methodology exists for the disposal of a particular hazardous waste except for underground burial.

(f) Public notice and hearing for exception requests. Upon receipt of a request for an exception to the prohibition against underground burial of hazardous waste, the secretary shall:

(1) Publish a notice once per week for three consecutive weeks in a newspaper having major circulation in the county in which the exception is requested. The required published notice shall identify the applicant and the specific waste along with a description of proposed disposal methods. In addition, the notice shall include a map indicating the location of proposed underground burial and the location where the application and related documents may be reviewed and where copies may be obtained. The notice shall describe the procedure by which the request will be reviewed, including a date and place for a public hearing. The public hearing shall be scheduled no sooner than 30 days from the date of the first public notice. The secretary shall also transmit a copy of the notice to the clerk of any city which is located within three miles of the proposed underground burial site.

(2) Publish a notice in the Kansas Register once per week for three consecutive weeks. That notice shall contain the same information required above.

(3) Conduct a public hearing in the city that is nearest to the proposed underground burial facility that has sufficient meeting room. The secretary may designate a hearing officer who shall be responsible for its scheduling and orderly conduct. Any person may submit oral or written comments and data concerning the exception request. Reasonable limits may be set upon the time allowed for oral statements, and the submission of statements in writing may be required. The public comment period shall automatically be extended to the close of any public hearing. The hearing officer may also extend the comment period by so stating at the hearing. A tape recording or written transcript of the hearing shall be made available to the public. The hearing officer shall submit a report to the secretary within 15 days after the close of the comment period detailing all written and oral comments submitted during the public comment period. The report may also recommend findings and determinations.

(g) Approval or denial of exception request. If the secretary determines that the exception request is valid, the secretary shall issue an order and may require such conditions as may be deemed necessary to protect public health and the environment. If the secretary determines that there is not sufficient evidence to approve the request, the secretary shall notify the applicant of the reasons why the request is not valid. The secretary shall issue public notice of the final decision to grant or deny the exception request in the newspaper having major circulation in the county

in which the exception was requested and in the Kansas Register. The secretary shall also transmit a copy of the final decision to the clerk of any city which is located within three miles of the proposed underground burial site. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective E-82-20, Nov. 4, 1981; effective May 1, 1982; amended T-86-6, March 22, 1985; amended, T-86-32, Sept. 24, 1985.)

28-31-6. Standards for transporters of hazardous waste. (a) Incorporation. 40 CFR Part 263, as in effect on July 15, 1985, is adopted by reference.

(b) Registration. In addition to the requirements of subsection (a), any person transporting hazardous waste within, into, out of, or through Kansas shall register with the department. The registration shall be on forms provided by the department. A person shall not transport hazardous waste within, into, out of, or through Kansas without written acknowledgement from the department that registration is complete.

(c) Insurance requirements. Each transporter of hazardous waste in Kansas shall secure and maintain liability insurance on all vehicles transporting hazardous waste. The limits of insurance shall not be less than \$500,000.00 per person and \$500,000.00 per occurrence for bodily injury or death and \$500,000.00 for all damages to the property of others. When combined bodily injury or death and property damage coverage are provided, the total limits shall not be less than \$500,000.00. Transporters of hazardous waste who are required to maintain liability insurance as prescribed in 49 CFR Part 387, as in effect on July 15, 1985, shall be exempt from these minimum insurance requirements. Should any of the coverages be reduced or cancelled, the transporter shall notify the department at least 35 days before the effective date of that action. Proof of periodic renewal shall also be furnished before the expiration date of the policy.

(d) Denial, suspension or revocation of registration. If the department determines that an applicant for registration has a history of repeated violations of federal or state environmental laws or regulations in Kansas or other states, the application may be denied. If the department determines that a registered transporter has transported hazardous waste in a manner contrary to this rule and regulation in Kansas or any other jurisdiction, the department may revoke or suspend the transporter's registration by providing written notification.

