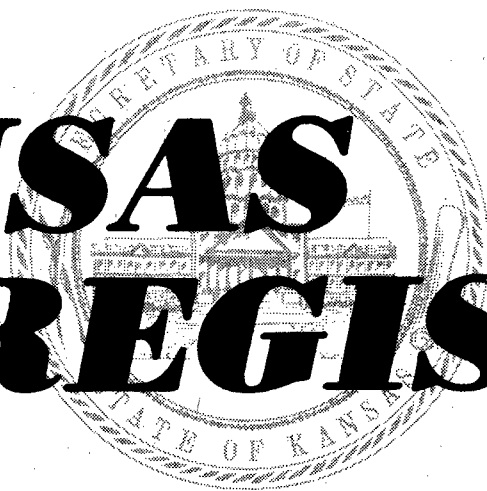


KANSAS REGISTER



State of Kansas

**JACK H. BRIER
Secretary of State**

Vol. 5, No. 19

May 8, 1986

Pages 729-760

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State of Kansas
DEPARTMENT ON AGING
ADVISORY COUNCIL ON AGING

NOTICE OF HEARING
ON THE NEEDS OF OLDER KANSANS

The State Advisory Council on Aging, in conjunction with the Kansas Department on Aging (KDOA), will conduct a statewide public hearing on the needs of older Kansans from 9 to 10 a.m. Thursday, May 22, in Hubbard Hall, Room 211, Wichita State University, Wichita.

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

Persons wishing to speak at the hearing are asked to notify KDOA prior to the hearing and to provide a written copy of their comments at the hearing. Depending upon the number of persons wishing to be heard, the time available for oral presentations may be limited. Written comments will be accepted by KDOA through June 2, 1986.

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

JOYCE V. ROMERO
 Secretary of Aging

Doc. No. 004216

State of Kansas
SECRETARY OF STATE
EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed April 25 through April 30:

Appointed by the Governor

Jefferson County Clerk

Shirley Walbridge, Route 2, Box 94, McLouth 66054. Effective April 29, 1986. Expires when a successor is elected and qualifies according to law. Succeeds Alyce Riedesel, resigned.

Employment and Training, Kansas Council on

James R. Grier III, 202 S. Lynwood, Wichita 67218. Effective April 29, 1986. Serves at the pleasure of the Governor. Succeeds Ron Harding, resigned.

Appointed by the Speaker of the House

Aging, Advisory Council on

Rep. Elaine Hassler, Route 2, Abilene 67410. Effective April 25, 1986. Succeeds Rep. Thomas Walker.

JACK H. BRIER
 Secretary of State

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JACK H. BRIER
 Secretary of State
 2nd Floor, State Capitol
 Topeka, KS 66612-1594



PHONE: 913/296-3489

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 a contract for engineering services for a central air cooling and ventilation system for the east wing of Davis Hall, Fort Hays State University, Hays.

The east wing contains approximately 20,000 gross square feet. A preliminary estimate of the cooling load is 60 tons, with 6500-7000 cfm ventilation.

Services will include a further estimate and verification of the load by zone, budget estimate and design of a forced air system with plans and specifications and construction administration.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603; (913) 233-9367, by May 23, 1986.

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

Doc. No. 004197

State of Kansas
DEPARTMENT OF EDUCATION

**NOTICE OF AVAILABLE FEDERAL
 FUNDING FOR ADULT BASIC
 EDUCATION STATE PLAN**

Pursuant to assurances as set out in the fiscal years' 1986-1988 Kansas State Plan for Adult Basic Education, notification of available federal funding for this program is announced. These funds are authorized by Public Law 91-230 as amended.

The Adult Education Act provides federal financial assistance to states in order to expand educational opportunities for adults and to encourage the establishment of programs of adult education that will enable all adults to acquire basic literacy skills necessary to function in society, enable adults who desire to continue their education to at least the level of completion of secondary school, and make available to adults a means to secure training and education that will enable them to become more employable, productive and responsible citizens.

For further information, contact Wes Pelsue, Adult Education Specialist, Kansas State Department of Education, 120 E. 10th, Topeka 66612, (913) 296-3192.

DR. HAROLD L. BLACKBURN
 Commissioner of Education

Doc. No. 004208

State of Kansas
BOARD OF REGENTS
UNIVERSITY OF KANSAS

**REQUEST FOR BIDS FOR
 AN OIL AND GAS LEASE**

Under the authority of K.S.A. 76-164 through 76-168, the State Board of Regents has determined that certain lands in Texas County, Oklahoma, consisting of approximately 160 acres owned by the University of Kansas, are valuable for leasing for the production of oil and gas and that such lands can be leased for such purpose and that the board intends to lease the lands, described as:

An undivided thirty-one sixths (31/64) interest in the oil, gas and other minerals in, on and under the Northeast Quarter (NE/4) of Section Eighteen (18), Township Three (3) North, Range Eleven (11), East of the Cimarron Meridian.

The terms and conditions prescribed by the board of such leasing and the provisions for the competitive bids in accordance with law for the same and other matters incidental thereto are contained in a resolution passed by the board on April 18, 1986, and spread at large upon the minutes of said board, which minutes and resolution are open to public inspection in the office of the State Board of Regents, Suite 609, Capitol Tower, 400 S.W. 8th, Topeka 66603. Copies may be obtained by contacting Dr. Stanley Z. Koplik, Executive Director, State Board of Regents.

Competitive bids for leasing of the land will be received by the board until 1 p.m. C.D.T. June 23, 1986, and no bids will be received after said date and hour, and any bids received will be thereafter considered by the board. Any lease or leases entered into by the board will be awarded by the board to the highest responsible bidder, provided that the board reserves the right to reject any and all bids. Bids should be addressed to the executive director of the State Board of Regents and plainly marked "Bid on Oil and Gas Lease." Only such bids as shall be in substantial conformity with the terms and provisions of the aforesaid resolution will be considered or accepted by the board.

SANDRA L. McMULLEN
 Chairman
 State Board of Regents

Doc. No. 004215

State of Kansas
DEPARTMENT OF REVENUE
LIQUOR LAW REVIEW COMMISSION
NOTICE OF MEETING

The Liquor Law Review Commission Subcommittee on On Premises will meet at 8 a.m. Monday, May 19, in the secretary's conference room, Department of Revenue, second floor, State Office Building, Topeka.

JEFF ELLIS
 Chairman

Doc. No. 004211

State of Kansas
DEPARTMENT OF ADMINISTRATION
STATE EMPLOYEES HEALTH CARE COMMISSION

NOTICE OF RESCHEDULED MEETING

The regular monthly meeting of the Kansas State Employees Health Care Commission has been rescheduled from 1:30 p.m. Tuesday, May 13 to 9 a.m. Monday, May 12. The meeting will be held in the third floor conference room, Insurance Department, 420 S.W. 9th, Topeka.

ALDEN K. SHIELDS
 Chairman

Doc. No. 004210

State of Kansas
LEGISLATURE
LEGISLATIVE BILLS INTRODUCED

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

Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, Topeka 66612, (913) 296-4096. There is a limit of 25 copies of any one item.

Bills Introduced April 24-27:

SB 772, by Committee on Ways and Means: An act relating to agriculture; concerning the levy of taxes and assessments upon wheat, corn, grain sorghum and soybeans marketed through commercial channels in the state; amending K.S.A. 1985 Supp. 2-2608 and 2-3007 and repealing the existing sections.

SB 773, by Committee on Ways and Means: An act relating to the issuance of general obligation bonds by certain unified school districts; validating and confirming certain proceedings for the issuance of such bonds and any bonds issued thereunder.

SB 774, by Committee on Ways and Means: An act concerning the disciplinary counsel of the state board of healing arts; providing for appointment thereof by the attorney general; transferring certain powers, duties and functions; amending K.S.A. 65-2840a, as amended by section 44 of 1986 House Bill No. 2661, and 65-2864 and repealing the existing sections.

SB 775, by Committee on Federal and State Affairs: An act concerning the crime of dealing in false identification documents; amending K.S.A. 1985 Supp. 21-3830 and repealing the existing section.

SB 776, by Committee on Ways and Means: An act concerning criminal procedure; relating to the admission of certain evidence at a preliminary examination; amending K.S.A. 1985 Supp. 22-2902a and repealing the existing section.

SB 777, by Committee on Ways and Means: An act concerning hazing; prohibiting certain acts and providing penalties therefor.

SB 778, by Committee on Ways and Means: An act concerning community colleges; affecting the tax levy limitation for capital outlay funds thereof; amending K.S.A. 71-501, as amended by section 1 of 1986 Senate Bill No. 55, and repealing the existing section; also repealing sections 2, 3 and 4 of 1986 Senate Bill No. 55 and K.S.A. 71-503, 71-504, 71-505 and 71-506.

SB 779, by Committee on Ways and Means: An act concerning the pharmacy act of the state of Kansas; unprofessional conduct; examination; amending K.S.A. 65-1626, as amended by section 9 of 1986 House Bill No. 3015, and K.S.A. 65-1631, as amended by section 20 of 1986 House Bill No. 3015 and repealing the existing sections; also repealing K.S.A. 65-1626, as amended by section 1 of 1986 House Bill No. 2729, and K.S.A. 65-1631, as amended by section 3 of 1986 House Bill No. 2729.

SB 780, by Committee on Ways and Means: An act concerning unlawful parking on

certain state property; amending K.S.A. 75-4508 and 75-4510a, K.S.A. 1985 Supp. 8-2118, as amended by 1986 House Bill No. 2771, and K.S.A. 1985 Supp. 28-172a, as amended by 1986 Senate Bill No. 595, and repealing the existing sections.

SB 781, by Committee on Ways and Means: An act transferring certain powers, duties and functions from the secretary and department of economic development to the secretary and department of social and rehabilitation services; repealing K.S.A. 74-5013a.

HB 3164, by Committee on Ways and Means: An act increasing the state sales and compensating use tax rates; amending K.S.A. 79-3603, as amended by section 1 of 1986 Senate Bill No. 536 and K.S.A. 79-3703, as amended by section 3 of 1986 Senate Bill No. 536 and repealing the existing sections.

HB 3165, by Committee on Ways and Means: An act concerning state officers and employees; relating to salaries and compensation; authorizing and providing for certain increases and certain revisions of classification and compensation of positions in the clerical job class series; making appropriations for the fiscal year ending June 30, 1987, and authorizing certain transfers and adjustments in expenditure limitations therefor.

HB 3166, by Committee on Ways and Means: An act concerning fish and game; relating to big game animals; amending K.S.A. 1985 Supp. 32-164b, as amended by section 4 of 1986 House Bill No. 2865, and K.S.A. 1985 Supp. 32-179, as amended by section 3 of 1986 House Bill No. 2865, and repealing the existing sections.

HB 3167, by Committee on Ways and Means: An act concerning zoning; relating to group homes.

HB 3168, by Committee on Federal and State Affairs: An act concerning townships; relating to the limitation of tax levies; amending K.S.A. 1985 Supp. 79-1962, as amended by section 1 of 1986 House Bill No. 2794, and repealing the existing section; also repealing K.S.A. 1985 Supp. 79-1962, as amended by section 1 of 1986 House Bill No. 2680.

HB 3169, by Committee on Federal and State Affairs: An act concerning motor vehicles; relating to vehicle dealer license plates; amending K.S.A. 1985 Supp. 8-2406, as amended by section 2 of 1986 House Bill No. 3147 and repealing the existing section; also repealing K.S.A. 1985 Supp. 8-2406, as amended by 1986 House Bill No. 2842.

HB 3170, by Committee on Federal and State Affairs: An act concerning court costs; relating to the filing of a notice of intent to perform; amending K.S.A. 1985 Supp. 28-170, as amended by section 30 of 1986 Substitute for House Bill No. 2050, and repealing the existing section; also repealing K.S.A. 1985 Supp. 28-170, as amended by section 4 of 1986 Senate Bill No. 413.

HB 3171, by Committee on Federal and State Affairs: An act amending the Kansas juvenile offenders code; amending K.S.A. 1985 Supp. 38-1624, as amended by 1986 House Bill No. 2773, and repealing the existing section; also repealing K.S.A. 1985 Supp. 38-1624, as amended by 1986 Senate Bill No. 508.

HB 3172, by Committee on Federal and State Affairs: An act concerning the Kansas code for care of children; amending K.S.A. 1985 Supp. 38-1502, K.S.A. 1985 Supp. 38-1522, as amended by section 4 of 1986 House Bill No. 3096, and repealing the existing sections; also repealing K.S.A. 1985 Supp. 38-1502a, 38-1504a, K.S.A. 1985 Supp. 38-1522, as amended by section 1 of 1986 Senate Bill No. 704.

HB 3173, by Committee on Federal and State Affairs: An act concerning judges of the district court; amending K.S.A. 61-2102, as amended by 1986 House Bill No. 2830, K.S.A. 1985 Supp. 22-2202, as amended by 1986 Senate Bill No. 498, K.S.A. 1985 Supp. 22-3302, as amended by 1986 House Bill No. 3096, and section 1 of 1986 Senate Bill No. 535 and repealing the existing sections; also repealing K.S.A. 61-2102, as amended by 1986 House Bill No. 3050, K.S.A. 1985 Supp. 22-2202, as amended by 1986 House Bill No. 3050, and K.S.A. 1985 Supp. 22-3302, as amended by 1986 House Bill No. 3050.

HB 3174, by Committee on Federal and State Affairs: An act concerning the small claims procedure act; amending K.S.A. 61-2703, 61-2706 and 61-2713, all three as amended by 1986 House Bill No. 2678, and repealing the existing sections; also repealing K.S.A. 61-2703, 61-2706 and 61-2713, all three as amended by 1986 House Bill No. 2849.

HB 3175, by Committee on Federal and State Affairs: An act concerning crimes, punishments and criminal procedure; relating to restitution; amending K.S.A. 1985 Supp. 21-4603, as amended by section 6 of 1986 Senate Bill No. 419, K.S.A. 1985 Supp. 21-4610, as amended by section 10 of 1986 Senate Bill No. 419, and K.S.A. 1985 Supp. 22-3717, as amended by section 25 of 1986 Senate Bill No. 419, and repealing the existing sections; also repealing K.S.A. 1985 Supp. 21-4603, as amended by section 1 of 1986 House Substitute for Senate Bill No. 475, K.S.A. 1985 Supp. 21-4610, as amended by section 2 of 1986 House Substitute for Senate Bill No. 475, and K.S.A. 1985 Supp. 22-3717, as amended by section 3 of 1986 House Substitute for Senate Bill No. 475.

HB 3176, by Committee on Federal and State Affairs: An act concerning commitment of persons found not guilty by reason of insanity; relating to certain hearings; amending K.S.A. 1985 Supp. 22-3428a, as amended by section 3 of 1986 House Bill No. 3096, and repealing the existing section; also repealing K.S.A. 1985 Supp. 22-3428a, as amended by section 29 of 1986 Substitute for House Bill No. 2050.

HB 3177, by Committee on Federal and State Affairs: An act concerning certain tests for alcohol and drugs; amending K.S.A. 1985 Supp. 8-1005, as amended by 1986 House Bill No. 2752, and K.S.A. 1985 Supp. 8-2118, as amended by 1986 House Bill No. 2771, and repealing the existing sections; also repealing K.S.A. 1985 Supp. 8-2118, as amended by 1986 House Bill No. 2752.

