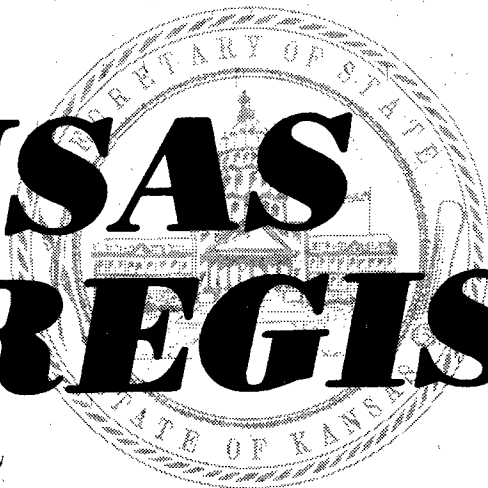


# KANSAS REGISTER



State of Kansas

**JACK H. BRIER**  
Secretary of State

Vol. 5, No. 23

June 5, 1986

Pages 905-928

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## State of Kansas

## LEGISLATURE

## INTERIM AGENDA

Notice is hereby given to interested parties that the following committee meetings have been scheduled during the period of June 5 through June 20, 1986.

Date	Room	Time	Committee	Agenda
June 5	519-S	9:30 a.m.	Special Commission on a Public Agenda for Kansas	Discussion of Kansas agenda.
June 6	527-S	10:30 a.m.	Legislative Coordinating Council	Legislative matters.
June 10	263-E Telephone conference call	4:30 p.m.	Kansas Public Broadcasting Commission	Appropriation for KOOD-TV Public TV station; general business.
June 10 June 11	514-S TOUR	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Commission	10th: Planning session. 11th: Tour KCVTC in Topeka.
June 16	123-S	10:00 a.m.	Joint Committee on State Building Construction	Review of proposed plans for Ellsworth Correctional Work Facility, Ellsworth, Kansas. Tour of Santa Fe State Office Building.
June 16 June 17	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.

Interim proposals and interim committee assignments have not been finalized at this time. That information will be published as it becomes available.

WILLIAM R. BACHMAN  
Director of Legislative  
Administrative Services

Doc. No. 004312

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PHONE: 913/296-3489

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES  
HOME AND COMMUNITY BASED SERVICES  
ADVISORY COMMITTEE****NOTICE OF MEETING**

The Home and Community Based Services Advisory Committee will meet at 10 a.m. Wednesday, June 18, at the SRS Staff Development Training Center, Feldman Building, 2700 W. 6th, State Complex West, Topeka.

**ANITA FAVORS**  
Commissioner of Adult Services

Doc. No. 004310

## 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 June 1, 1986 through June 30, 1986 shall be 12.06 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 May, A.D. 1986.

**JACK H. BRIER**  
Secretary of State

Doc. No. 004316

## 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 May 12 through May 30:

**Associate District Judge, 1st Judicial District,  
Position 2**

**David J. King**, 2205 N. 153rd, Basehor 66007. Effective May 13, 1986. Expires when a successor is elected and qualifies according to law. Succeeds Robert E. Davis, resigned.

**Highway Advisory Commission**

**C. Price Berryman**, 108 N. Highland, Coffeyville 67337. Effective May 13, 1986. Expires January 31, 1990. Reappointment.

**Norman C. Eathing**, Rural Route, Box 2, Lakin 67860. Effective May 13, 1986. Expires January 31, 1990. Succeeds Lelyn J. Braun.

**Albert J. Schwartz, Sr.**, 630 E. Iron Ave., Salina 67401. Effective May 13, 1986. Expires January 31, 1990. Reappointment.

**John W. Trout, Jr.**, 300 Mimosa, Haysville 67060. Effective May 13, 1986. Expires January 31, 1990. Reappointment.

**Kansas, Inc.**

(Established by 1986 House Bill 2960; 15 members to be appointed by various authorities.)