(e) Manifesting exemption. A transporter transporting hazardous waste from a Kansas generator shall not be subject to the requirements of 40 CFR 263 subpart B, as in effect on July 15, 1985, if:

(1) The waste is being transported pursuant to a reclamation agreement as provided for in K.A.R. 28-31-4(c);

(2) The transporter records, on a log or shipping paper, the following information for each shipment:
(A) The name, address, and EPA identification number of the generator of the waste;
(B) The quantity of the waste accepted;

(C) All shipping information required by the U.S. Department of Transportation;

(D) The date the waste is accepted; and

(3) The transporter carries this record when transporting the waste to the reclamation facility. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, February 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985.)

28-31-8. Standards for hazardous waste storage, treatment, and disposal facilities. (a) Incorporation. 40 CFR Parts 264, 265, 266 and 267, as in effect on July 15, 1985, are adopted by reference. (b) Labeling requirements. Each hazardous waste container storage facility shall maintain labels on containers which comply with the standards of 40 CFR 262.32, as in effect on July 15, 1985.

(c) Additional requirements. Any assignment, sale, conveyance or transfer of all or any part of the real property upon which a hazardous waste treatment, storage or disposal facility is or has been located shall be subject to such terms and conditions as to the use of such property as the secretary shall specify to protect human health and the environment. In specifying such terms and conditions, the secretary shall establish a period of time during which these requirements remain in effect.

(d) Hazardous waste injection wells. All hazardous waste injection wells shall be designed, constructed and operated to comply with all applicable requirements of K.A.R. 28-46-1 through K.A.R. 28-46-42. In addition, wastes received from multiple generators by a hazardous waste facility, even if treated at the hazardous waste facility before injection, shall be batch-tested and the chemical composition confirmed by laboratory analyses prior to injection. However, laboratory analysis of the composition of homogeneous and continuously generated injection fluids generated and disposed at a single site may be permitted on a monthly basis. The results of such laboratory analysis shall be the basis upon which the secretary will determine whether injection of the fluids may occur. Monitoring shall be required for each constituent that was approved for injection. The secretary may allow monitoring of specified indicator constituents rather than the approved list of constituents, and may require monitoring of other constituents as deemed necessary. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, February 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985.)

28-31-9. Hazardous waste storage, treatment, and disposal facility permits. (a) Incorporation. 40 CFR Part 270 and Part 124 Subparts A, B, E, and F, as in effect on July 15, 1985, are adopted by reference.

(b) Hazardous waste injection wells. The secretary shall review each permit for a hazardous waste injection well at least every year to determine whether it should be modified, revoked or reissued.

(continued)

(c) Background investigation. Prior to submitting any application for a hazardous waste facility permit, the applicant shall submit a disclosure statement. The disclosure statement shall include, but is not limited to, the following information: corporate information, partnership or joint venture information, ownership and debt liability, subsidiaries and stock holdings, financial history, employee data, experience and credentials, licenses and permits, civil violations history, civil judgments and litigation, and criminal proceedings. This information shall be submitted on forms provided by the department. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-84-5, February 10, 1983; amended May 1, 1984; amended, T-86-32, Sept. 24, 1985.)

28-31-10. Hazardous waste monitoring fees. (a) Hazardous waste storage facility. Each hazardous waste storage facility shall pay an annual monitoring fee of \$1,500. This fee shall be paid prior to March 1 of each year.

(b) Hazardous waste treatment facility. Each hazardous waste treatment facility shall pay an annual monitoring fee of \$2,500. This fee shall be paid prior to March 1 of each year.

(c) Hazardous waste disposal facility. Each hazardous waste disposal facility other than a landfill or underground injection well shall pay an annual monitoring fee of \$5,000. Each landfill and underground injection well facility shall pay \$10,000. If the landfill or underground injection well facility requires continuous on-site witnessing of operations, the monitoring fee shall be \$25,000. If on-site witnessing is conducted less than full-time, the Secretary may establish an appropriate monitoring fee which is less than \$25,000 but greater than \$10,000. This fee shall be paid prior to March 1 of each year.