HB 3178, by Committee on Federal and State Affairs: An act concerning insurance; relating to certain liability actions and settlements; amending K.S.A. 1985 Supp. 40-3003, as amended by 1986 House Bill No. 3088, K.S.A. 1985 Supp. 40-3401, as amended by 1986 Senate Bill No. 734, K.S.A. 1985 Supp. 40-3401, as amended by section 2 of this act, K.S.A. 1985 Supp. 40-3401, as amended by section 3 of this act, K.S.A. 1985 Supp. 40-3403, as amended by 1986 Senate Bill No. 734, K.S.A. 1985 Supp. 40-3403, as amended by section 5 of this act, and K.S.A. 1985 Supp. 40-3404, as amended by 1986 Senate Bill No. 734, and repealing the existing sections; also repealing K.S.A. 1985 Supp. 40-3003, as amended by 1986 House Bill No. 2661, K.S.A. 1985 Supp. 40-3401, as amended by 1986 House Bill No. 3015, K.S.A. 1985 Supp. 40-3101, as amended by 1986 House Bill No. 2661, K.S.A. 1985 Supp. 40-3401, as amended by 1986 Senate Bill No. 179, K.S.A. 1985 Supp. 40-3402, as amended by 1986 House Bill No. 2661, K.S.A. 1985 Supp. 40-3403, as amended by 1986 House Bill No. 2661, and K.S.A. 1985 Supp. 40-3404, as amended by 1986 House Bill No. 2661.

HB 3179, by Committee on Federal and State Affairs: An act concerning change from registration to licensure of pharmacists; amending K.S.A. 7-121b, as amended by 1986 House Bill No. 2661, and repealing the existing section; also repealing K.S.A. 7-121b, as amended by 1986 House Bill No. 3015.

HB 3180, by Committee on Federal and State Affairs: An act concerning licensure to practice the healing arts; amending K.S.A. 65-2809, as amended by 1986 House Bill No. 2661, K.S.A. 65-2836, as amended by 1986 House Bill No. 2661, and repealing the existing sections; also repealing K.S.A. 65-2836, as amended by 1986 Substitute for House Bill No. 2496.

HB 3181, by Committee on Federal and State Affairs: An act concerning criminal procedure; relating to diversion agreements; amending K.S.A. 1985 Supp. 12-4416 and 22-2909 and repealing the existing sections; also repealing K.S.A. 1985 Supp. 12-4416a and 22-2909a.

HB 3182, by Committee on Federal and State Affairs: An act repealing K.S.A. 1985 Supp. 8-2107 and 32-155b, both as amended by 1986 House Bill No. 2831, relating to procedure in cases involving traffic and fish and game violations.

SCR 1645, by Senator Burke: A concurrent resolution relating to the 1986 regular session of the legislature; and providing for an adjournment thereof.

SR 1916, by Senators Winter, Allen, Arasmith, Burke, Doyen, Gaines, Cannon, D. Kerr, Langworthy, Parrish, Reilly, Salisbury, Steineger, Talkington, Walker and Yost: A resolution congratulating and commending the University of Kansas men's basketball team and its coach, Larry Brown, on an outstanding basketball season and on qualifying for the Final Four.

SR 1917, by Senator Vidricksen: A resolution congratulating and commending Rick Malir on being elected National FFA President.

SR 1918, by Senator F. Kerr: A resolution congratulating the City of Greensburg on its Centennial anniversary.

SR 1919, by Senator Vidricksen: A resolution congratulating the City of Beverly on its Centennial anniversary.

SR 1920, by Senator Frey: A resolution congratulating and commending the Liberal High School girls' track team and its coach, Sandy Baker, on winning the 1985 Class 5A State Track Meet in Kansas.

SR 1921, by Senator Morris: A resolution designating May 4 through May 11, 1986, as the Days of Remembrance of the Victims of the Holocaust.

SR 1922, by Senator Frey: A resolution congratulating and commending the Liberal High School boys' basketball team and its coach, Phil Stines, on winning the 1986 Class 5A State Basketball Championship in Kansas.

SR 1923, by Senator Reilly: A resolution congratulating and commending the First Missionary Baptist Church of Leavenworth, Kansas, on its 129th anniversary.

SR 1924, by Senator Talkington, Burke and Johnston: A resolution congratulating and commending the Kansas City Royals Baseball organization on their outstanding 1985 baseball season.

SR 1925, by Senator Parrish: A resolution congratulating Ben Wray for winning the 1986 Kansas Spelling Bee.

SR 1926, by Senator Vidricksen: A resolution commending the Small Business Administration on its efforts to promote small business in the United States.

SR 1927, by Senators Anderson, Daniels, Cannon, Hayden, Martin, Morris, Strick, Vidricksen, Walker and Yost: A resolution amending the rules of the Senate; amending Senate Rule 57, relating to smoking in the Senate chamber.

SR 1928, by Senator Morris: A resolution commemorating the Dun and Bradstreet Corporation on its 100th anniversary of doing business in Kansas.

SR 1929, by Senator Frey: A resolution congratulating and commending the Liberal High School girls' track team and its coach, Sandy Baker, on winning the 1984 Class 5A State Track Meet in Kansas.

SR 1930, by Senator Martin: A resolution congratulating Frontenac on its Centennial anniversary.

SR 1931, by Senators Vidricksen and Daniels: A resolution proclaiming the week of May 18 through May 25, 1986, as "Small Business Week."

SR 1932, by Senators Allen, Anderson, Arasmith, Bogina, Burke, Daniels, Doyen, Ehrlich, Feleciano, Gaines, Gordon, Harder, Hayden, Hoferer, Johnston, Karr, D. Kerr, F. Kerr, Langworthy, Martin, Montgomery, Morris, Mulich, Norvell, Parrish, Reilly, Salisbury, Strick, Thiessen, Vidricksen, Walker, Warren, Werts, Winter and Yost: A resolution relating to the birth of Elizabeth Ashley Cannon.

SR 1933, by Senators Allen, Anderson, Arasmith, Bogina, Burke, Daniels, Doyen, Ehrlich, Feleciano, Gaines, Cannon, Gordon, Harder, Hayden, Hoferer, Johnston, Karr, D. Kerr, F. Kerr, Langworthy, Martin, Montgomery, Morris, Mulich, Norvell, Parrish, Reilly, Salisbury, Strick, Thiessen, Vidricksen, Walker, Warren, Werts and Yost: A resolution relating to the birth of Elizabeth Boyd Winter.

SR 1934, by Senators Allen, Anderson, Arasmith, Bogina, Burke, Daniels, Doyen, Ehrlich, Feleciano, Gaines, Cannon, Gordon, Harder, Hayden, Hoferer, Johnston, Karr, D. Kerr, F. Kerr, Langworthy, Martin, Montgomery, Morris, Mulich, Norvell, Parrish, Reilly, Salisbury, Strick, Thiessen, Vidricksen, Walker, Warren, Werts and Winter: A resolution relating to the birth of Jordan Randal Yost.

HCR 5060, by Representatives Heinemann, Apt, Barr, Bideau, Brown, Bryant, Bunten, Crumbaker, Debaun, Dyck, Eckert, Erne, Flottman, Francisco, Freeman, Fry, Fuller, Green, Guldner, Hamm, Harper, Holmes, Hoy, Kline, Laird, Long, Love, Lowther, R.D. Miller, Moomaw, Neufeld, Nichols, O'Neal, B. Ott, K. Ott, Patterson, Peterson, Polson, Pottorff, Ramirez, Roper, Rosenau, Runnels, Sand, Schmidt, Shore, Shriver, Sifers, Snowbarger, Sprague, Sughruue, Vancrum, Walker, Williams and Wunsch: A concurrent resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Sixteenth Amendment to the Constitution of the United States.

HCR 5061, by Representatives Braden and Barkis: A concurrent resolution calling a special election on August 5, 1986, for the purpose of submitting proposed constitutional amendments as authorized by Senate Concurrent Resolution No. 1635 and House Concurrent Resolution No. 4057.

HR 6279, by Representatives Louis, Aylward, C. Campbell, Eckert, Francisco, Freeman, Friedeman, Guldner, Harper, Hoy, King, Laird, Long, Mayfield, R. D. Miller, B. Ott, K. Ott, Patrick, Polson, Rosenau, Sallee, Smith, Snowbarger, Vancrum and Williams: A resolution memorializing the United States Congress to support and fund the Strategic Defense Initiative and to provide a non-nuclear defense system in space and encouraging the President to deploy such system before 1988.

HR 6280, by Representative Harder: A resolution congratulating the City of Sylvia on its Centennial anniversary.

HR 6281, by Representative Helgeson: A resolution congratulating Dr. Robert Bogue on being named Kansas Veterinarian of the Year.

HR 6282, by Representative Whiteman: A resolution congratulating the City of South Hutchinson on its Centennial anniversary.

HR 6283, by Representative D. Miller: A resolution congratulating and commending the De Soto High School "High Q" team and its advisors, Kathy Reddy and Ron Darst, for the performance in the "High Q" competition.

HR 6284, by Representative D. Miller: A resolution commending Baker University for initiating its innovative International Business Program.

HR 6285, by Representative Harder: A resolution congratulating the City of Plevna on its Centennial anniversary.

HR 6286, by Representative Holmes: A resolution congratulating and commending the Liberal High School girls' track team and its coach, Sandy Baker, on winning the 1985 Class 5A State Track Meet in Kansas.

HR 6287, by Representative Hensley: A resolution commending the Pilgrim Missionary Baptist Church, Topeka, Kansas, on the efforts being made to restore and preserve their 117-year-old church building.

HR 6288, by Representative Whiteman: A resolution commending St. Teresa's Catholic Church on the 75th anniversary of the dedication of the church building.

HR 6289, by Representative Reardon: A resolution designating the week of June 16 through June 22, 1986, as Heritage Appreciation Week in the State of Kansas.

HR 6290, by Representative Freeman: A resolution congratulating the City of Lebo on its Centennial anniversary.

HR 6291, by Representative Holmes: A resolution congratulating and commending the Liberal High School girls' track team and its coach, Sandy Baker, on winning the 1984 Class 5A State Track Meet in Kansas.

HR 6292, by Representatives Braden, Barkis, Bunten, Chronister, Heinemann and Mainey: A resolution commending Mike Hayden for his dedicated and distinguished service to the State of Kansas.

Doc. No. 004202

**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., C.S.T. or D.S.T., whichever is in effect on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, MAY 19, 1986

- #27141
Department of Social and Rehabilitation Services,
Topeka—SECURITY ALARMS SYSTEMS
- #27142
Statewide—PLUMBING FITTINGS
- #27146
Statewide—TIRES AND TUBES
- #27148
Kansas State Penitentiary, Lansing—HIGH
CALCIUM QUICKLIME (F.O.B. DESTINATION
LANSING)
- #27150
Kansas Fish and Game Commission, Pratt—HEAVY
EQUIPMENT WORK, CHEYENNE BOTTOMS
WILDLIFE AREA, Barton County
- #65518
University of Kansas Medical Center, Kansas City
and Wichita State University, Wichita—MAILING
EQUIPMENT

#65533

Department of Transportation, Norton—PERFORM
ON EMISSION TEST, Hays

TUESDAY, MAY 20, 1986

- #A-5325
Kansas Neurological Institute Topeka—FURNISH
AND INSTALL TWO (2) REPLACEMENT
RECONDITIONED COMPRESSORS,
PLEASANTVIEW DINING SERVICE
- #A-5510
Kansas State School for the Deaf, Olathe—
FURNISH AND INSTALL AIR MOVEMENT
EQUIPMENT, EMERY HALL
- #27140
Statewide—DAIRY PRODUCTS
- #27153
Kansas Fish and Game Commission, Pratt—AB-3
AGGREGATE—CRUSHED LIMESTONE, WILSON
STATE LAKE/WOODSON STATE LAKE
- #27154
Kansas Fish and Game Commission, Pratt—HEAVY
EQUIPMENT WORK, Clinton Wildlife Area
- #65504
Kansas State University, Manhattan—
MICROCOMPUTER
- #65505
University of Kansas Medical Center, Kansas
City—WOOD STACK CHAIRS
- #65506
State Park and Resources Authority, Topeka—
TWO-WAY RADIO
- #65507
University of Kansas, Lawrence—DINING CHAIRS

(continued)

#65509

University of Kansas, Lawrence—EXPANSION OF
"NBI" WORD PROCESSING SYSTEM

#65510

University of Kansas Medical Center, Kansas City
and Department of Revenue, Topeka—
MICROCOMPUTERS AND UPGRADE

#65511

University of Kansas Medical Center, Kansas
City—DEDICATED SIGNAL PROCESSOR

#65512

University of Kansas Medical Center, Kansas City
and Wichita State University, Wichita—VIDEO
EQUIPMENT

WEDNESDAY, MAY 21, 1986

#A-5335

University of Kansas, Lawrence—REROOFING
SPENCER RESEARCH LIBRARY FACILITY—ON
CAMPUS

#A-5382

Adjutant General's Department, Topeka—REROOF
NATIONAL GUARD ARMORY, SMITH CENTER

#27155

University of Kansas Medical Center, Kansas
City—WATER SOFTENER SALT

#65514

University of Kansas, Lawrence—AUDIO VISUAL
EQUIPMENT

#65515

Department of Transportation, Garden City—SNOW
PLOW BLADES

#65516

Pittsburg State University, Pittsburg—TRACTORS

#65517

Department of Transportation, Topeka—TANK
REPAIRS

#65519

Kansas State University, Manhattan—NUCLEAR
MOISTURE GAUGES, various locations

#65528

State Corporation Commission, Topeka—WELL
PLUGGING, Saline County

#65529

State Corporation Commission, Topeka—WELL
PLUGGING, Sedgwick County

#65530

Kansas State Penitentiary, Lansing—READY MIX
CONCRETE

#65531

Department of Transportation, Norton—MRA-Z OR F
AGGREGATE, Smith County

THURSDAY, MAY 22, 1986

#A-5268 and #A-5280

Larned State Hospital, Larned—PROJECT "A,"
FURNISH AND INSTALL ITEMS OF KITCHEN
EQUIPMENT, AND PROJECT "B," PROVIDE
REPLACEMENT OF UNDERFLOOR UTILITIES,
CAFETERIA FACILITY

#65148-A

Department of Corrections, Lansing—FABRICATED
FIRE ESCAPE, Topeka PreRelease Center

#65534

University of Kansas, Lawrence—1986
UNIVERSITY OF KANSAS CATALOG COLOR
SIGNATURES

#65535

University of Kansas Medical Center, Kansas
City—RADIATION DETECTION APPARATUS

#65536

University of Kansas Medical Center, Kansas
City—HPLC SYSTEM

#65543

University of Kansas, Lawrence—
RENOVATION/TRAY CONVEYER BELT

#65544

University of Kansas Medical Center, Kansas
City—CHINA

#65545

Kansas State Penitentiary, Lansing—HAYDITE
BLOCKS

#65546

Department of Social and Rehabilitation Services,
various locations—INTEGRATED OFFICE
INFORMATION

FRIDAY, MAY 23, 1986

#A-5367(d)

Department of Administration, Topeka—
RENOVATE ROOMS 528-S AND 529-S, 5TH
FLOOR, SOUTH WING, STATEHOUSE

#65537

University of Kansas, Lawrence—
MINI-POLYGRAPH

#65538

Kansas State University, Manhattan—GAS
CHROMATOGRAPH

#65550

University of Kansas Medical Center, Kansas
City—X-RAY EQUIPMENT

#65551

University of Kansas Medical Center, Kansas
City—ANIMAL EQUIPMENT ETC.