**Sen. Paul Burke**, Box 6867, Leawood 66206. Effective July 1, 1986. Expires January 12, 1987. Appointed by the President of the Senate.

**Liquor Law Review Commission, Kansas**

**Charles M. Yunker**, 5918 N.W. Glenwood Drive, Topeka 66617. Effective May 13, 1986. Serves at the pleasure of the Governor. Succeeds Richard A. Maner, resigned.

**Optometry, Board of Examiners in**

**Dr. Charles G. Beier**, 205 S.W. Courtland, Topeka 66606. Effective May 13, 1986. Expires April 20, 1989. Reappointment.

**Real Estate Commission, Kansas**

**Harvey S. Bodker**, 3401 W. 87th, Leawood 66206. Effective May 13, 1986. Expires April 30, 1990. Succeeds M. W. Perry III.

**Veterans' Affairs, Kansas Commission on**

(K.S.A. 73-1208a, as amended by 1986 House Bill No. 2793. Formerly the Kansas Veterans' Commission; two positions added.)

**Paul L. Aylward**, 306 Forest Drive, Ellsworth 67439. Effective July 1, 1986. Expires June 30, 1990. Succeeds Marvin E. Jardon.

**Marvin E. Jardon**, Route 1, Baldwin City 66006. Effective July 1, 1986. Expires June 30, 1988. New position.

**Terrance W. Weaver**, 1206 E. 9th, Emporia 66801. Effective July 1, 1986. Expires June 30, 1987. New position.

**JACK H. BRIER**  
Secretary of State

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES  
 REHABILITATION SERVICES  
 ADVISORY COMMITTEE**

**NOTICE OF MEETING**

The Rehabilitation Services Advisory Committee will meet at 1 p.m. Thursday, June 12, in the Alcohol and Drug Abuse conference room, second floor, Bidle Building, 2700 W. 6th, Topeka.

JOAN B. WATSON  
 Commissioner

Doc. No. 004309

State of Kansas  
**ATTORNEY GENERAL**

**Opinion No. 86-74**

**Intoxicating Liquors and Beverages—General Provisions—The History and Intent of the Language of K.S.A. 1985 Supp. 41-104.** Michael B. Rees, Chief Counsel, Kansas Department of Transportation, Topeka, May 23, 1986.

The state of Kansas is in compliance with the National Minimum Drinking Age Act (N.M.D.A.A.). Clearly delineated exceptions to the Kansas liquor laws parallel federal liquor law exceptions. Each exception complies with the N.M.D.A.A. Exceptions for doctors, dentists, recognized religions, heads of households, private clubs, pharmacists and hospitals are found in both Kansas and federal law. The long history of stringent enforcement of Kansas liquor laws by Kansas law enforcement agencies, the volumes of statutory, regulatory and case law expounded to compel compliance, and the legislature's passage of law to comply with the N.M.D.A.A. all indicate that the state of Kansas has gone above and beyond the standards required by the federal government to comply with the N.M.D.A.A. Cited herein: 23 U.S.C. § 158 (The National Minimum Drinking Age Act); K.S.A. 1985 Supp. 21-3610; 21-3610(a); 41-102(k); 41-104; 41-104(2); 41-407; 41-727; 41-1103; 41-2601 *et seq.*; 41-2701 *et seq.*; 41-2701(g); 60-455; 1935 G.S. 21-2116; 23 C.F.R. § 1208.3; 26 U.S.C.A. § 5053; L. 1949, ch. 242, §§ 1-125 (The Kansas Liquor Control Act); L. 1949, ch. 242, § 4. TL

**Opinion No. 86-75**

**Taxation—Property Valuation, Equalizing Assessments, Appraisers and Assessment of Property—Escaped Personal Property.**

**Taxation—Collection and Cancellation of Taxes—Time for Payment of Personal Property Taxes.** Representative Dennis J. Spaniol, 94th District, Wichita, May 27, 1986.