(d) Hazardous waste transporters. Each hazardous waste transporter shall pay an annual monitoring fee of \$250. This fee shall be paid at the time the transporter notifies the department, in accordance with K.A.R. 28-31-6, and prior to March 1 for each year thereafter.

(e) Hazardous waste generators.

(1) Each hazardous waste generator shall pay an annual monitoring fee for all hazardous waste generated during the previous calendar year. This fee shall be based upon the following schedule:

<i>Total Yearly Quantity Generated</i>	<i>Monitoring Fee</i>
Less than or equal to 2 tons	\$ 100
Greater than 2 tons and less than or equal to 10 tons	\$ 200
Greater than 10 tons and less than or equal to 100 tons	\$ 500
Greater than 100 tons and less than or equal to 500 tons	\$1000
Greater than 500 tons and less than or equal to 1000 tons	\$3000
Greater than 1000 tons	\$5000

(2) Each Kansas generator who reclaims a hazardous waste in accordance with K.A.R. 28-31-4(c) shall not be subject to monitoring fees for that hazardous waste. The claimer who retains ownership of the hazardous waste in accordance with K.A.R. 28-31-4(c) shall pay a

generator fee according to the above schedule. The fee shall be based upon the total quantity of hazardous waste collected from all individual Kansas generators.

(3) The fee required under paragraphs (1) and (2) of this subsection shall be paid prior to March 1 of each year. (Authorized by and implementing K.S.A. 1984 Supp. 65-3431, as amended by L. 1985, ch. 218, sec. 2; effective, E-82-20, Nov. 4, 1981; effective May 1, 1982; amended, T-85-2, January 13, 1984; amended May 1, 1984; amended T-85-42, Dec. 19, 1984; amended May 1, 1985; amended, T-86-32, Sept. 24, 1985.)

BARBARA J. SABOL
Secretary of Health
and Environment

Doc. No. 003644

(Published in the KANSAS REGISTER, October 31, 1985.)

**AMENDED
NOTICE OF BOND SALE
\$750,000
GENERAL OBLIGATION BONDS
OF THE
CITY OF ARKANSAS CITY, KANSAS**

The city of Arkansas City, Kansas, will receive sealed bids at the office of the City Clerk, City Hall, 1st and Central, Arkansas City, Kansas, until 8 a.m., C.D.T., Tuesday, November 5, 1985, for \$750,000 par value general obligation bonds of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series A, 1985 Bonds will be dated as of November 1, 1985, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1986, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar), to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

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

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 10,000	December 1, 1986
10,000	December 1, 1987
30,000	December 1, 1988
30,000	December 1, 1989
30,000	December 1, 1990

50,000	December 1, 1991
147,500	December 1, 1992
147,500	December 1, 1993
147,500	December 1, 1994
147,500	December 1, 1995

Redemption

Bonds maturing December 1, 1992, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the city on and after December 1, 1991, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at a redemption price of 100 percent (expressed as a percentage of the par value of the principal amount thereof) plus accrued interest to the redemption date.

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

Interest Rate

Proposals will be received on the bonds bearing such rate as may be specified by the bidder. The same rate shall apply to all bonds of the same issue. Such interest rate specified shall be in an even multiple of one-eighth or one-twentieth of 1 percent. No interest rate shall exceed the lesser of 8.5 percent or the maximum interest rate allowed by Kansas law, said rate being the 20 bond index of tax exempt municipal bonds published by the Credit Markets in New York, New York on the Monday next preceding the day on which the bonds are sold (November 4, 1985), plus 2 percent, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at City Hall, 1st and Central, Arkansas City, KS 67005, Attention: Rod Franz, City Clerk, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to Treasurer, City of Arkansas 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 all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

Delivery of the Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Gaar & Bell, Bond Counsel, of Wichita, Kansas. The number, denomination of bonds, and names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than November 15, 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 December 2, 1985, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