#65552

University of Kansas Medical Center, Kansas
City—X-RAY, BLOOD EQUIPMENT

#65553

Kansas Fish and Game Commission, Pratt—RIP
RAP—PIT RUN, St. Paul

#65556

Kansas State Fair, Hutchinson—TICKETS FOR
THE 1986 KANSAS STATE FAIR

#65557

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

TUESDAY, MAY 27, 1986

#27145

Department of Revenue, Topeka—COMPUTER
ASSISTED MASS APPRAISAL (CAMA) SOFTWARE

WEDNESDAY, MAY 28, 1986

#5362(b)

Department of Administration, Topeka—
PEDESTRIAN PARK, TENTH AND JACKSON
STREETS

TUESDAY, JUNE 17, 1986

#27137

Kansas Turnpike Authority, Topeka—
AUTOMOBILE LIABILITY INSURANCE

MONDAY, JUNE 30, 1986

#65503

Department of Administration, Bureau of
Telecommunications, Topeka—
TELECOMMUNICATIONS SWITCHING
SERVICES, various locations

NICHOLAS B. ROACH
Director or Purchases

Doc. No. 004214

State of Kansas

STATE TREASURER

NOTICE OF CHANGE OF TRANSFER
AGENT AND REGISTRAR FEE

Pursuant to K.S.A. 10-621 *et seq.*, notice is hereby given that effective July 1, 1986, the fee for transfer agent and registrar services as stated in Section III of the Agreement between Issuer and Agent shall be changed as follows:

- 1/8 of 1% of the first \$10,000,000
- 1/16 of 1% of the next \$15,000,000
- 1/32 of 1% of the next \$25,000,000
- 1/64 of 1% of the next \$50,000,000
- 1/128 of 1% over \$100,000,000

JOAN FINNEY
State Treasurer

Doc. No. 004018

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL
COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1985 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of May 1, 1986 through May 31, 1986 shall be 11.20 percent.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 30th day of April, A.D. 1986.

JACK H. BRIER
Secretary of State

Doc. No. 004212

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of the state of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited March 17, 1986, for failure to file an annual report and pay the annual franchise tax as required by the Kansas General Corporation Code.

Forfeited March 17, 1986 for failure to file the
August 31, 1985 annual report:

Domestic for Profit

The Adrian Charles Corporation, Russell, KS.
Ark Valley Aircraft Refinish, Inc, Haysville, KS.
Beefalo, Ltd., Phillipsburg, KS.
B.J.M. Food Services, Inc., Shawnee Mission, KS.

Breitenbach Farms, Inc., Dodge City, KS.
CCI Kansas, Inc., Wichita, KS.
Col-Kan Development, Inc., Russell, KS.
Colony Wholesale, Inc., Wichita, KS.
Commercial Realty, Inc., Topeka, KS.
CPM Industries, Inc., Chanute, KS.
Creative Leasing Services, Ltd., Merriam, KS.
Credit World Services, Inc., Mission, KS.
East Hills, Inc., Overland Park, KS.
Energy Associates, Inc., Wichita, KS.
Financial Investment Management Corporation,
Wichita, KS.
Fisher and Associates, Inc., Augusta, KS.
FLOC Enterprises, Inc., Kansas City, KS.
Fredrickson Communications, Inc., Leawood, KS.
Freeway Service, Inc., Newton, KS.
Galari, Inc., Hillsboro, KS.
G.A.P., Inc., Vassar, KS.
Good Times Corner, Inc., Topeka, KS.
G P, Inc., Moran, KS.
Harlan Grain & Fertilizer, Inc., Harlan, KS.
High Plains Mobile Homes, Inc., Hutchinson, KS.
Hudson Oil Co. of Calif., Inc., Shawnee Mission, KS.
Hudson Stations, Inc., Kansas City, MO.
Hugoton Swine, Inc., Hugoton, KS.
Joe Maslan Insurance Agency, Inc., Leawood, KS.
J.P.R., Inc., Prairie Village, KS.
J.R.'s Food Service, Inc., Wichita, KS.
Kelly "66" Oil Company, Inc., Topeka, KS.
K & J Investments, Inc., Hutchinson, KS.
Lease-A-Lemon of Kansas, Inc., Lawrence, KS.
Love Labels, Inc., Wichita, KS.
Mademoiselle of Overland Park, Inc.,
Overland Park, KS.
Martin's of Anthony, Inc., Anthony, KS.
Mashburn, Inc., Russell, KS.
Matador, Inc., Hanover, KS.
Metropolitan Ambulance, Inc., Wichita, KS.
Micromed, Inc., Shawnee Mission, KS.
M.P.S. Enterprises, Inc., Hays, KS.
Nichols Farms, Inc., Harlan, KS.
Oil Field Service & Supply, Inc., Oberlin, KS.
O. P. Stockers, Inc., Wichita, KS.
Osage Valley Petroleum, Inc., Fort Scott, KS.
Paul Brown Farm, Inc., Atwood, KS.
Prairie Enterprises, Inc., Hillsboro, KS.
Quad-Country, Inc., Wichita, KS.
Refinery Insulation and Maintenance Company, Inc.,
Winfield, KS.
R-I Inc. of Kansas, Hutchinson, KS.
The Roxy, Inc., Prairie Village, KS.
Sextro Dental Laboratory, Inc., Prairie Village, KS.
Shared Concepts, Inc., Mission Hills, KS.
Skyline Skating Center, Inc., Colby, KS.
Specialized Transportation Services, Inc.,
Wichita, KS.
S P M Transports, Inc., Stafford, KS.
Stark Grain Co., Inc., Stark, KS.
The Stone Corporation, Colby, KS.
Taylor Forge and Anvil, Inc., Newton, KS.
The Teichgraeber Milling Company, Emporia, KS.
Time For You! Corporation, Hays, KS.

(continued)

Tom McGraw Real Estate, Inc., Leawood, KS.
 Tower Bowl, Inc., Parsons, KS.
 Trans Industry, Inc., Emporia, KS.
 Truck Leasing, Inc., Manhattan, KS.
 Valley Homes, Inc., Council Grove, KS.
 Verus Ex Curia, Inc., Independence, KS.
 Video Village, Inc., Wichita, KS.
 Walter Farm Enterprises, Inc., Sublette, KS.
 Weaver-Housh Sales & Service, Inc., Kansas City, KS.
 W. F. Haberman, Jr., Accounting, Inc., Olathe, KS.
 Zinn Designs, Inc., Wichita, KS.

Foreign for Profit

Albert L. Paul Distributors, Inc., Overland Park, KS.
 American Information Systems, Inc., Omaha, NE.
 C & A Development Co., Scottsdale, AZ.
 City Electronics Communications, Inc.,
 Kansas City, MO.
 Cuma Oil Co., Inc., Oklahoma City, OK.
 Curran Goldrus, Inc., Houston, TX.
 Dataline, Inc., Kansas City, MO.
 Dorchester Exploration, Inc., Houston, TX.
 Eastborough Development Company, Derby, KS.
 Energy World, Inc., Overland Park, KS.
 Engineering Enterprises, Inc., Norman, OK.
 Goellner-Wittwer, Inc., Kansas City, MO.
 KBFM Company, Inc., Des Moines, IA.
 Kondor Recording and Production Ltd., Mission, KS.
 Lender Service Incorporated, Tulsa, OK.
 Marrakesh Oil Co., Oklahoma City, OK.
 Maxi-Scan, Inc., Fort Lee, NJ.
 Nickels and Dimes Incorporated, Lewisville, TX.
 Parliament Hill Corporation, New York, NY.
 Reinholdt Construction, Inc., Lafayette, CO.
 Reliable Exploration, Incorporated, Sidney, MT.
 Telecrafter Communications Corporation,
 Lakewood, CO.
 T.H.E. Gateway Company, Berkeley, MO.
 West Texas Energy Company, Inc., El Paso, TX.
 Wright Dri-Wall, Inc., Gladstone, MO.
 Xplor Energy Corporation, New York, NY.

Professional Association

Terry E. Syler, D.D.S., P.A., Wichita, KS.
 William P. Bedell, P.A., Wichita, KS.

**Forfeited March 17, 1986 for failure to file the
 annual report due after December 16, 1985
 extension:**

Domestic for Profit

AV Properties, Inc., Manhattan, KS.
 Colby Steel, Inc., Colby, KS.
 Compusoft Plus, Inc., Overland Park, KS.
 The Dart Players Association, Overland Park, KS.
 Drapery Hardware Unlimited, Inc., Wichita, KS.
 Executive Pools, Inc., Wichita, KS.
 First American Solar of Wichita, Inc., Wichita, KS.
 Foto File Systems, Inc., Kansas City, KS.
 Sherwood Glen Developers, Inc., Wichita, KS.

Foreign for Profit

Dental Capital Leasing Corp., Chicago, IL.
 EPIC Residential Network, Inc., Falls Church, VA.

**Forfeited March 17, 1986 for failure to correct and
 return an annual report:**

Domestic for Profit

All American Delivery Service, Inc., Kansas City, KS.
 Amber Waves, Inc., Dodge City, KS.
 Elk River Pipeline, Inc., Lake Quivira, KS.
 G. L. Yarrow, Inc., Wakefield, KS.
 Hart and Hart, Inc., Wichita, KS.
 Interior Fabrics, Inc., Wichita, KS.
 Koswell Property Management Corporation,
 Wichita, KS.
 Little Apple Lumber, Inc., Manhattan, KS.
 L. J. Ranch, Ltd., Logan, KS.
 Manhattan Camera, Inc., Manhattan, KS.
 Meadowlark Tours, Inc., Newton, KS.
 Petrotube, Inc., Coffeyville, KS.
 Pyramid Pizza, Inc., Lawrence, KS.
 Westwind Development Corporation, Pittsburg, KS.

Foreign for Profit

Anthony G. Blando, D.O., F.A.C.O.S., Professional
 Corporation, Kansas City, MO.
 AT&T Communications, Inc., Basking Ridge, NJ.
 Multi-Vest Corporation of Kansas, Kansas City, MO.
 Murray Hill Oil & Gas Company, Houston, TX.
 Rolm Corporation of Texas, Santa Clara, CA.
 Scott Cable Communications, Inc., Irving, TX.

**Forfeited March 17, 1986 for failure to submit a cer-
 tificate of good standing with the annual report:**

Foreign for Profit

Dana Corporation, Toledo, OH.
 Ireco Chemicals, Salt Lake City, UT.
 JM Petroleum Corporation, Topeka, KS.
 North Slope Properties, Inc., Clayton, MO.
 Treat America Corporation, Lenexa, KS.

**Forfeited March 17, 1986 for failure to designate a
 new resident agent within 60 days of resignation of
 previous resident agent:**

Domestic for Profit

Czan Point Resources, Inc., Paola, KS.
 Doppler, Inc., Wichita, KS.
 Hawk Industries, Ltd., Overland Park, KS.

Foreign for Profit

Don J. Kirn Construction, Co., Lee's Summit, MO.
 International Meter Company, Inc.,
 Arkansas City, KS.
 Jamin Energy, Inc., Houston, TX.

JACK H. BRIER
 Secretary of State
 By JOHN R. WINE, JR.
 Legal Counsel

Doc. No. 004175

State of Kansas

KANSAS WATER AUTHORITY

NOTICE OF MEETING

A conference call meeting of the Kansas Water Authority will be held at 9 a.m. Thursday, May 22, in the Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka. A report will be received from the Quality Committee of the Authority and other business may be discussed. Persons interested in participating in or listening to the meeting may attend.

H. PHILIP MARTIN
Chairman, Kansas Water Authority

Doc. No. 004217

(Published in the KANSAS REGISTER, May 8, 1986.)

**NOTICE OF REDEMPTION
LABETTE COUNTY and
COWLEY COUNTY, KANSAS
SINGLE FAMILY MORTGAGE
REVENUE BONDS
(Multiple Originators and Services)
1981 SERIES A**

Notice is hereby given that \$540,000 principal amount of the bonds, as listed below, are called for redemption on June 1, 1986, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

183	481	833	917	1571	1645	1725
187	490	837	922	1573	1653	1733
192	493	843	923	1582	1655	1735
195	508	848	929	1583	1663	1743
244	579	851	933	1589	1669	1749
251	583	857	938	1597	1673	1754
260	591	861	943	1600	1679	1759
263	613	868	948	1602	1683	1763
312	618	873	952	1609	1684	1767
320	692	880	1533	1613	1690	1773
330	699	887	1539	1616	1694	1777
337	710	893	1543	1617	1700	
392	725	899	1549	1624	1707	
395	736	904	1552	1633	1713	
400	824	908	1559	1634	1722	
415	828	913	1566	1643	1723	

The serial number of the registered bond to be redeemed is as follows:

Bond Number	Total Principal	Amount Called
R-119	\$10,000	\$5,000

On June 1, 1986, all bonds designated for redemption will become due and payable upon presentation thereof at the address of the trustee given below. On and after June 1, 1986, interest on the principal amount called for redemption shall cease to accrue.

Bonds should be presented for payment in person or by mail at the following address:

Continental Illinois National Bank
and Trust Company of Chicago
Attention: Corporate Trust Operations
30 N. LaSalle St., 16th Floor
Chicago, IL 60697

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated May 1, 1986.

By: Continental Illinois National Bank
and Trust Company of Chicago, Trustee

Doc. No. 004200

(Published in the KANSAS REGISTER, May 8, 1986.)

**NOTICE OF BOND SALE
\$12,800,000
CITY OF WICHITA, KANSAS
GENERAL OBLIGATION BONDS
(SERIES 707 and SERIES 708)
(general obligation bonds payable
from unlimited ad valorem taxes)**

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 Daylight Time on May 20, 1986, and will be considered by the governing body of the city of Wichita, Kansas at its regular place of meeting in the City Commission Room in the City Hall, at 10 a.m. Central Daylight Time on May 20, 1986, 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 \$12,800,000—series 707 in the principal amount of \$8,065,000, and series 708 in the principal amount of \$4,735,000. The series 707 bonds and series 708 bonds will be jointly referred to as the bonds. No oral or auction bids will be considered.