K.S.A. 1985 Supp. 79-1475 provides that "escaped taxes" on personal property are to be collected in the same manner as prescribed by law for the collection of other taxes levied on property. K.S.A. 79-1804 and

79-2004a set forth the schedule for collection of personal property taxes. Accordingly, escaped taxes on personal property are due on November 1 of the year in which they were placed on the tax roles (unless they are so placed in November or December, in which case they are due in November of the following year) and the taxpayer must pay those taxes according to the time schedule provided in K.S.A. 79-2004a. Cited herein: K.S.A. 1985 Supp. 79-1427a; 79-1475; K.S.A. 79-1803; 79-1804; 79-2001; 79-2004a; K.S.A. 1985 Supp. 79-1017. JLM

**Opinion No. 86-76**

**Public Health—Examination, Licensure and Regulation of Nursing—Acts Which are Not Prohibited.** Lois Rich Scibetta, Executive Administrator, Kansas State Board of Nursing, Topeka, May 27, 1986.

We affirm Attorney General Opinion No. 79-274 in its conclusion that a professional nurse, licensed in a state other than Kansas, need not become licensed in this state in order to participate in the clinical training phase of the graduate programs in nursing at the University of Kansas and Wichita State University. K.S.A. 65-1124(e), which provides that nothing in the nurse practice act shall prohibit the practice of nursing by students enrolled in accredited schools of professional or practical nursing, applies to graduate as well as undergraduate students and nothing in the nurse practice act indicates the rule should be otherwise. To the extent that K.A.R. 60-11-108(k) is in direct conflict with K.S.A. 65-1124(e), the regulation is invalid. Cited herein: K.S.A. 65-1113; 65-1114; 65-1117; 65-1119; 65-1124; 65-1130; 65-1131; 65-1132; 65-1133; K.A.R. 60-11-108. JLM

**Opinion No. 86-77**

**Livestock and Domestic Animals—Public Livestock Markets—Contractual Arrangements Between Veterinarian Inspector and Public Livestock Market Operator.** Allen T. Kimmell, Livestock Commissioner, Animal Health Department, Topeka, May 27, 1986.

The potential of compromise of veterinarian inspectors by livestock market operators is precluded by proper application of K.S.A. 47-1008. K.S.A. 47-1008 mandates that veterinarians shall inspect all livestock of market operators prior to sale, and that the employment contract between the veterinarian and the operators must be approved by the Livestock Commissioner. To avoid a potential compromise of the veterinarian-employee by the operator-employer, the commissioner may approve contracts which allow for veterinarian dismissal only for cause and with the commissioner's approval. Cited herein: K.S.A. 47-1008; L. 1973, ch. 2, § 22. TL

ROBERT T. STEPHAN  
 Attorney General

Doc. No. 004311

## State of Kansas

**DEPARTMENT OF TRANSPORTATION****NOTICE TO CONTRACTORS**

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T., June 19, 1986, and then publicly opened:

**DISTRICT TWO—Northcentral**

**Cloud**—28-15 M-1425-01-K-28, 0.16 mile northwest of the junction of K-28 and K-9 over Wolf Creek, bridge repair. (State Funds)

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

Plans and specifications for the project may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

**JOHN B. KEMP**  
Secretary of Transportation

Doc. No. 004302

## 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.D.T., and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

**MONDAY, JUNE 16, 1986**

#A-5321

Topeka State Hospital, Topeka—REPLACE SMOKE DETECTORS, Boisen and Rapaport buildings

#27076-A

Kansas State Penitentiary, Lansing—SPECIAL DIET MEALS

#27152

Division of Architectural Services and other Kansas state agencies, Topeka—BLUE PRINTING SERVICE

#27197

Wichita State University, Wichita—REPAIR OF MICROSCOPES

#27198

Department of Health and Environment, Topeka—SICKLE CELL LABORATORY TESTS

#27199

Kansas Correctional Institute at Lansing, Lansing—REFUSE COLLECTION SERVICE

#27201

Department of Administration, Topeka—NEGOTIATE FOR CONSULTANT SERVICES—DEFERRED COMPENSATION PLAN