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

Purpose of Issue

The bonds are being issued for the purpose of paying a portion of the costs of making various improvements to the Arkansas City Memorial Hospital, a public building, under the authority of K.S.A. 12-1736 *et seq.*

CUSIP Identification Numbers

CUSIP identification numbers will be printed on

(continued)

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

Assessed Valuation

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

Equalized assessed valuation of taxable tangible property	\$23,344,554
Tangible valuation of motor vehicles	\$ 6,009,804
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$29,354,358

Bonded Indebtedness

The total bonded indebtedness of the city of Arkansas City, Kansas, at the date hereof, including this \$750,000 proposed issue of bonds, is \$4,983,859.04.

Official Statement

Additional copies of this notice of bond sale, copies of the city's official statement relating to the bonds, or further information may be received from the office of the City Clerk, City Hall, 1st and Central, Arkansas City, KS 67005.

Dated October, 2, 1985.

CITY OF ARKANSAS CITY, KANSAS
By ROD FRANZ, City Clerk

Doc. No. 003618

KANSAS PLACES

A glimpse of the future or a taste of the past, Kansas offers visitors both. The future is found at the Kansas Cosmosphere in Hutchinson, the past in a 36-hour wagon train ride through the Flint Hills near El Dorado. A sampling of popular tourist attractions in Kansas include:

A 2,000-mile trip can be completed in a 10-minute stroll through scenes from the arctic to the tropics in the Panorama of North American Plants and Animals at the Museum of Natural History on the campus of the University of Kansas. It is one of the largest diorama exhibits in the world. The museum also houses an array of fossils and minerals, including a reconstruction of a tar pit and fossil marine reptiles from Kansas; exhibits on native North Americans from Greenland Eskimos to the Plains Indians; the U.S. Cavalry horse "Comanche," a survivor of the Battle of the Little Bighorn; and live snakes, bees and fishes of Kansas. The museum is open 361 days each year. Dyche Hall, which houses the museum, is on the National Register of Historic Places.

Built in 1857 or 1858, the Pony Express Station near Hanover is said to be the only unaltered pony express station which remains on its original site. It was built along the Oregon-California Trail, one of the most heavily traveled routes in the West, by Gerat H. Hollenberg, a German immigrant. The building served as Hollenberg's family home, a neighborhood store, a tavern, a stage station for the Overland Express and, in 1860, a pony express station.

The Kansas Cosmosphere and Discovery Center,

Hutchinson, houses one of the largest and most significant collections of space artifacts in existence. It also boasts the world's largest movie projection system. Artifacts include a 25-foot tall Lunar Module and an Apollo Command Module. Many of the artifacts are restored at the Cosmosphere.

A re-creation of Wichita in its developmental years of 1865 to 1880, the Old Cowtown Museum has 36 buildings on 17 acres. Among the exhibits is a log cabin that was the first two-story dwelling in Wichita. It was built by hand by a town founder about 1868. Other buildings on display include a church, drug-store, blacksmith shop, saloon, newspaper office and jail. Many of the buildings are authentically furnished with items from the museum's extensive collection of 19th century artifacts. Cowtown sits on the banks of the Big Arkansas River in Wichita's Sim Park. It is open seven days a week March through December and is open Monday through Friday in January and February.

Abilene, the boyhood home and final resting place of President Dwight D. Eisenhower, is also home to the Eisenhower Center. The center comprises the Eisenhower family home, a museum and library, a visitors' center and a Place of Meditation where Eisenhower is buried. The family home is on its original site and contains original furnishings belonging to the family. The museum contains thousands of mementoes of Eisenhower's military career and Presidency. The library features exhibits and has research facilities for scholars. In the visitors' center a free movie about Eisenhower's life and the Presidential Library is shown regularly.