Details of the Bonds—Series 707

The series 707 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 707 bonds will be payable semiannually, commencing March 1, 1987 and each September 1 and March 1 thereafter. The series 707 bonds shall be dated June 1, 1986 and shall become due serially on September 1, in each of the years and in the principal amounts, as follows:

(continued)

Date of Maturity	Amount
September 1, 1987	\$300,000
September 1, 1988	320,000
September 1, 1989	350,000
September 1, 1990	370,000
September 1, 1991	400,000
September 1, 1992	440,000
September 1, 1993	470,000
September 1, 1994	510,000
September 1, 1995	550,000
September 1, 1996	590,000
September 1, 1997	640,000
September 1, 1998	690,000
September 1, 1999	750,000
September 1, 2000	810,000
September 1, 2001	875,000

Details of the Bonds—Series 708

The series 708 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 708 bonds will be payable semiannually, commencing December 1, 1986 and each June 1 and December 1 thereafter. The series 708 bonds shall be dated June 1, 1986, and shall become due serially on June 1 and December 1 in each of the years and in the principal amounts, as follows:

Date of Maturity	Amount
December 1, 1986	\$235,000
June 1, 1987	240,000
December 1, 1987	235,000
June 1, 1988	240,000
December 1, 1988	235,000
June 1, 1989	240,000
December 1, 1989	235,000
June 1, 1990	240,000
December 1, 1990	235,000
June 1, 1991	240,000
December 1, 1991	235,000
June 1, 1992	240,000
December 1, 1992	235,000
June 1, 1993	240,000
December 1, 1993	235,000
June 1, 1994	240,000
December 1, 1994	235,000
June 1, 1995	240,000
December 1, 1995	235,000
June 1, 1996	225,000

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 New York, 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

Bonds maturing in the years 1987 to 1990, inclusive, shall become due without option of prior payment. At

the option of the city, bonds maturing in the years 1991 and thereafter may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the city in such equitable manner as it may determine) on the final principal payment date in 1990, or on any interest payment date thereafter at the redemption prices set forth below (expressed as percentages of the principal amount), plus accrued interest to the redemption date:

Redemption Dates	Redemption Price
1990-1992	101.00%
1993-1995	100.50%
1996, and thereafter	100.00%

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bonds for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to call and pay said bonds on a specified date, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the Treasurer of the State of Kansas, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

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 $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The difference between the highest interest rate bid and the lowest rate of interest bid shall not exceed 2 percent per annum. 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 Credit Markets in New York, New York on the Monday next preceding the day on which the bonds are sold (May 20, 1986), 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, 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 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. In the event more than one bid is received at the same net interest cost, the successful bidder will be selected by lot.

Delivery and Payment

The bonds, duly printed, executed and registered, will be furnished and paid for by the city. Delivery of the bonds will be made on or before June 19, 1986, 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.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of

1985. The bill presently is pending in the Senate. The bill in its present form imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of states and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law in its present form, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill in its present form. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

Legal Opinion

The bonds will be sold subject to the unqualified approving opinion of Gaar and Bell, bond counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond. The cost of this legal opinion and the expenses of printing the bonds and legal opinion will be paid by the city. The series 707 legal opinion will cite in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property, but any portion of said 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 708 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

(continued)

and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate relating to the completeness and accuracy of the official statement and notice of bond sale.

Purpose of Issues

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

Series 707	
Street Improvements	\$3,710,906
Sewer Improvements	3,081,415
Water Main Extensions	<u>1,272,679</u>
	<u>\$8,065,000</u>
Series 708	
Street Improvements	\$1,325,619
Sewer Improvements	2,898,073
Water Main Extensions	53,518
Bridge Improvements	394,612
Sidewalk Improvements	6,929
Traffic Signalization	<u>56,249</u>
	<u>\$4,735,000</u>

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 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 1985, is as follows:

Equalized assessed valuation of taxable tangible property	\$ 980,243,519
Estimated tangible valuation of motor vehicles	\$ <u>196,171,738</u>
Equalized assessed tangible valuation for computation of bonded indebtedness limitations	<u>\$1,176,415,257</u>

Bonded Indebtedness

The total bonded indebtedness of the city of Wichita, Kansas, as of June 1, 1986, is \$181,271,297, which amount excludes all revenue and refunding bonds, but includes temporary notes in the amount of \$21,365,000 and the two series of bonds described in this notice of bond sale in the aggregate amount of

\$12,800,000. Of the currently issued and outstanding temporary notes of the city, \$10,399,614 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 \$21,365,000 in temporary improvement notes on May 27, 1986, to be dated June 1, 1986, to become due on December 18, 1986. These temporary improvement notes will consist of \$17,125,386 in renewals and \$4,239,614 in new notes.

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, or 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, 1985, were obtained from the city of Wichita's financial records as of December 31, 1985, which report will be audited by an outside firm of certified public accountants appointed by the governing body of the city of Wichita, Kansas.

BY ORDER OF THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS
THIS 29TH DAY OF APRIL, 1986
By: Tony Casado, Mayor
Attest: Donald C. Gisick, City Clerk

Doc. No. 004209

(Published in the KANSAS REGISTER, May 8, 1986.)

**NOTICE OF BOND SALE
UNIFIED SCHOOL DISTRICT 469
LEAVENWORTH COUNTY, KANSAS
\$3,990,000
GENERAL OBLIGATION
IMPROVEMENT BONDS
SERIES 1986**

Unified School District 469, Leavenworth County, Kansas, will receive sealed bids at the office of the district located at 110 S. Main, Lansing, KS 66043, until 7 p.m. local time on May 21, 1986, for \$3,990,000 par value general obligation improvement bonds, series 1986, of the district, at which time and place such bids shall be publicly opened. The bonds initially issued will be dated June 1, 1986 and shall mature on June 1 in each of the years and in the amounts set forth below.

The bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of the bonds maturing in any year. Interest will be payable semiannually on June 1 and December 1 of each year, commencing June 1, 1987. The principal of the bonds shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar), to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America, by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the calendar month next preceding the interest payment date (the record dates). The fees of the bond registrar for the registration and transfer of the bonds shall be paid by the district.

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

Principal Amount	Maturity Date
	June 1:
\$95,000	1988
100,000	1989
110,000	1990
120,000	1991
130,000	1992
140,000	1993
150,000	1994
165,000	1995
175,000	1996
190,000	1997
205,000	1998
225,000	1999
245,000	2000
265,000	2001
285,000	2002
305,000	2003
335,000	2004
360,000	2005
390,000	2006

Bonds maturing June 1, 1994 and thereafter are

subject to redemption prior to maturity at the option of the district on June 1, 1993 or any interest payment date thereafter, as a whole or in part, in inverse order of maturity (and by lot in multiples of \$5,000 principal amount within a single maturity) at the principal amount thereof plus accrued interest to the date of redemption plus a premium of 1 percent of the principal amount of the bond called. If the district elects to redeem and pay any bonds prior to maturity, the district, or the bond registrar acting on behalf of the district, shall give written notice of the district's intention to redeem and pay the bonds, such bonds being described by number, principal amount and maturity, which notice shall be given at least 30 days prior to the redemption date by (a) United States certified mail addressed to the paying agent and to the registered owner of each bond called and (b) publication of the notice once in the official newspaper of the state of Kansas.

Proposals will be received on the bonds bearing such rate or rates of interest not exceeding eight different rates, as may be specified by the bidder. The repetition of a rate will not constitute a different rate. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest and lowest interest rate specified in any bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2 percent above 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, and no bid of less than par plus accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Bids shall be submitted on the official bid form furnished by the district, and shall be addressed to the district at the above address to the attention of Kay Edmonds, Clerk of the Board of Education of the District, and shall be marked "Bond Bid." All bids must state the total interest cost of the bid and the average annual interest rate, certified by the bidder to be correct, and the district will be entitled to rely on the certificate of correctness. Bids must be accompanied by a certified or a cashier's check equal to 2 percent of the total amount of the bid and shall be payable to Unified School District 469, Leavenworth County, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the district as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The bonds, duly printed, executed and registered, will be furnished and paid for by the district, and the bonds will be sold subject to the unqualified approving opinion of Cosgrove, Webb & Oman, bond counsel of Topeka, Kansas, whose opinion will be paid for by the district.

The number, denomination of bonds and names of the initial registered owners shall be submitted in.

(continued)

writing by the successful bidder to the bond registrar not later than June 9, 1986.

The purchaser will be furnished with a complete transcript of proceedings evidencing authorization and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in funds which are immediately available for use by the district. Delivery of the bonds will be made to the successful bidder on or before June 20, 1986 at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the district; delivery elsewhere will be made at the expense of the purchaser.

The bonds will constitute general obligations of the district payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property within the district. The bonds are being issued for the purpose of paying a portion of the costs of constructing, furnishing and equipping a new high school and constructing driveway and parking facilities within the district, pursuant to K.S.A. 72-6761 and K.S.A. 10-101 et seq., as amended and supplemented.

Sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice. The district reserves the right to reject any and all of the bids, and to waive any irregularities. The district reserves the right to refuse to issue, sell and deliver the bonds in the event that H.B. 3838, as passed by the United States House of Representatives on December 17, 1985, or any amendment thereof or supplement thereto is enacted prior to the issuance of the bonds. That legislation, if enacted, may affect the tax treatment of the bonds in the hands of some insurance companies and financial institutions. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the district, and the net interest cost will be determined by deducting any amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

The equalized assessed valuation of taxable tangible property within the district for 1985 is \$17,498,649. The total general obligation bonded indebtedness of the district is \$1,000,000. The general obligation bonded indebtedness of the district as of the date of the proposed issuance of the bonds will be \$4,990,000.

Additional copies of this notice of bond sale or further information may be received from John C. McArthur, Beecroft, Cole & Company, Inc., One Townsite Plaza, Topeka, KS 66603, (913) 234-5671, financial advisers for the district.

Dated April 28, 1986.

KAY EDMONDS
Clerk, Board of Education
Unified School District 469
Leavenworth County, Kansas

(Published in the KANSAS REGISTER, May 8, 1986.)

NOTICE OF BOND SALE
\$985,000
GENERAL OBLIGATION BONDS
SERIES 176
OF THE
CITY OF MANHATTAN, KANSAS
(general obligation bonds payable
from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received at the office of the City Clerk, City Hall, 11th and Poyntz, P.O. Box 748, Manhattan, Kansas, until 4 p.m. Central Time on Tuesday, May 20, 1986, for the purchase of \$985,000 principal amount of general obligation bonds, series 176, 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 at 7 p.m. May 20, 1986. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, dated May 1, 1986, and becoming due serially on November 1 in the years as follows:

Year	Principal Amount	Year	Principal Amount
1987	\$25,000	1997	\$45,000
1988	25,000	1998	50,000
1989	25,000	1999	55,000
1990	30,000	2000	55,000
1991	30,000	2001	60,000
1992	35,000	2002	65,000
1993	35,000	2003	70,000
1994	40,000	2004	80,000
1995	40,000	2005	85,000
1996	45,000	2006	90,000

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 May 1 and November 1 in each year, beginning on May 1, 1987.

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 bonds will be registered pursuant to a plan of registration approved by the city and the Attorney General of the State of Kansas.

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 bondowners.

The number, 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.

Redemption of Bonds Prior to Maturity

Bonds maturing in the years 1987 to 1998, inclusive, shall become due without option of prior payment. At the option of the city, bonds maturing in the years 1999 and thereafter may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the city in such equitable manner as it may determine) on November 1, 1998, or on any interest payment date thereafter at the redemption price of 100 percent (expressed as a percentage of the principal amount), plus accrued interest to the redemption date.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bonds for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to call and pay said bonds on a specified date, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the Treasurer of the State of Kansas, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

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 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. The difference between the highest rate specified and the lowest rate specified shall not exceed 3 percent. No bid of less than the entire 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, 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 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 shall be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-6a01 *et seq.*, as amended and supplemented, for the purpose of paying the cost of certain street, sewer and water improvements. The bonds and the interest thereon will constitute general obligations of the city, payable in part from special assessments levied upon the property benefited by the construction of said improvements and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Pending Federal Legislation Concerning

Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill in its present form imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of the state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law in its present form, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill in its present form. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the

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Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, 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 state that in the opinion of bond counsel, 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.

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. 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 equal to 2 percent of the total amount of the bid payable to the order of the city. If a bid is accepted, said check or the proceeds thereof will be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time the check or the proceeds thereof will be returned to the successful bidder or paid to his 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 or the proceeds thereof 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. No interest will be paid upon the successful bidder's good faith check.

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 assign 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.

Bond Rating

The outstanding general obligation bonds of the city are rated "Aa" by Moody's Investor Service, Inc., and AA- by Standard & Poor's Corporation; the city has applied for rating on the bonds herein offered for sale.

Bid Forms

All bids must be made on forms which may be procured from the city clerk or the financial advisers. 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 and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the city at: The City of Manhattan, City Hall, 11th and Poyntz, P.O. Box 748, Manhattan, KS 66502, Attention: Heide Clark, City Clerk, and marked "Bond Bid." Bids may be submitted by mail or delivered in person to City Hall and must be received prior to 4 p.m. Central Time on May 29, 1986.

Official Statement

The city has prepared an official statement dated as of May 20, 1986, copies of which may be obtained from the city clerk or from the financial advisers. Upon the sale of the bonds, the city will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered by the successful bidder at his expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1985 is as follows:

Equalized assessed valuation of taxable tangible property	\$77,783,027
Tangible valuation of motor vehicles	\$16,115,800
Equalized assessed tangible valuation for computation of bonded debt limitations	\$93,898,827

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$15,910,000. Temporary notes in the principal amount of \$1,055,490 will be retired out of proceeds of the bonds and other available funds.

Additional Information

Additional information regarding the bonds may be obtained from Director of Finance Curt Wood, or from the financial advisers, Stern Brothers & Co., Suite 810, One Main Place, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 265-8622, and First Securities Company of Kansas, Inc., Suite 200, One Main Place, Wichita, KS 67202, Attention: Larry L. McKown, (316) 262-4411.

Dated April 15, 1986.

CITY OF MANHATTAN, KANSAS
By Heide Clark, City Clerk
City Hall
11th and Poyntz
P.O. Box 748
Manhattan, KS 66502
(913) 537-0056

Doc. No. 004199

(Published in the KANSAS REGISTER, May 8, 1986.)

NOTICE OF BOND SALE
\$2,500,000
UNIFIED SCHOOL DISTRICT 362
LINN COUNTY, KANSAS
GENERAL OBLIGATION BONDS
SERIES A

Unified School District 362, Linn County, Kansas (LaCygne) will receive sealed bids at the office of Unified School District 362, Route 2, LaCygne, KS 66040, until 7:30 p.m. C.D.T. on Monday, May 12, 1986, for \$2,500,000 par value general obligation bonds, series A, of the district, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The series A, 1986 bonds will be dated as of May 1, 1986 and shall mature on November 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing May 1, 1987 and each November 1 and May 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas (the paying agent and the bond registrar), to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America 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 date); the fees of the bond registrar for registration and transfer of the the bonds shall be paid by the district.

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

Principal	Maturity Date
\$250,000	November 1, 1987
250,000	November 1, 1988
250,000	November 1, 1989
250,000	November 1, 1990
250,000	November 1, 1991
250,000	November 1, 1992
250,000	November 1, 1993
250,000	November 1, 1994
250,000	November 1, 1995
250,000	November 1, 1996

Bonds maturing November 1, 1987 to November 1, 1991, inclusive, shall become due without option of prior payment. At the option of the district, bonds maturing in the years 1992 and thereafter may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the district in such equitable manner as it may determine on November 1, 1991 or on any interest payment date thereafter without a premium).