#27205

University of Kansas, Lawrence—SMALL ANIMAL FEED

#66089

Department of Transportation, Norton—STATIONARY STEAM CLEANER

#66090

Kansas State University, Manhattan—TEM ACCESSORIES

#66091

Kansas Fish and Game Commission, Pratt—OUTDOOR POLY SIGNS

#66097

Department of Transportation, Topeka—COLD ASPHALTIC CONCRETE MIX

#66098

Department of Corrections, Topeka—DOORS, FRAMES AND HARDWARE, State Reception and Diagnostic Center, Topeka

#66099

Department of Transportation, Topeka—GUARD RAIL, Osage City

#66140

Topeka State Hospital, Topeka—TWO-WAY RADIO EQUIPMENT

**TUESDAY, JUNE 17, 1986**

#A-5350

Department of Transportation, Topeka—INSULATE, WEATHERPROOF AND REMODEL AREA SHOP BUILDING (KDOT #3-2015), Atwood

#A-5364

Department of Corrections, Topeka—CONSTRUCT MULTI-PURPOSE WORK SHOP, El Dorado Honor Camp

#A-5458(c)

Kansas State Fair, Hutchinson—REROOF QUARTER HORSE BARN

#27203

Kansas State University, Manhattan—CHEMICAL SEED TREATMENT

#27204

University of Kansas Medical Center, Kansas City—MISCELLANEOUS GROCERIES

#66100

Kansas Judicial Center, Topeka—TELECOMMUNICATIONS SYSTEM

#66107

University of Kansas, Lawrence—MEMORY UPGRADE/PRINTER—IBM 36 COMPATIBLE

**WEDNESDAY, JUNE 18, 1986**

#A-5277

Osawatomie State Hospital, Osawatomie—HANDICAP RAMP, Biddle Building

#A-5383

Adjutant General's Department, Topeka—REROOF OF THE NATIONAL GUARD ARMORY, Phillipsburg

#A-5452

Topeka State Hospital, Topeka—RENOVATION OF NORTHWEST WING, Biddle Building

#27195

Kansas Fish and Game Commission, Pratt—NON-GAME FISH REMOVAL

(continued)

#66113

Department of Revenue, Topeka—VIDEO AND  
AUDIO VISUAL EQUIPMENT

#66114

Department of Transportation, Topeka—LAB  
APPARATUS

#66115

Department of Transportation, Topeka—  
AGGREGATE, PRIMARY CRUSHER RUN

#66116

Department of Transportation, Topeka—AB-3  
AGGREGATE, ALTERNATE AS-1 AGGREGATE

#66117

Department of Transportation, Topeka—PLANT  
MIX BITUMINOUS MIXTURE COMMERCIAL  
GRADE, Leavenworth and Kansas City, Kansas  
metropolitan area

#66118

Emporia State University, Emporia—TELEVISION  
SETS

**THURSDAY, JUNE 19, 1986**

#A-5316

Rainbow Mental Health Facility, Kansas  
City—REPAIR, RESEAL AND RESTRIPE PARKING  
LOTS

#A-5444

Youth Center at Topeka, Topeka—REPLACE  
WINDOWS ON SCHOOL BUILDING

#A-5458(b)

Kansas State Fair, Hutchinson—REROOF 4J/FFA  
LIVESTOCK BUILDING

#66125

Emporia State University, Emporia—  
COMMERCIAL WASHERS AND DRYERS

#66126

Emporia State University, Emporia—DRAPERIES

#66127

Wichita State University, Wichita—RACQUETBALL  
PANELS

#66131

Department of Transportation, Topeka—FURNISH  
AND INSTALL CHAIN LINK FENCE

#66132

Wichita State University, Wichita—PLUMBING  
SUPPLIES

**FRIDAY, JUNE 20, 1986**

#27202

Statewide—CONSUMER GRADE AA EGGS

#66138

Department of Revenue, Topeka—CONVERSION  
COATED ALUMINUM, Wichita

**MONDAY, JUNE 30, 1986**

#27180

Kansas Fish and Game Commission, Pratt—  
LIABILITY INSURANCE

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 004313

(Published in the KANSAS REGISTER, June 5, 1986.)