Abilene is also home to the Museum of Independent Telephony, the Greyhound Hall of Fame and the National Greyhound Association. The only museum of its kind in the nation, the Museum of Independent Telephony has a collection of telephones dating from 1875 and a large research library. The Greyhound Hall of Fame pays tribute to famous racing dogs and personalities connected with the sport. It features a miniature race track and other displays. Abilene is also the site of the National Greyhound Association Meet, the "world series" of greyhound racing. The National Greyhound Association is headquartered on Old U.S. Highway 24 west of Abilene. It is the official world registry for all racing dogs that compete in the United States.

The High Plains Museum in Goodland houses America's first patented helicopter, which was built about 1910 by two machinists. Also on display are prehistoric fossils, Indian artifacts including a collection of arrowheads, pioneer artifacts from household equipment to toys and dolls, and farming tools and implements used by the pioneers. The museum is in Steever Park, south of the Goodland Municipal Pool.

Once the "Cowboy Capital of the World," Dodge City features an authentic reproduction of Old Front Street as it appeared in 1872 at the foot of Boot Hill cemetery. The display includes the famous Long Branch Saloon, and gun fights are staged during the summer. Other attractions are the Boot Hill Western

Museum, the Beeson Museum and the home of Colonel R. J. Hardesty, an early day cattle baron.

A glimpse of pioneer life is found at the Chisholm Trail Museum, Wellington. Exhibits include the Old Parlor, Old Kitchen, Grandmothers' Room, the Doctor's Office and the Barber Shop. The museum has 42 rooms of displays with more than 12,000 exhibits. It also contains an archives section containing unpublished biographies, diaries, family records, photographs and the early history of Sumner County. The museum is on Washington Avenue across from the Sumner County Courthouse.

Lindsborg is rich in Swedish heritage and tradition. Its unique Main Street has a distinctly European flavor. Found at the McPherson County Old Mill Museum complex is the century-old Smoky Valley Roller Mill, which has been restored to operating condition; the Swedish Pavilion from the St. Louis World's Fair; and a large variety of early frontier collections. Both the mill and the pavilion are on the National Register of Historic Places. Bethany Lutheran Church contains a century-old, hand-carved railing and Birger Sandzen murals. Coronado Memorial Park gives a spectacular view of the entire Smoky Valley.

Built in 1870, the Brookville Hotel, Brookville, is nationally famous for its family-style chicken and its old-fashioned atmosphere.

The State Capitol in Topeka is one of the most beautiful capitols in the country. The building features extensive murals, elaborate frescoing and beautiful woodwork. The chambers of the Senate and House of Representatives are outstanding examples of 19th century decor. Nearby is the Judicial Center and State Office Building.

Topeka is also the home of the Kansas Museum of History, the Menninger Foundation and the World Famous Topeka Zoo. The museum moved from downtown Topeka to a new building on Topeka's west side in mid-1984. The Menninger Foundation is a psychiatric center for professional education, research, treatment and prevention of mental illness. The main building of the foundation's west campus is fashioned after Independence Hall. It contains a unique collection of papers and objects related to psychiatry, including one of the country's largest collections of Sigmund Freud's papers. The Topeka Zoo features a water bird lagoon; a tropical rain forest—the first of its type in the world; and the world's only walk-through gorilla exhibit. The zoo has about 500 animals of 200 different species. It is open to the public every day of the year.

An authentic military fort, Fort Scott played a key role in the nation's westward expansion. The fort, established in 1842, was part of a series of forts built to maintain peace between the Indians to the west and the white settlers to the east. Fort Scott has 19 buildings spread across 14 acres. It is a National Historic Park and has been restored by the National Park Service.

Fort Larned was established in 1859 by the U.S. Army to protect travelers and commerce on the Santa Fe Trail. The fort also served as a military base for action against hostile Indians and later as a center for

peaceful relations with the tribes. Six miles west of Larned, the Fort Larned National Historical Site is administered by the National Park Service.

The Safari Museum in Chanute honors the late Osa and Martin Johnson, who are noted for their contributions to wildlife, photography and exploration. The museum contains trophies and souvenirs of their African trips.