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 main-

tained 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 Rates

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest and lowest interest rate shall not exceed 2.5 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 Credit Markets in New York, New York on the Monday next preceding the day on which the bonds are sold, May 5, 1986, 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

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check in the amount of \$50,000 made payable to the order of the district. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, the amount of said deposit shall be retained by the school district as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Award of Bids

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice and the bonds will be sold to the best bidder. The district reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the district, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities. In the event more than one bid is received at the same net interest cost, the successful bidder will be selected by lot. The district reserves the right to refuse to issue, sell and deliver the bonds in the event that H.R. 3838, as passed by the United States House of Representatives on December 17, 1985, or any amendment thereof or supplement thereto, is enacted prior to the date of the issuance of the bonds.

Delivery of Bonds

The bonds, duly printed, executed and registered, will be furnished and paid for by the district, and the bonds will be sold subject to the unqualified approving opinion of Cosgrove, Webb and Oman, bond counsel, Topeka, Kansas. The numbers, denomination of the bonds, and name of the initial registered owners to be initially printed on the bonds shall be submitted

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in writing by the successful bidder to the bond registrar not later than May 25, 1986. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds, and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or before June 5, 1986 at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the district. Delivery elsewhere will be made at the expense of the purchaser.

Legal Opinion

The sale and issuance of the bonds will be subject to the unqualified approving legal opinion of Cosgrove, Webb & Oman, Topeka, Kansas, whose opinion will be furnished and paid for by the district and will be printed on the bonds. The successful bidder will be furnished a certified transcript of the proceedings evidencing the authorization and issuance of the bonds.

Tax Exemption

In the opinion of bond counsel, interest on the bonds is exempt from federal income taxation and from Kansas intangibles personal property tax. The district will designate the bonds as "qualified tax-exempt obligations" as defined in Section 802(e)(3) of H.R. 3838, as passed by the United States House of Representatives on December 17, 1985. Interest on the bonds may be subject to an alternative minimum tax under H.R. 3838, during any period in which the bonds are held by property and casualty insurance companies for taxable years beginning after 1987, and H.R. 3838 might adversely affect certain federal income deductions of certain financial institutions and insurance companies which purchase the bonds.

Purpose of Issue

The bonds are being issued pursuant to a favorable vote of the electors of the district for the purpose of constructing, furnishing and equipping two elementary school buildings, one at LaCygne, Kansas and one at Parker, Kansas, and remodeling and constructing an addition to the Fontana Elementary School. The total estimated project cost is \$5,840,000. Proceeds of this issue of \$2,500,000 along with \$3,340,000 of capital outlay funds will provide total funding.

CUSIP Identification Numbers

CUSIP identification will be printed on said bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the district.

Assessed Valuation

Assessed valuation for U.S.D. 362, Linn County (LaCygne), for the year 1985, is as follows:

Equalized assessed valuation of taxable, tangible property	\$105,555,061
Tangible valuation of motor vehicles	\$2,901,742
Equalized assessed tangible valuation for computation of bonded debt limitations	\$108,456,803

Bonded Indebtedness (Direct and Overlapping)

The total bonded indebtedness of the district at the date hereof, including this \$2,500,000 issue, is \$2,770,000. The overlapping indebtedness of the district is \$534,487, making a total direct and overlapping indebtedness of \$3,304,487 or 3.05 percent of the total equalized assessed valuation.

Official Statement

Additional copies of this notice of sale, copies of the district's official statement relating to the bonds, or further information may be received from the Office of Unified School District 362, Route 2, LaCygne, KS 66040, or Zahner and Company, 127 W. 10th, Kansas City, MO 64105, (816-221-4311), the district's financial consultant.

Dated April 25, 1986.

UNIFIED SCHOOL DISTRICT 362
Linn County, Kansas (LaCygne)
By Joe Junior Turpen, Clerk

Doc. No. 004198

(Published in the KANSAS REGISTER, May 8, 1986.)

NOTICE OF BOND SALE
\$229,000
GENERAL OBLIGATION BONDS
SERIES A, 1986
OF THE
CITY OF CLEARWATER, KANSAS
(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned, City Clerk of the City of Clearwater, Kansas, on behalf of the governing body at the City Hall, 129 E. Ross, Box 453, Clearwater, Kansas, until 7:30 p.m. Central Time on Monday, May 19, 1986, for the purchase of \$229,000 principal amount of general obligation bonds, series A, 1986, 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. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$4,000, dated June 1, 1986, and becoming due serially on December 1 in the years as follows:

Year	Principal Amount
1986	\$25,000
1987	50,000
1988	50,000
1989	50,000
1990	54,000

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 December 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 bonds will be registered pursuant to a plan of registration approved by the city and the Attorney General of the State of Kansas.

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 bondowners.

The number 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.

Redemption of Bonds Prior to Maturity

The bonds shall become due without option of prior payment.

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 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 bid of less than the entire 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, 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 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 re-

ceived, the governing body shall determine which bid, if any, shall be accepted, and its determination shall be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to the Constitution and laws of the state of Kansas, for the purpose of paying the cost of certain street improvements. 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 or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill in its present form imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law in its present form, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill in its present form. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, 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 state that in the opinion of bond counsel, 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.

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 on or

(continued)

before June 27, 1986, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by 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 equal to 2 percent of the total amount of the bid payable to the order of the city. 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 this notice, at which time the check will be returned to the successful bidder or paid to his 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. No interest will be paid upon the successful bidder's good faith check.

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 assign 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 and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes, addressed to the undersigned city clerk, and marked "Bond Bid." 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 7:30 p.m. Central Time on May 19, 1986.

Official Statement

The city has prepared a preliminary official statement dated April 21, 1986, copies of which may be obtained from the city clerk. Upon the sale of the bonds, the city will adopt the final official statement and will furnish the successful bidder with a reasonable number of copies thereof without additional cost

upon request. Additional copies may be ordered by the successful bidder at his expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1985 is as follows:

Equalized assessed valuation of taxable tangible property	\$3,892,958
Tangible valuation of motor vehicles	\$1,089,072
Equalized assessed tangible valuation for computation of bonded debt limitations	\$4,982,030

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$949,500. Temporary notes in the principal amount of \$250,000 will be retired out of proceeds of the bonds and other available funds.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk.

Dated April 21, 1986.

CITY OF CLEARWATER, KANSAS
By Delores Williams, City Clerk
City Hall
129 E. Ross, Box 453
Clearwater, KS 67026
(316) 584-2311

Doc. No. 004218

(Published in the KANSAS REGISTER, May 8, 1986.)

HOUSE BILL No. 3115

An ACT concerning the Kansas state grain inspection department; relating to fees; amending K.S.A. 1985 Supp. 34-103a and 34-230 and repealing the existing sections.

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

Section 1. K.S.A. 1985 Supp. 34-103a is hereby amended to read as follows: 34-103a. (a) The Kansas state grain inspection department shall collect from an applicant requesting services a fee for such services rendered by the department. Such fees shall be determined and fixed by the director by rules and regulations. Prior to determining and fixing such fees, the director shall consider recommendations thereon by the state grain advisory commission. Such fees shall not be more than the amounts shown in the following fee schedule:

	Not more than
Hopper car, per inspection or reinspection	\$ 20.00
Extra sample secured at time of original, per request	6.00
New sample secured after original, per request	7.00
Boxcar direct transfer, per inspection or reinspection	10.00
Extra sample secured at time of original, per request	5.00
New sample secured after original, per request	6.00
Truck or trailer, per inspection or reinspection	10.00
Extra sample secured at time of original, per request	5.00
Bin inspection, plus applicable sampler hourly rate	7.00
Submitted sample inspection, per sample	7.00
Warehouse sample-lot inspection, per sample	10.00
Diverter-type sample at points outside inspection point switching limits, plus applicable sampler hourly rate and mileage	10.00
Barge inspection or reinspection, per 1,000 bu. or fraction	5.00
All reinspections of above carriers based on file sample	7.00
Initial checktest and approve country point diverter-type samplers and train elevator sampler, plus hourly and travel time rate and mileage	60.00
Diverter-type review checktest visits at country points, hourly rate plus mileage	16.00
Checktesting diverter-type samplers at terminal points, hourly rate (with one hour minimum fee)	16.00
Protein initial or reinspection	5.00
Factor only analysis — class only	5.00
Factor only determination, moisture	3.00
Each approved statement requested in addition to grade require-	

ment	5.00
Duplicate certificate	3.00
Stowage examination, hopper or boxcar, per request	10.00
Stowage examination, barge, per request	15.00
DHV count	7.00
Charge for services performed on overtime (after eight hours per day) by state grain personnel upon request by grain industry, including Saturdays, Sundays and holidays, per overtime hour	16.00
Charge per hour for sampler or weigher by special arrangement, per man	16.00
Edible bean inspection (official warehouse lot), per certificate	25.00
Edible bean inspection (official car sample), per certificate	25.00
Edible bean inspection (official truck sample), per certificate	20.00
Edible bean inspection (submitted sample), per certificate	15.00
Edible bean inspection sampling fee, check weighing or check-loading, per hour	16.00
Hopper car, boxcar or direct transfer, per weight	8.00
Barge weight, per 1,000 bu. or fraction	5.00
Truck or trailer, per weight	8.00
House transfer weight, per 1,000 bu. or fraction	5.00
Weigh-up, annual, per 1,000 bu. or fraction	3.00
In weighing, sacked cars, per manhour	16.00
Out weighing, sacked cars, with count, per manhour	16.00
Out weighing, sacked cars, with count and weight each sack, per manhour	16.00
Hopper scale per test	150.00
Hopper scale per F.G.I.S. test, plus hourly charge on site	150.00
Hopper scale at points where certified weights are not issued, plus mileage and subsistence	150.00
Checktesting large weights	75.00
Fee per hour, checktesting large weights	11.00
Mileage charge for special trips by the hopper testing scale truck, per mile	1.25
Labor of scale inspector for repair work outside inspector's regular inspecting or adjusting of scale, per hour	16.00
Charge for services performed on call in or call back after designated working hours by state grain personnel upon request by grain industry, including Saturdays, Sundays and holidays, per hour (with two hours minimum fee)	16.00

(b) Where any service is performed in a business community where the department does not regularly maintain an inspection station, the department may charge for subsistence and transportation of personnel and equipment from the headquarters of such personnel to such point and return. Such charges shall be set by adoption of rules and regulations as provided by law. The director may fix the manner in which the charges are collected.

(c) If any person, warehouse or railroad corporation or any of their agents or employees refuses or prevents the officers of the department from having access to their scales, elevators, warehouses and other places in the regular performance of their duties in inspecting, sampling, sampling for inspection and weighing grain or other property in accordance with the tenor and meaning of this act or any law now in force or that may be enacted in relation to the same, such persons or corporations shall be guilty of a misdemeanor.

Sec. 2. K.S.A. 1985 Supp. 34-230 is hereby amended to read as follows: 34-230. (a) Upon receiving the application and financial statement required by this act, the director of the state grain inspection department shall make an investigation and inspection of the warehouse or warehouses covered by the application. The director may issue a license to the applicant if:

- (1) The applicant furnishes the bond required by this act;
- (2) the warehouse or warehouses are found suitable for the proper storage of grain for which a license is applied for; and
- (3) the applicant complies with all requirements for licensure prescribed by this act and rules and regulations adopted under this act.

(b) Every license shall be dated and shall designate the name of the licensee and the location of the licensed warehouse or warehouses.

(c) Each license shall expire one year from the date of its issuance except that, for the purpose of equitably distributing application dates of warehouse licenses throughout each calendar year, the director may issue licenses for periods longer than one year but not longer than two years. Licenses for periods longer than one year shall be charged the annual license fee, plus a monthly fee in proportion to the annual license fee for the number of months the license is issued beyond one year.

(d) Any licensee making application for renewal of a license shall submit the application, together with the licensee's financial statement and any additional information required, at least

30 days prior to the date of expiration of the licensee's current license. For each day that the licensee is late in submitting the application and required information, the licensee shall be penalized an additional fee of \$3 \$5.

(e) The license shall be posted in a conspicuous place in the office room of the licensed warehouse at all times during the operation of the warehouse.

(f) If a licensee is convicted of any violation of the provisions of this act or if the director determines that a licensee does not comply with any requirement for licensure or has violated any provision of this act or of the rules and regulations adopted under this act, the director may at the director's discretion suspend or revoke the license of the licensee. All proceedings for the suspension or revocation of licenses shall be before the director. No license shall be suspended or revoked except after hearing by the director with reasonable notice to the licensee and an opportunity to appear and defend. The director may temporarily suspend a license for good and reasonable cause before notice of hearing but the licensee shall be entitled to a hearing on the temporary suspension without undue delay. Whenever the director suspends or revokes any license, the director shall prepare an order so providing which shall be signed by the director or a person designated by the director, and the order shall state the reason or reasons for the suspension or revocation. The order shall be sent, by certified mail, by the director to the licensee at the address of the licensed warehouse.

(g) The licensee, if dissatisfied with the order of the director, may appeal in the manner provided by law.

New Sec. 3. The license fee for a public warehouse license under K.S.A. 34-103a and amendments thereto shall not be computed on the basis of location grain capacity of fully functional facilities as required under K.A.R. 25-4-4, as adopted by the director of the Kansas state grain inspection department and filed with the revisor of statutes on December 2, 1985 but shall be computed as otherwise authorized by law.

Sec. 4. K.S.A. 1985 Supp. 34-103a and 34-230 are hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 3, 1986.

HOUSE concurred in SENATE amendments April 12, 1986.

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

Passed the SENATE as amended April 11, 1986.

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

APPROVED April 25, 1986.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of April, 1986.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, May 8, 1986.)

SENATE BILL No. 308

AN ACT concerning interests in agricultural land; relating to certain limited partnerships; amending K.S.A. 17-5904 and K.S.A. 1985 Supp. 17-5902 and 17-5903 and repealing the existing sections.

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

Section 1. K.S.A. 1985 Supp. 17-5902 is hereby amended to read as follows: 17-5902. (a) All corporations and limited corporate partnerships, as defined in K.S.A. 17-5903 and amendments thereto, which hold agricultural land, as defined in K.S.A. 17-5903 and amendments thereto, within this state, and which are required to make annual reports to the secretary of state shall provide the information required of such corporations and limited corporate partnerships in the annual reports made under K.S.A. 17-7503, 17-7504, 17-7505, 56-1a606 or 56-1a607, and amendments thereto. The information required by this section does not apply to the following: (1) A tract of land of less than 10 acres, (2) contiguous tracts of land which in the aggregate are of less than 10 acres or (3) state assessed railroad operating property.

(b) Any person who shall knowingly submit, or who through the proper and due exercise of care and diligence should have known that any submission of information and statements required of corporations and limited corporate partnerships subject to the provisions of this section are false or materially misleading, or who fails or refuses to submit such information and statements is guilty of a class A misdemeanor.

(c) The secretary of state shall keep a separate index of all corporations and limited corporate partnerships subject to the provisions of this section.

Sec. 2. K.S.A. 1985 Supp. 17-5903 is hereby amended to read as follows: 17-5903. As used in this act:

(a) "Corporation" means a domestic or foreign corporation organized for profit or nonprofit purposes.