**NOTICE OF BOND SALE AND  
PRELIMINARY OFFICIAL STATEMENT**

**\$360,000**

**GENERAL OBLIGATION  
CAPITAL OUTLAY BONDS**

**SERIES 1986****OF THE****COWLEY COUNTY****COMMUNITY COLLEGE DISTRICT****COWLEY COUNTY, KANSAS**

(general obligation bonds payable  
from unlimited ad valorem taxes)

**Sealed Bids**

Sealed bids will be received by the undersigned, Secretary of the Cowley County Community College District, Cowley County, Kansas, on behalf of the Board of Trustees at the office of the secretary, Cowley County Community College District, 125 S. 2nd, P.O. Box 1147, Arkansas City, KS 67005, until 7:30 p.m. C.D.T. on Monday, June 16, 1986, for the purchase of \$360,000 principal amount of general obligation capital outlay bonds, series 1986, of the district hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the Board of Trustees 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, dated June 15, 1986 and becoming due serially on August 1 in the years as follows:

Year	Principal Amount
1987	\$110,000
1988	120,000
1989	130,000

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 February 1 and August 1 in each year, beginning on February 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 district and the Attorney General of the State of Kansas.

The district 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 district and bond registrar at least two weeks prior to the closing date.

#### Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be 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 district 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 district on the basis of such bid, all certified by the bidder to be correct, and the district will be entitled to rely on the certificate of correctness of the bidder. Each bid shall also specify the average annual net interest rate to the district 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 district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the district. 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 Board of Trustees shall determine which bid, if any, shall be accepted, and its determination shall be final. The district 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. 71-501 as amended, for the purpose of paying the cost of certain school building improvements. The bonds and the interest thereon 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, real and personal, within the territorial limits of the district.

#### 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 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, 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. Therefore, there can be no assurance that the district will be able to comply with such requirements. The failure or inability of the district 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 district has relied on the joint statement in issuance of the bonds.

On May 6, 1986, the Senate Finance Committee reported an amendment to the bill. As of the date hereof, final drafts of the amendment have not been prepared. According to a "Summary of Tax Reform Provisions and H.R. 3838," as ordered reported by the Senate Finance Committee and prepared by the Joint Committee on Taxation, the amendment will contain a provision under which "one half of the reported proceeds of a corporation not otherwise included in the minimum tax base would be [treated as] a preference." The effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

#### 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 district, 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, 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 district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before July 17, 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

(continued)



bonds shall be made in federal reserve funds, immediately subject to use by the district.

#### 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 district. If a bid is accepted, said check or the proceeds thereof will be held by the district until the bidder shall have complied with all of the terms and conditions of this notice. If a bid is accepted but the district 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 district 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 district.

#### Bid Forms

All bids must be made on forms which may be procured from the district. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The district 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 Board of Trustees, Cowley County Community College District, 125 S. 2nd, P.O. Box 1147, Arkansas City, KS 67005, Attention: Elizabeth L. Palmer, Secretary, and marked "Bond Bid." Bids may be submitted by mail or delivered in person to the undersigned at the district and must be received by the undersigned prior to 7:30 p.m. Central Daylight Time on June 16, 1986.

#### Official Statement

The district has prepared a preliminary official statement dated May 19, 1986, copies of which may be obtained from the Board of Trustees. Upon the sale of the bonds, the district 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 equalized assessed tangible valuation for computation of bonded debt limitations for the district for the year 1985 is \$140,169,019.

The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$840,000.