The infamous Dalton family made a bloody raid on the city of Coffeyville October 5, 1892, in an attempt to rob two banks simultaneously. Death Alley and the graves of two of the gang can be seen. The Dalton Museum displays mementoes of the famous gun battle. It also features Hall of Fame pitcher Walker Johnson and 1940 Republican presidential nominee Wendell Willkie, who once taught history at Coffeyville High School. The stately Brown Mansion is on South Walnut in Coffeyville. Built in 1906 by W. P. Brown, the home shows the influence of architect Stanford White.

"Little House on the Prairie" near Independence is a reproduction of a log cabin on the site where Laura Ingalls Wilder lived as a child. Wilder wrote the nine children's books which provided the basis for the "Little House on the Prairie" television series. The cabin, a one-room schoolhouse and an early-day rural post office are 13 miles southwest of Independence.

Fort Riley is one of the nation's most important military installations. It is the home of the famous 1st Infantry Division, the "Big Red One." The historic 100,000-acre military reservation has many beautiful limestone buildings, barracks and homes. Also at Fort Riley is the first Territorial Capitol of Kansas, which is maintained by the state as a public museum. It houses artifacts concerning the taming of the Old West. Also on the grounds are the U.S. Cavalry Museum, a herd of buffalo and the quarters which General Custer used when he was stationed at the fort.

The Brown Grand Theatre, Concordia, opened as an Opera House in 1907. Built at a cost of \$40,000, it was elegantly decorated in white, green and gold with 535 "electric bulbs." The theater showed motion pictures from 1925 to 1974, during which time the inside was repainted pink and blue. The building fell into disrepair, but in 1973 it was named a National Historic Site. From 1973 to 1980, a committee of interested people worked to restore the Brown Grand. It was reopened in 1980 and is once again an elegant theater, presenting a variety of live entertainment.

Fort Leavenworth is the oldest army post in continuous existence west of the Mississippi River. Established in 1827, it provided protection against the Indians and served as a starting point for wagon trains. The fort is now the site of the U.S. Command and General Staff College. Points of interest include the Post Museum, with an exhibit of 19th century horse-drawn vehicles; Bell Hall, home of the Command and General Staff College; the French cannon; the U.S. Disciplinary Barracks; and the National Cemetery. The Leavenworth Federal Penitentiary is nearby.

The Thomas County Museum, Colby, contains an outstanding collection of American and European an-

(continued)

tiques acquired by Nellie and Joseph Kuska. It includes dolls, glass, ceramics, furniture, paintings, textiles, clothing, silver and clocks. It also has a gallery devoted to the history of Thomas County.

In Beloit, the Little Red Schoolhouse offers schoolchildren the opportunity to experience school as it was taught in the late 1800s. Children learn reading, writing and arithmetic in half-day classes taught by retired schoolteachers with experience teaching in one-room schools. The schoolhouse is open to the public afternoons from May 1 to October 1. It is in north Beloit near the junction of U.S. Highway 24 and Highway 9.

Visitors can also experience frontier life in El Dorado with a Flint Hills Overland Wagon Train Trip. Passengers on the 36-hour expedition through the scenic Flint Hills can ride in either an authentic covered wagon or a stagecoach. Meals are eaten around a campfire. At the beginning of the journey, passengers are given a tin cup and a red bandana. The tin cup is for their coffee. The bandana is looped through the latch of the outhouse door to warn other travelers when the outhouse is occupied. Trips are scheduled in the spring, summer and fall. Information is available by contacting Ervin E. Grant, P. O. Box 1076, El Dorado 67042, (316) 321-6300.

The Sedgwick County Zoo, Wichita, has six major exhibit areas containing more than 1,000 animals. It has the only underwater hippo viewing tank in the world and offers an extensive educational program.