(b) "Nonprofit corporation" means a corporation organized not for profit and which qualifies under section 501(c)(3) of the federal internal revenue code of 1954 as amended.

(c) "Limited corporate partnership" means a limited partnership, as defined in K.S.A. 56-1a101 and amendments thereto, which has as a member or members, whether as general or limited partners, one or more corporations.

(d) "Limited partnership" has the meaning provided by K.S.A. 56-1a01 and amendments thereto.

(e) "Limited agricultural partnership" means a limited partnership founded for the purpose of farming and ownership of agricultural land in which:

(1) The partners do not exceed 10 in number;

(2) the partners are all natural persons, persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) at least one of the general partners is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one partner is meeting the requirement of this provision and such partner dies, the requirement of this provision does not apply for the period of time that the partner's estate is being administered in any district court in Kansas.

(f) "Corporate partnership" means a partnership, as defined in K.S.A. 56-306 and amendments thereto, which has within the association one or more corporations.

(g) "Feedlot" means a lot, yard, corral, or other area in which livestock fed for slaughter are confined. The term includes within its meaning agricultural land in such acreage as is necessary for the operation of the feedlot.

(h) "Agricultural land" means land suitable for use in farming.

(i) "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock. Farming does not include the production of timber, forest prod-

ucts, nursery products or sod, and farming does not include a contract to provide spraying, harvesting or other farm services.

(j) "Fiduciary capacity" means an undertaking to act as executor, administrator, guardian, conservator, trustee for a family trust, authorized trust or testamentary trust or receiver or trustee in bankruptcy.

(k) "Family farm corporation" means a corporation:

(1) Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) all of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the stockholders is a person residing on the farm or actively engaged in the labor or management of the farming operation. A stockholder who is an officer of any corporation referred to in this subsection and who is one of the related stockholders holding a majority of the voting stock shall be deemed to be actively engaged in the management of the farming corporation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(l) "Authorized farm corporation" means a Kansas corporation, other than a family farm corporation, all of the incorporators of which are Kansas residents and which is founded for the purpose of farming and the ownership of agricultural land in which:

(1) The stockholders do not exceed 15 in number;

(2) the stockholders are all natural persons or persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations; and

(3) at least 30% of the stockholders are persons residing on the farm or actively engaged in the day-to-day labor or management of the farming operation. If only one of the stockholders is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

For the purposes of this definition, if more than one person receives stock by bequest from a deceased stockholder, all of such persons, collectively, shall be deemed to be one stockholder, and a husband and wife, and their estates, collectively, shall be deemed to be one stockholder.

(m) "Trust" means a fiduciary relationship with respect to property, subjecting the person by whom the property is held to equitable duties to deal with the property for the benefit of another person, which arises as a result of a manifestation of an intention to create it. A trust includes a legal entity holding property as trustee, agent, escrow agent, attorney-in-fact and in any similar capacity.

(n) "Family trust" means a trust in which:

(1) A majority of the equitable interest in the trust is held by and the majority of the beneficiaries are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related; and

(2) all the beneficiaries are natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations.

(o) "Authorized trust" means a trust other than a family trust in which:

(1) The beneficiaries do not exceed 15 in number;

(2) the beneficiaries are all natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations; and

(3) the gross income thereof is not exempt from taxation under the laws of either the United States or the state of Kansas.

For the purposes of this definition, if one of the beneficiaries

dies, and more than one person succeeds, by bequest, to the deceased beneficiary's interest in the trust, all of such persons, collectively, shall be deemed to be one beneficiary, and a husband and wife, and their estates, collectively, shall be deemed to be one beneficiary.

(n) (o) "Testamentary trust" means a trust created by devising or bequeathing property in trust in a will as such terms are used in the Kansas probate code.

Sec. 3. K.S.A. 17-5904 is hereby amended to read as follows: 17-5904. (a) No corporation, trust, limited corporate partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, *limited agricultural partnership*, family trust, authorized trust or testamentary trust shall, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in this state. The restrictions provided in this section do not apply to the following:

(1) A bona fide encumbrance taken for purposes of security.
(2) Agricultural land when acquired as a gift, either by grant or devise, by a bona fide educational, religious or charitable nonprofit corporation.

(3) Agricultural land acquired by a corporation in such acreage as is necessary for the operation of a nonfarming business. Such land may not be used for farming except under lease to one or more natural persons, a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust. The corporation shall not engage, either directly or indirectly, in the farming operation and shall not receive any financial benefit, other than rent, from the farming operation.

(4) Agricultural land acquired by a corporation by process of law in the collection of debts, or pursuant to a contract for deed executed prior to the effective date of this act, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise, if such corporation divests itself of any such agricultural land within 10 years after such process of law, contract or procedure.

(5) A municipal corporation.

(6) Agricultural land which is acquired by a trust company or bank in a fiduciary capacity or as a trustee for a nonprofit corporation.

(7) Agricultural land owned or leased or held under a lease purchase agreement as described in K.S.A. 12-1741 and amendments thereto by a corporation, corporate partnership, limited corporate partnership or trust on the effective date of this act if (A) any such entity owned or leased such agricultural land prior to July 1, 1965, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act, or (B) any such entity was in compliance with the provisions of K.S.A. 17-5901 prior to its repeal by this act, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act, and absence of evidence in the records of the county where such land is located of a judicial determination that such entity violated the provisions of K.S.A. 17-5901 shall constitute proof that the provisions of this act do not apply to such agricultural land, and that such entity was in compliance with the provisions of K.S.A. 17-5901 prior to its repeal, or (C) any such entity was not in compliance with the provisions of K.S.A. 17-5901 prior to its repeal by this act, but is in compliance with the provisions of this act by July 1, 1991.

(8) Agricultural land held or leased by a corporation for use as a feedlot.

(9) Agricultural land held or leased by a corporation for the purpose of the production of timber, forest products, nursery products, or sod.

(10) Agricultural land used for bona fide educational research or scientific or experimental farming.

(11) Agricultural land used for the commercial production and conditioning of seed for sale or resale as seed or for the growing of alfalfa by an alfalfa processing entity if such land is located within 30 miles of such entity's plant site.

(12) Agricultural land owned or leased by a corporate partnership or limited corporate partnership in which the partners

associated therein are either natural persons, family farm corporations, authorized farm corporations, family trusts, authorized trusts or testamentary trusts.

(13) Any corporation, either domestic or foreign, organized for coal mining purposes which engages in farming on any tract of land owned by it which has been strip mined for coal.

(14) *Agricultural land owned or leased by a limited partnership prior to the effective date of this act.*

(b) Any corporation, trust, limited corporate partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust, violating the provisions of this section shall be subject to a civil penalty of not more than \$50,000 and shall divest itself of any land acquired in violation of this section within one year after judgment is entered in the action. The district courts of this state may prevent and restrain violations of this section through the issuance of an injunction. The attorney general or district or county attorney shall institute suits on behalf of the state to enforce the provisions of this section.

(c) Civil penalties sued for and recovered by the attorney general shall be paid into the state general fund. Civil penalties sued for and recovered by the county attorney or district attorney shall be paid into the general fund of the county where the proceedings were instigated.

Sec. 4. K.S.A. 17-5904 and K.S.A. 1985 Supp. 17-5902 and 17-5903 are hereby repealed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body February 13, 1986.

SENATE adopted Conference Committee report April 12, 1986.

ROBERT V. TALKINGTON

President of the Senate.

LU KENNEY

Secretary of the Senate.

Passed the HOUSE as amended March 27, 1986.

HOUSE adopted Conference Committee report April 12, 1986.

MIKE HAYDEN

Speaker of the House.

GENEVA SEWARD

Chief Clerk of the House.

APPROVED April 25, 1986.

JOHN CARLIN

Governor.

STATE OF KANSAS

Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26th day of April, 1986.

JACK H. BRIER

Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 8, 1986.)

SUBSTITUTE FOR HOUSE BILL No. 3112

AN ACT concerning certain toxic substances; prescribing certain powers and duties for the secretary of the department of health and environment.

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

Section 1. When used in this act:

(a) "Board" means the hazardous waste disposal facility approval board established pursuant to K.S.A. 65-3432, and amendments thereto;

(b) "department" means the Kansas department of health and environment;

(c) "disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any PCB into or on any water or land so that such substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater;

(d) "facility" means all land, structures and other appurtenances and improvements on the land utilized for the purpose of treating, storing or disposing of PCB. A facility may consist of several treatment, storage or disposal operational units;

(e) "generator" means any person, by site, whose act or process produces PCB or whose act first causes PCB to become subject to regulation;

(f) "modification" means the expansion or enlargement of a facility beyond the boundaries established by an existing permit or any material or substantial alteration or addition to an existing permitted facility which would justify the application of permit conditions that would be materially or substantially different from the conditions of the existing permit or are absent from the existing permit;

(g) "off-site facility" means a facility where treatment, storage or disposal activities are conducted by a person other than the PCB generator;

(h) "on-site facility" means a facility which is owned and operated by the generator for the treatment, storage or disposal of PCB which have been generated on the property on which such facility is located and which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing and not going along the right-of-way or noncontiguous properties owned by the same person;

(i) "permit" means the document issued to a person by the secretary which allows such person to construct and operate a PCB treatment, storage or disposal facility in the state;

(j) "person" means an individual, trust, firm, joint stock company, federal agency, corporation, including a government corporation, partnership, state, municipality, commission, political subdivision of a state or any interstate body;

(k) "polychlorinated biphenyls" or "PCB" means any chemical substance that is limited to the biphenyl molecule which has been chlorinated to varying degrees or any combination of any chemical substance which contains the biphenyl molecule at concentrations as established by the secretary;

(l) "PCB disposal facility" means any off-site facility used to treat, store or dispose of PCB, including any such facility which handles or stores PCB under contract prior to disposal;

(m) "secretary" means the secretary of the department of health and environment;

(n) "storage" means the holding of PCB except for a temporary period at the end of which such substance is treated or disposed of elsewhere;

(o) "transporter" means any person who is engaged in the off-site transportation of PCB by air, rail, land, highway, pipeline or water;

(p) "treatment" means any method, technique or process, including incineration or neutralization, designed to change the physical, chemical or biological character or composition of any PCB so as to neutralize such substance or so as to recover energy or material resources from the PCB, to render such substance nontoxic or less toxic, safer to transport, store or dispose of, amenable for recovery, amenable for storage or reduced in volume.

Sec. 2. The secretary shall: (a) Adopt rules and regulations

establishing a permit system which includes standards for facilities and procedures for implementation of a permit system for the construction or modification of a PCB disposal facility including, but not limited to, content of applications, evidence of financial responsibility, existing hydrogeological characteristics, environmental assessment, training of personnel, qualifications of ownership, continuity of operation and public notification and participation; and

(b) adopt any other rules and regulations necessary to enforce the provisions of this act.

Sec. 3. (a) After the effective date of this act, no person shall modify or construct a PCB disposal facility without a permit issued by the secretary under this act. The secretary shall not issue any permit under this act for any PCB disposal facility unless the board has first approved the application for such a facility.

(b) Upon receipt of an application for a permit to construct a PCB disposal facility which requires the approval of the board, which complies with the requirements of this section, the secretary shall:

(1) Publish a notice once each week for three consecutive weeks in a newspaper of general circulation in the county in which the facility is proposed to be located. The required published notice shall contain a map indicating the location of the proposed facility and shall contain a description of the proposed action and the location where the permit application and related documents may be reviewed and where copies may be obtained. The notice shall describe the procedure by which the permit may be granted. The secretary shall transmit a copy of the notice to the clerk of any city which is located within three miles of the proposed facility.

(2) Review the plans of the proposed facility to determine if the proposed facility complies with this act and the rules and regulations promulgated under this act. The review shall include, but not be limited to, air quality, water quality, waste management and hydrogeology. If the facility review and the application meet the requirements of this act and the rules and regulations promulgated under this act, the secretary shall recommend approval for construction or modification of the facility which may contain conditions specifically applicable to the facility and operation. An expansion, enlargement or modification of a facility beyond the specified areas indicated in the existing permit constitutes a new proposal for which a new construction permit application is required.

(c) The secretary shall recommend approval or shall deny a construction permit application within 240 days after the secretary receives an application meeting the requirements of this section. If the secretary recommends approval, the secretary immediately shall notify the applicant. If the secretary recommends denial, the secretary shall notify the applicant in writing of the reasons for the denial.

Sec. 4. (a) The hazardous waste disposal facility approval board shall review and grant final approval for each off-site PCB disposal facility in the same manner provided in K.S.A. 65-3433, and amendments thereto. If, within 150 days after receipt of an application requiring approval of the board the secretary has not denied the application, the secretary shall notify the members of the board, the board of county commissioners and the governing bodies of all cities located within a ten-mile radius of the proposed facility. The secretary also shall notify the state corporation commission and the Kansas fish and game commission of the proposed facility.

(b) If the secretary recommends approval of such application, the secretary, at the time of approval, shall immediately notify the members of the board, the county commissioners and the governing bodies of all cities located within a ten-mile radius of the proposed facility.

(c) Within 10 days after notification by the secretary that the secretary has approved such application, the board shall meet to review and establish a timetable for the consideration of the proposed facility. The timetable for final action of the board shall not exceed 120 days after the date the board convenes.

(d) The board shall:

(1) Set a date and arrange for publication of notice of a public

hearing in a newspaper having major circulation in the vicinity of the proposed facility. Such hearing shall be in the county in which the proposed facility will be located. Additional hearings may be held at such other places as the board deems suitable. At such hearing or hearings, the applicant may present testimony in favor of the application. Any person may appear or be represented by counsel to present testimony in support of or opposition to the application. The public notice shall:

(A) Contain a map indicating the location of the proposed facility, a description of the proposed action and the location where the application may be reviewed and where copies may be obtained.

(B) Identify the time, place and location for the public hearing held to receive public comment and input on the application.

(2) Publish the notice not less than 30 days before the date of the public hearing.

(e) Comment and input on the proposed facility may be presented orally or in writing at the public hearing, and shall continue to be accepted in writing by the board for 15 days after the public hearing date.

(f) The board shall consider the impact of the proposed facility on the surrounding area in which it is to be located and make a final determination on the application.

(g) The board shall consider, at a minimum:

(1) The risk and impact of accident during the transportation of PCB;

(2) the risk and impact of contamination of ground and surface water by leaching and runoff from the proposed facility;

(3) the risk of fires or explosions from improper storage and disposal methods;

(4) the impact on the surrounding area where the proposed facility is to be located in terms of the health, safety, cost and consistency with local planning and existing development. The board also shall consider local ordinances, permits or other requirements and their potential relationship to the proposed facility;

(5) an evaluation of measures to mitigate adverse effects;

(6) the nature of the probable environmental impact including the specification of the predictable adverse effects on the following:

(A) The natural environment and ecology;

(B) public health and safety;

(C) scenic, historic, cultural and recreational value; and

(D) water and air quality and wildlife.

(h) The board also shall consider the concerns and objections submitted by the public. The board shall facilitate efforts to provide that the concerns and objections are mitigated by establishing additional stipulations specifically applicable to the proposed site and operation at that site. The board, to the fullest extent practicable, shall integrate by stipulation the provisions of the local ordinances, permits or requirements.