Special Events

Among the more unusual events in Kansas is the International Pancake Race in Liberal. Conducted each Shrove Tuesday, the day before Ash Wednesday, the race is run in competition with Olney, England—home of the original pancake race. Legend has it that more than 500 years ago on Shrove Tuesday an Olney housewife was using up cooking fats, which were forbidden during Lent, to cook pancakes. As she was cooking the church bell tolled calling everyone to shroving service. In her haste, she forgot to remove her apron and ran to the church with skillet still in hand. Not to be outdone, her neighbors got into the act the next year and carried their skillets to church. The race has been run ever since, with Liberal joining in 1950. Female competitors, wearing housedresses, aprons and headscarves run an S-shaped course, carrying skillets and flipping their pancakes twice.

The oldest continuous annual event in Kansas is the Old Soldiers and Sailors Annual Reunion in Erie each July. First held in 1873, it is sponsored by the American Legion Post 102. There is a rodeo on Tuesday and Wednesday nights and a "bean feed" on Friday.

Bird City is host to the annual four-day Tri-State Antique Engine and Threshers Show in late July.

An Indian Peace Treaty Pageant is staged every three years in the fall at Memorial Peace Park, Medicine Lodge. A cast of 1,000 presents the pageant in memory of peace treaties negotiated in 1867 by the United States with five hostile Plains Indian tribes.

The infamous Dalton raid is re-enacted in Coffeyville each October. Coffeyville also features the Inter-State Fair and Rodeo in August. The rodeo ob-

served its 77th anniversary in 1985. The city's annual Christmas parade is in early December and it hosts an arts and crafts show in late November.

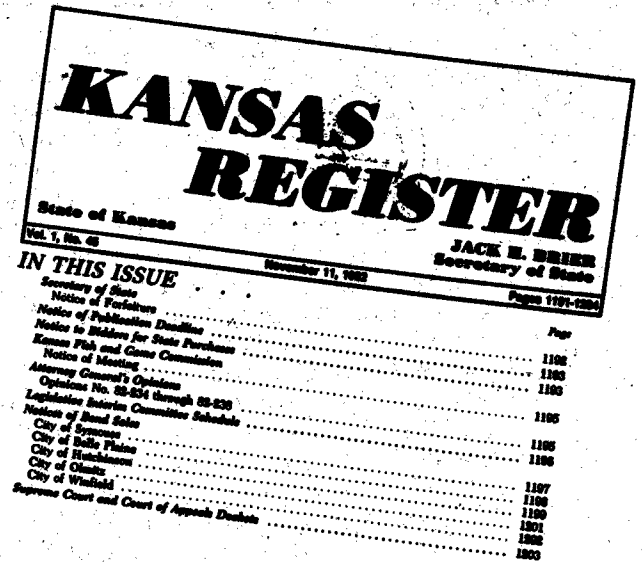
Each March, Hutchinson is host to the National Junior College Basketball Tournament. The Annual Kansas Barbed Wire Swap and Sell Session meets in May in La Crosse. The third week in September Winfield is host to the Bluegrass Festival and Flat-Picking Championship Contest. There is horse racing at Eureka Downs, Eureka, during the spring, summer and early fall. Bethany College, Lindsborg, is world famous for its Messiah Festival, which has been performed annually during Holy Week since 1882.

Arkansas City's Arkalalah, Independence's Neewollah (Halloween spelled backwards) and the Maple Leaf Festival in Baldwin are celebrated in October each year. They feature parades, carnivals, queen pageants, dances and concerts.

The Biblesta at Humboldt is an annual parade portraying Biblical scenes in floats. It is the first Saturday in October. The annual Kansas State Fair is at the Fairgrounds in Hutchinson in mid-September. Attractions include games, rides, agricultural shows and exhibits and concerts by popular performers. An After Harvest Czech Festival is on the last Saturday in July each year at Wilson, the "Czech Capital of Kansas." The annual Scott County Easter Pageant at Scott City is a special religious program presented by area volunteers. It is staged outside on each Good Friday evening.

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