(i) The board may seek the advice, which shall be given in writing and entered into the public record of the public hearing, of any person in order to render a decision to approve or deny the application.

Sec. 5. (a) The board shall not approve any application unless the applicant has fee simple title to the property where the PCB disposal facility is to be located, free of any liens, easements, covenants or any other encumbrances on the title.

(b) The board shall not approve the application, unless it finds on the basis of information submitted by the applicant, the department or any interested party, that: (1) The proposed facility location: (A) Is suitable for the type and amount of PCB intended for treatment or disposal at the facility;

(B) provides protection to the public health and safety and environment of Kansas from the release of the PCB stored, treated or disposed of at the facility; and

(C) is situated a sufficient distance from populated residential areas and areas of urban residential growth to protect the public health and safety, accessible by transportation routes that minimize a threat to the public health and safety, and to the environment and sufficient distance from parks, wilderness and recreation areas to prevent adverse impacts on the public use and enjoyment of those areas.

(2) The proposed PCB disposal facility has no major adverse impact on either the public health and safety or the environment of adjacent lands.

(3) The owner, any parent company of the owner and the operator have adequate financial and technical capability to properly construct and operate the facility.

(4) The compliance history of the owner, including any parent company of the owner, and the operator in owning and operating other similar facilities, if any, indicates an ability and willingness to operate the proposed facility in compliance with state and federal law and any conditions imposed on the licensee by the secretary.

Sec. 6. (a) The board either shall approve or deny the application, and the secretary shall issue the permit or deny the application accordingly. A local ordinance, permit requirement or other requirement shall not prohibit the construction or modification of such a PCB disposal facility or restrict transportation to the facility.

(b) If the board denies the application, the board shall state its specific reason or reasons for denial in writing.

(c) Any person aggrieved by a final decision of the board may make an appeal to the district court within 30 days of notice of that decision.

Sec. 7. (a) No person shall construct, modify or operate a PCB disposal facility or otherwise dispose of PCB within this state without a permit from the secretary. The application for a permit shall contain:

(1) The name and address of the applicant;

(2) the location of the proposed facility;

(3) the management program for the operation of the facility, including the person to be responsible for the operation of the facility and a resume of the person's qualifications, the proposed method of disposal, the proposed method of pretreatment or decontamination of the facility, if any, and the proposed emergency measures to be provided at the facility;

(4) the name, address and short resume for each officer, director or partner of the company and any party owning more than 10% of its stock or ownership interest for any company which will either own or operate the facility and copies of the company's annual financial report for the three years preceding the date of the application;

(5) a description of the size and type of facility to be constructed, including the height and type of fencing to be used, the size and construction of structures or buildings, warning signs, notices and alarms to be used, the type of drainage and waste treatment facilities and maximum capacity of such facilities, the location and source of each water supply to be used and the location and type of fire control facilities to be provided at the facility;

(6) a preliminary engineering sketch and flow chart showing proposed plans and specifications for the construction and development of the disposal facility and the waste treatment and water supply facilities, if any, to be used at the facility;

(7) a geologist's survey report indicating land formation, location of water resources and direction of the flows thereof and the geologist's opinion relating to the potential of contamination of water resources including, but not limited to, possible sources of such contamination;

(8) the names and addresses of the applicant's current or proposed insurance carriers, including copies of insurance policies then in effect; and

(9) any other information considered necessary by the secretary.

(b) For initial review of an application for a PCB disposal facility, the applicant shall submit an application fee not to exceed \$25,000 with the permit application. After the initial review of a permit application, the secretary shall determine the cost of such review. If the cost is less than the application fee required by this subsection, the secretary shall refund to the applicant the amount which exceeds the cost of review. In cases of a permitted facility submitting an application for the construction and operation of an additional facility on the permitted site, the permit fee shall not exceed \$10,000. For renewal of a

(continued)

permit, the permit holder shall submit a permit renewal fee not to exceed \$10,000, the amount of which shall be determined by the secretary.

(c) Before reviewing any application for permit, the secretary shall conduct a background investigation of the applicant. The secretary shall consider the financial, technical and management capabilities of the applicant as conditions for issuance of a permit. The secretary may reject the application without conducting an investigation into the merits of the application if the secretary finds that:

(1) The applicant previously held a permit under this section and that permit was revoked by the secretary; or

(2) the applicant failed or continues to fail to comply with any of the provisions of the air, water or waste statutes, including rules and regulations issued thereunder, relating to environmental protection or to the protection of public health in this or any other state or the federal government of the United States, or any condition of any permit or license issued by the secretary; or if the secretary finds that the applicant has shown a lack of ability or intention to comply with any provision of any law referred to in this subsection or any rule, regulation, order or permit issued pursuant to any such law as indicated by past or continuing violations. In case of a corporate applicant, the secretary may deny the issuance of a permit if the secretary finds that the applicant or any person who holds an interest in, or exercises total or partial control of or does business with the applicant or a principal of the corporation was a principal of another corporation which would not be eligible to receive a permit because of the provisions of this act.

(d) Upon receipt of a permit application meeting the requirements of this section, the secretary or an authorized representative of the secretary shall inspect the location of the proposed facility and determine if the same complies with this act and the rules and regulations promulgated under this act. An inspection report shall be filed in writing by the secretary before issuing a permit and shall be made available for public review.

Sec. 8. The secretary shall make a final decision on a permit application which does not require approval of the board within 240 days of the receipt of the application unless the time for such decision has been extended by the secretary upon written request of the applicant or as otherwise provided by rules and regulations adopted by the secretary for the issuance of permits under this act.

Sec. 9. (a) Permits for PCB disposal facilities shall be issued for fixed terms not to exceed 10 years.

(b) Plans, designs and relevant data for the construction of PCB disposal facilities shall be prepared by a professional engineer licensed to practice in Kansas and shall be submitted to the department for approval prior to the construction, modification or operation of such a facility.

(c) Permits granted by the secretary, as provided in this act, shall be revocable or subject to suspension whenever the secretary determines that the PCB disposal facility is, or has been constructed in violation of this act or the rules and regulations or standards adopted pursuant to the act, or is creating a hazard to the public health or safety or to the environment, or for failure to make payment of any fee to any funds created under this act.

(d) In case any permit is denied, suspended or revoked any person aggrieved by such decision may request a hearing before the secretary in the same manner provided by K.S.A. 65-3440, and amendments thereto.

Sec. 10. The provisions of this act shall not apply to a PCB disposal facility in operation or under construction on the effective date of this act or to any mobile PCB treatment process, excluding incineration, which is designed to change the physical or chemical character or composition of any PCB.

Sec. 11. (a) The secretary or the director of the division of environment, if designated by the secretary, upon a finding that a person has violated any provision of this act or any rule and regulation adopted by the secretary pursuant to this act may impose a penalty not to exceed \$10,000 which shall constitute an actual and substantial economic deterrent to the violation for which it is assessed and, in the case of a continuing violation,

every day such violation continues shall be deemed a separate violation.

(b) No penalty shall be imposed pursuant to this section except after notice of violation and opportunity for hearing upon the written order of the secretary or the director of the division of environment, if designated by the secretary, to the person who committed the violation. The order shall state the violation, the penalty to be imposed and, in the case of an order of the director of the division of environment, the right to appeal to the secretary for a hearing thereon. Any person may appeal an order of the director of the division of environment by making a written request to the secretary for a hearing within 15 days of receipt of such order. The secretary shall hear the person within 30 days after receipt of such request, unless such time period is waived or extended by written consent of all parties or by a showing of good cause, and shall give not less than 10 days' written notice of the time and place of the hearing. Within 30 days after such hearing and receipt of briefs or oral arguments, unless such time period is waived or extended by written consent of all parties or by a showing of good cause, the secretary shall affirm, reverse or modify the order of the director and shall specify the reasons therefor. Nothing in this act shall require the observance of formal rules of evidence or pleading at any hearing before the secretary or director.

(c) Any party aggrieved by an order under this section shall have the right of appeal in the same manner provided by K.S.A. 65-3440, and amendments thereto.

Sec. 12. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 3, 1986.

HOUSE concurred in SENATE amendments April 11, 1986.

MIKE HAYDEN

Speaker of the House.

GENEVA SEWARD

Chief Clerk of the House.

Passed the SENATE as amended April 10, 1986.

ROBERT V. TALKINGTON

President of the Senate.

LU KENNEY

Secretary of the Senate.

APPROVED April 25, 1986.

JOHN CARLIN

Governor.

STATE OF KANSAS

Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26th day of April, 1986.

JACK H. BRIER

Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 8, 1986.)

SENATE BILL No. 750

AN ACT relating to securities; concerning unlawful acts by investment advisers; amending K.S.A. 17-1253 and repealing the existing section.

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

Section 1. K.S.A. 17-1253 is hereby amended to read as follows: 17-1253. (a) It is unlawful for any person, in connection with the offer, sale or purchase of any security, directly or indirectly, to:

(1) Employ any device, scheme, or artifice to defraud;
(2) make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or

(3) engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

(b) It is unlawful for any person who receives any consideration from another person primarily for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of analyses or reports or otherwise, to:

(1) Employ any device, scheme, or artifice to defraud the other person; or

(2) engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon the other person.

(c) It is unlawful for any investment adviser to enter into, extend, or renew any investment advisory contract unless the investment adviser provides in writing:

(1) That the investment adviser shall not be compensated on the basis of a share of capital gains upon or capital appreciation of the funds or any portion of the funds of the client;

(2) that no assignment of the contract may be made by the investment adviser without the consent of the other party to the contract; and

(3) that the investment adviser, if a partnership, shall notify the other party to the contract of any change in the membership of the partnership within a reasonable time after the change.

Subsection (c)(1) shall not prohibit an investment advisory contract which provides for compensation based upon the total value of a fund averaged over a definite period, or as of definite dates or taken as of a definite date, or in any other manner authorized by rules and regulations adopted by the commissioner for the purposes of furthering compatibility with federal regulations authorizing fees based upon a share of the capital gains upon or capital appreciation of client assets. "Assignment," as used in this subsection, includes any direct or indirect transfer or hypothecation of an investment advisory contract by the assignor or of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor; but, if the investment adviser is a partnership, no assignment of an investment advisory contract is considered to result from the death or withdrawal of a minority of the members of the investment adviser having only a minority interest in the business of the investment adviser, or from the admission to the investment adviser of one or more members who, after admission, will be only a minority of the members and will have only a minority interest in the business.

(d) It is unlawful for any investment adviser to take or have custody of any securities or funds of any client if:

(1) The commissioner by rules and regulations prohibits custody; or

(2) in the absence of such rules and regulations, the investment adviser fails to notify the commissioner that such adviser has or may have custody.

Sec. 2. K.S.A. 17-1253 is hereby repealed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body April 4, 1986.

SENATE concurred in HOUSE amendments April 12, 1986.
ROBERT V. TALKINGTON
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 12, 1986.
MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED April 25, 1986.
JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of April, 1986.

(SEAL) JACK H. BRIER
Secretary of State.

(Published in the KANSAS REGISTER, May 8, 1986.)

HOUSE BILL No. 2194

AN ACT concerning cities and counties; relating to the designation of the official city and county newspaper; amending K.S.A. 12-1651 and 64-101 and repealing the existing sections; also repealing K.S.A. 12-1651a.

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

Section 1. K.S.A. 12-1651 is hereby amended to read as follows: 12-1651. (a) *The governing body of each city of the second and third class shall designate by resolution a newspaper to be the official city newspaper. Once designated the newspaper shall be the official city newspaper until such time as the governing body designates a different newspaper.*

(b) The newspaper selected for the official publications of cities of the second and third class shall be one which has the following qualifications:

(a)(1) It must be published at least weekly ~~50~~ 50 times each year and have been so published for at least one (1) year prior to the publication of any official city publication.

(b)(2) It must be entered at the post office of publication as second-class mail matter.

(c)(3) More than ~~50 percent (50%)~~ 50% of the circulation must be sold to the subscribers either on a daily, weekly, monthly or yearly basis.

(d)(4) It shall have general paid circulation on a daily, weekly, monthly or yearly basis in the county and shall not be a trade, religious or fraternal publication.

Sec. 2. K.S.A. 64-101 is hereby amended to read as follows: 64-101. (a) *Except as provided by K.S.A. 12-1651, and amendments thereto, the governing body of each city shall designate by resolution a newspaper to be the official city newspaper. Once designated, the newspaper shall be the official city newspaper until such time as the governing body designates a different newspaper.*

(b) *The board of county commissioners of each county shall designate by resolution a newspaper to be the official county newspaper. Once designated, the newspaper shall be the official county newspaper until such time as the board designates a different newspaper.*

(c) No legal notice, advertisement or publication of any kind required or provided by any of the laws of the state of Kansas, to be published in a newspaper shall have any force or effect as such unless the same be published in a newspaper having the following qualifications:

(continued)

(Published in the KANSAS REGISTER, May 8, 1986.)

(a) (1) It must be published at least weekly ~~five (5)~~ 50 times a year and have been so published for at least five (5) years prior to the publication of any official publication;

(b) (2) it must be entered at the post office of publication as second class mail matter;

(c) (3) it shall have general paid circulation on a daily, weekly, monthly or yearly basis in the county and shall not be a trade, religious or fraternal publication; and

(d) (4) it must be printed in the state of Kansas and published in the county publishing the official publication, or if there be is no newspaper published in said the county, then in a newspaper printed in Kansas and having general paid circulation in said the county. ~~Provided~~. The provisions of this ~~aet~~ section requiring publication for at least five (5) years prior to the publication of any official publication shall not apply to any newspaper which is qualified to publish official publications under the provisions of K.S.A. 64-101 at the effective date of this ~~aet~~ ~~section~~. ~~Provided~~, this ~~section~~. Nothing contained in this ~~aet~~ section shall invalidate the publication in a newspaper which has resumed publication after having suspended publication all or part of the time that the United States has been engaged in war with any foreign nation and six (6) months next following the cessation of hostilities if such newspaper resumes publication in good faith under the same ownership as it had when it suspended publication. ~~Provided~~, however, Nothing in this ~~aet~~ section shall invalidate the publication in a newspaper which has simply changed its name or moved its place of publication from one (1) part of the county to another part, or suspended publication on account of fire, flood, strikes, shortages of materials, or other unavoidable accidents for not to exceed ~~ten (10)~~ 10 weeks within the year last preceding the first publication of the legal notice, advertisement or publication. ~~And provided further~~, Nothing in this ~~aet~~ section shall apply to counties wherein no newspaper has been published the requisite length of time. ~~Provided~~, All legal publications heretofore made which would be otherwise valid, that have been made in a newspaper which has, on account of flood, fire, strikes, shortages of materials, or other unavoidable accident, has suspended publication for a period of not exceeding ~~ten (10)~~ 10 weeks, are hereby legalized.

Sec. 3. K.S.A. 12-1651, 12-1651a and 64-101 are hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 26, 1986.

HOUSE concurred in SENATE amendments April 12, 1986.

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

Passed the SENATE as amended March 27, 1986.

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

APPROVED April 25, 1986.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of April, 1986.

(SEAL) JACK H. BRIER
Secretary of State.

SENATE BILL No. 696

AN ACT concerning agriculture; relating to land and property used in a farming operation; authorizing the stay of enforcement of certain judgments relating to such land and property; establishing procedures relating thereto; providing for redemption of certain land and property.

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

Section 1. This act shall be known and may be cited as the family farm rehabilitation act. The legislature finds and declares as follows: (a) That the economy of this state is based to a large extent on agriculture and that the livelihood of individual farmers, ranchers and agribusinessmen in this state is placed in jeopardy as a result of low commodity prices, high interest rates, the declining value of land used for agricultural purposes and the increasing rate of farm foreclosures; (b) that agricultural economic conditions in this state have caused a severe economic emergency for this state; and (c) that farm foreclosures in this state are contributing to a decline in the value of real property and increasing the economic hardships of citizens in this state. For these reasons, the legislature finds and declares that the purpose of this act is to assist in stabilizing the economic conditions of this state and that this act is to be liberally construed so as to effectuate that purpose.

Sec. 2. As used in this act:

(a) "Agricultural land" means land used in a farming operation.

(b) "Farming operation" includes farming, tillage of the soil, dairy farming, ranching, production or raising of crops, poultry or livestock, and production of poultry or livestock products in an unmanufactured state.

(c) "Farmer" means a person or family farm corporation which received more than 80% of such person's or corporation's gross income during the taxable year of such person or corporation, immediately preceding the taxable year of such person or corporation during which the case under this act concerning such person or corporation was commenced, from a farming operation owned or operated by such person or corporation, not including the gross income of a spouse from sources other than the farming operation.

(d) "Agricultural property" means personal property used as part of a farming operation including, but not limited to, farm machinery and equipment. This definition does not include farm products, as defined in K.S.A. 84-9-109(3) and amendments thereto, which are intended for resale in the normal course of business.

(e) "Insolvent" means a person has no equity in property other than exempt property under other provisions of Kansas law with exception of cash or cash equivalent essential for family consumption and farming operations for a period of no more than six months.

(f) "Adequate protection" means those requirements which maintain the creditor in substantially the same position as the creditor was in at the time the court ordered a stay of execution of the judgment under this act and may include, but is not limited to, requiring that insurance be maintained upon the agricultural land and agricultural property, prohibiting the commission of waste to the agricultural land, requiring the preservation of the agricultural property in reasonably good condition, allowing inspection of the agricultural land or agricultural property by the creditor and such other requirements as may be reasonably necessary to protect the collateral interest of the creditor.

Sec. 3. Except as otherwise provided in this act, all proceedings for the foreclosure of a mortgage on agricultural land, the cancellation of a contract for the purchase of agricultural land or the repossession of or collection against agricultural property commencing on and after October 1, 1985, shall be subject to the provisions of this act.

Sec. 4. The defendant-owner or purchaser of agricultural land in case of an action for mortgage foreclosure or cancellation of a contract for purchase or the defendant-owner or purchaser of agricultural property in case of an action for repossession or collection against such property may make application by motion to the district court which has jurisdiction of the matter for

protection under this act. If such an action was commenced on or after the effective date of this act, such motion may be made at any time prior to 20 days before the trial or hearing on such matter. If such an action was commenced on or after October 1, 1985, and prior to the effective date of this act, such motion may be made at any time prior to 30 days after judgment is entered when no appeal is taken from such judgment or at any time prior to final judgment where an appeal is taken, but if an appeal is pending the court may hear the motion only on remand of the case. The applicant shall within three days from the time of filing the motion mail or serve written notice of such motion upon the mortgagee or judgment creditor, or the attorney of record for such person, and shall attach to such notice a copy of such motion. The applicant shall within 10 days from the time of filing the motion file with the court and serve upon the parties a schedule of all the assets and liabilities of the applicant, the truthfulness of which shall be verified by the applicant under oath. Any applicant who intentionally misrepresents assets or liabilities, or both, on such schedule shall be guilty of perjury under K.S.A. 21-3805 and amendments thereto.

Sec. 5. At the time of the trial or hearing on the petition in an action described under section 4 and commenced on or after the effective date of this act or at a time ordered by the court in an action described under section 4 and commenced on or after October 1, 1985, and prior to the effective date of this act, the court shall hear the motion as provided in section 4 and as part of the judgment shall make an order determining:

(a) The current fair market value of the agricultural land and agricultural property as a whole, and if the property is agricultural land and is divided into parcels, the court shall determine the fair market value of each parcel in addition to the value of the whole;

(b) the value of each piece of agricultural property and the value of all the agricultural property;

(c) whether the defendant-owner or purchaser is an insolvent farmer as defined in this act; and

(d) whether the provisions of this act are applicable to the case.

Sec. 6. (a) If the court finds that the defendant-owner or purchaser is an insolvent farmer as defined in this act and that the provisions of this act are applicable, the court shall order a stay of the execution of the judgment for 30 days. The running of the period of redemption shall be tolled until the court makes its order upon the application. If the defendant-owner or purchaser pays into court in cash or by certified check an amount equal to: (1) In the case of agricultural land, the interest for one year on the fair market value of the land or any parcel of the land or (2) in the case of agricultural property, the interest and depreciation for the next one year on the fair market value of the property or (3) both such amounts if agricultural land and agricultural property are involved, $\frac{1}{2}$ payable within such thirty-day period of time and the balance payable six months after the first payment or in two equal installments, one six months after the first payment and one nine months after the first payment, as directed by the court, the court for a period of one year after such first payment shall stay execution of the judgment on the agricultural land, or parcel thereof, or agricultural property, upon which such interest payment was made and also stay execution of any money judgment except that no stay of execution of the money judgment shall apply to a money judgment against a cosignor or guarantor of a loan, other than the defendant-owner's or purchaser's spouse, with respect to the difference between the fair market value of the collateral and the full value of the judgment. As a part of the order, the court shall specify the methods of providing adequate protection of the agricultural land or agricultural property upon which execution of judgment has been stayed and that failure to provide adequate protection as ordered by the court will result in the stay being extinguished and the judgment enforced.

(b) Within 10 days before the end of such one-year period, the defendant-owner or purchaser may apply for and the court may grant an additional one-year stay of execution of the judgment upon payment into court by the defendant-owner or purchaser, either by quarterly, semiannual or annual payments as directed by the court, in cash or by certified check, of an amount

equal to: (1) In the case of agricultural land, the interest for one year on the then current fair market value of the agricultural land, or parcel thereof, and the depreciation, if any, during the preceding one-year period, as determined by the court, on the fair market value of the agricultural land, or parcel thereof, or (2) in the case of agricultural property, the interest and depreciation for the next one year on the fair market value of the agricultural property, or (3) both such amounts if agricultural land and agricultural property are involved. The additional one-year stay of execution of the judgment shall commence at the time specified by the court upon payment at such time of the annual payment, if an annual payment is ordered by the court, or upon payment of the first payment, if quarterly or semiannual payments are ordered by the court. Within 10 days before the end of such second one-year period, the defendant-owner or purchaser may apply for and the court may grant an additional one-year stay of execution of judgment upon payment in to court by the defendant-owner or purchaser, either by quarterly, semiannual or annual payments as directed by the court, in cash or by certified check, of an amount equal to: (1) In the case of agricultural land, the interest for one year on the then current fair market value of the agricultural land, or parcel thereof; and the depreciation, if any, during the preceding one-year period, as determined by the court, on the fair market value of the agricultural land, or parcel thereof, (2) in the case of agricultural property, the interest and depreciation for the next one year on the fair market value of the agricultural property, or (3) both such amounts if agricultural land and agricultural property are involved. The additional one-year stay of execution of the judgment shall commence at the time specified by the court upon payment at such time of the annual payment, if an annual payment is ordered by the court, or upon payment of the first payment, if quarterly or semiannual payments are ordered by the court. After a third one-year stay of execution of the judgment under this section, no further one-year stays may be granted. Interest and depreciation so paid into court shall be paid to the judgment creditor and credited to the amount of the judgment.

(c) For the purpose of this section, the interest rate shall be fixed by the court in an amount equal to the average yield before taxes received on 52-week United States treasury bills as determined by the federal reserve banks as fiscal agents of the United States at its most recent public offering of such bills prior to the time of such payment plus 2%.

(d) If upon application of the defendant-owner or purchaser the execution of the judgment is stayed under this act for a one-year or longer period of time, the defendant-owner or purchaser shall be deemed to have waived any right to redeem the agricultural land or agricultural property otherwise provided by law but shall have a right to redeem the property as provided under this act. If application is made under this act to stay execution of the judgment and the application is denied or if the defendant-owner or purchaser is unable to make the payments required under subsections (a) and (b), or maintain adequate protection, the judgment shall be executed as otherwise provided by law, with no right of redemption after execution sale.

(e) All payments shall be made in cash or by certified check. The failure to make a payment as ordered by the court shall result in the stay automatically being extinguished and the judgment enforced. The court shall enter an appropriate order *suu sponte*.

Sec. 7. At any time before the end of any such one-year period during which a stay of execution of the judgment has been granted under section 6, the defendant-owner or purchaser may redeem the agricultural land or agricultural property, or any part or portion of the property if agricultural land, upon which execution of judgment has been stayed by paying into court an amount equal to: (a) The fair market value of the property as determined by the court under section 5 and made a part of the judgment or the fair market value of the property as determined by the court at the time of redemption, whichever is greater, less any amounts paid for depreciation on such property under section 6, but in no case an amount larger than the original judgment, and (b) costs, taxes and any other charges approved by the

(continued)

court to the date of redemption, and the court at the time of redemption may determine the rights of the junior creditors, if any, to any such payment. If the defendant-owner or purchaser is unable to redeem the property, fails to apply for an additional one-year period of stay of execution of the judgment or fails to qualify for an additional one-year period of stay of execution of the judgment, the court shall order the stay extinguished and the judgment may be executed as otherwise provided by law.

Sec. 8. If the defendant-owner or purchaser who has been granted a stay of execution of the judgment under this act fails to provide adequate protection of the agricultural land or agricultural property as ordered by the court or if the defendant-owner or purchaser has obtained such stay through fraud or misrepresentation, the judgment creditor may make application to the district court for a hearing on the matter. Upon five days' written notice to the defendant-owner or purchaser a hearing shall be held by the court. If the court finds that the defendant-owner or purchaser has failed to provide adequate protection of the agricultural land or agricultural property as ordered by the court or has obtained such stay through fraud or misrepresentation, the court shall extinguish the stay and the judgment may be executed as otherwise provided by law.

Sec. 9. The provisions of this act shall not apply to: (a) Any agricultural land which is not occupied in good faith; (b) any agricultural land where the premises have been abandoned by the owner thereof; (c) a defendant who since January 1, 1986, has purchased or contracted to purchase the agricultural land or agricultural property; (d) any agricultural land, or parcel thereof, or agricultural property on which a stay of execution of a judgment has previously been obtained under this act; or (e) a situation where the defendant-owner or purchaser obtains a new loan or mortgage after the effective date of this act.

Sec. 10. An owner or purchaser may waive, knowingly in an arm's length transaction, the right to seek a stay of judgment under this act as part of a debt restructuring agreement with the creditor or the creditor's successor in interest or assign.

Sec. 11. Nothing in this act shall be construed to forgive or discharge any indebtedness of the judgment debtor or to affect any judgment lien on property of the defendant-owner or purchaser other than property subject to the mortgage or lien being foreclosed or the contract being cancelled.

Sec. 12. The provisions of this act shall expire on July 1, 1991, except that the stay of any judgment under this act in effect immediately prior to July 1, 1991, shall continue until the end of the one-year period of such stay and the provisions of this act shall continue to be applicable to all the parties to such stay until the end of such one-year period.

Sec. 13. If any part or parts of this act are held to be invalid or unconstitutional by any court, it shall be conclusively presumed that the legislature would have enacted the remainder of this act without such invalid or unconstitutional part or parts.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body March 12, 1986.

SENATE adopted Conference Committee report April 25, 1986.
 ROBERT V. TALKINGTON
President of the Senate.
 LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended April 7, 1986.

HOUSE adopted Conference Committee report April 25, 1986.
 MIKE HAYDEN
Speaker of the House.
 GENEVA SEWARD
Chief Clerk of the House.

APPROVED May 1, 1986.

JOHN CARLIN
Governor.

STATE OF KANSAS
 Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 1st day of May, 1986.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 8, 1986.)

HOUSE BILL No. 3156

AN ACT relating to the issuance of general obligation bonds by certain cities; validating and confirming certain proceedings for the issuance of such bonds and any bonds issued thereunder.

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

Section 1. The governing body of any city which, prior to the effective date of this act, has authorized, pursuant to the provisions of K.S.A. 15-731, and amendments thereto, the issuance of general obligation bonds of the city in the amount of \$250,000 for the purpose of resurfacing and repaving and otherwise improving certain streets in the city together with necessary grading and drainage appurtenant thereto is hereby authorized to issue and sell such bonds in the manner provided by law without approval by election and without executing a nonlitigation certificate required by K.S.A. 10-108a, and amendments thereto. All proceedings for the issuance of such bonds and all bonds issued pursuant thereto are hereby validated and confirmed. The total amount of bonds issued under authority of this act shall not exceed the amount of \$250,000.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 25, 1986.

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

Passed the SENATE April 25, 1986.

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

APPROVED May 1, 1986.

JOHN CARLIN
Governor.

STATE OF KANSAS
 Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 1st day of May, 1986.

JACK H. BRIER
Secretary of State.

(SEAL)

(Published in the KANSAS REGISTER, May 8, 1986.)

HOUSE BILL No. 3158

AN ACT authorizing the secretary of social and rehabilitation services to convey to the Kansas department of transportation certain property located in Shawnee county, Kansas.

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

Section 1. (a) The secretary of social and rehabilitation services is hereby authorized to convey, without consideration, to the Kansas department of transportation the following described state property located in Shawnee county, Kansas:

A tract of land in the west half of the northwest quarter of section 26, township 11 south, range 15 east described as follows: Beginning at a point on the west line 190.0 feet north of the southwest corner of said quarter section; first course, thence north along said west line 871.0 feet; second course, thence east, 30.0 feet to a point 1,060.5 feet north of the south line of said quarter section; third course, thence easterly, 312.5 feet to a point 1,068.9 feet north of said south line; fourth course, thence southeasterly 241.5 feet to a point 970.6 feet north of said south line; fifth course, thence easterly, 424.6 feet to a point 952.1 feet north of said south line; sixth course, thence easterly to a point on the east line 959.3 feet north of the southeast corner of said west half of the northwest quarter section; seventh course, thence south along said east line 249.1 feet; eighth course, thence westerly 613.0 feet to a point 615.4 feet north of said south line; ninth course, thence southwesterly 121.2 feet to a point 566.6 feet north of said south line; tenth course, thence south to a point 190.0 feet north of said south line; eleventh course, thence west to the place of beginning.

(b) The deed conveying the above described land shall be approved by the attorney general and shall be executed by the

secretary of social and rehabilitation services. The conveyance of land authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a and amendments thereto.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body April 25, 1986.

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

Passed the SENATE April 25, 1986.

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

APPROVED May 1, 1986.

JOHN CARLIN
Governor.

STATE OF KANSAS
Office of Secretary of State

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 1st day of May, 1986.

JACK H. BRIER
Secretary of State.

(SEAL)

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