#### Additional Information

Additional information regarding the bonds may be obtained from the Board of Trustees, Cowley County Community College District, 125 S. 2nd, P.O. Box 1147, Arkansas City, KS 67005, Attention: Elizabeth L. Palmer, Secretary, (316) 442-0430.

Dated May 19, 1986.

COWLEY COUNTY COMMUNITY  
COLLEGE DISTRICT  
COWLEY COUNTY, KANSAS  
By Secretary, Board of Trustees  
125 S. 2nd  
P.O. Box 1147  
Arkansas City, KS 67005  
(316) 442-0430

Doc. No. 004306

(Published in the KANSAS REGISTER, June 5, 1986.)

**NOTICE OF BOND SALE**  
**\$270,000**  
**GENERAL OBLIGATION BONDS**  
**SERIES A, 1986**  
**OF**

**THE NORTHWEST INDUSTRIAL DISTRICT**  
**OF FINNEY COUNTY, KANSAS**  
(general obligation bonds payable  
from unlimited ad valorem taxes)

#### Sealed Bids

Sealed bids will be received by the undersigned, Secretary of the Northwest Industrial District of Finney County, Kansas, on behalf of the Board of Directors, 302 Fleming, Suite 6, P.O. Box 1471, Garden City, Kansas, until 11:30 a.m. C.D.T. on Thursday, June 12, 1986, for the purchase of \$270,000 principal amount of general obligation bonds, series A, 1986, of the district hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the Board of Directors 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, dated June 15, 1986, and becoming due serially on September 1 in the years as follows:

Year	Principal Amount	Year	Principal Amount
1987	\$ 5,000	1995	\$20,000
1988	10,000	1996	20,000
1989	10,000	1997	25,000
1990	10,000	1998	25,000
1991	15,000	1999	25,000
1992	15,000	2000	25,000
1993	15,000	2001	30,000
1994	20,000		

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 March 1 and September 1 in each year, beginning on March 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 district and the Attorney General of the State of Kansas.

The district 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 district and bond registrar at least two weeks prior to the closing date.

#### Redemption of Bonds Prior to Maturity

**Optional Redemption.** Bonds maturing in the years 1988 to 1996, inclusive, shall become due without option of prior payment. At the option of the district, bonds maturing in the years 1997 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 September 1, 1996, or on any interest payment date thereafter at the redemption price of 101 percent, plus accrued interest to the redemption date.

**Special Mandatory Redemption.** In the event the provisions of H.R. 3838 (as hereinafter defined) apply to the bonds, and only to the extent necessary to preserve the exemption from federal income taxation of the interest on the bonds, the bonds are subject to mandatory redemption and payment prior to maturity in whole or in part on July 1, 1989, at a redemption price equal to the principal amount thereof plus accrued interest to the date of redemption 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) from bond proceeds not expended for governmental purposes by May 15, 1989.

Whenever the district 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 district shall elect to call any bonds for redemption and payment prior to the maturity thereof,

the district 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, not exceeding five different interest rates, 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. The repetition of a rate will not constitute one of said maximum number of rates. 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 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 district 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 district on the basis of such bid, all certified by the bidder to be correct, and the district will be entitled to rely on the certificate of correctness of the bidder. Each bid shall also specify the average annual net interest rate to the district 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 district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the district. 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 Board of Directors shall determine which bid, if any, shall be accepted, and its determination shall be final. The district 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. 19-3808, as amended and supplemented, for the purpose of paying the cost of certain water improvements. The bonds and the interest thereon will constitute general

(continued)

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, real and personal, within the territorial limits of the district. The owners of 100 percent of the property located within the district have guaranteed to the district the payment of ad valorem taxes sufficient to provide for payment of the principal of and interest on the bonds, subject to certain limitations.

#### **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 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, it would be applicable to the bonds.

On May 6, 1986, the Senate Finance Committee reported an amendment to the bill. As of the date hereof, final drafts of the amendment have not been prepared. According to a "Summary of Tax Reform Provisions and H.R. 3838," as ordered reported by the Senate Finance Committee and prepared by the Joint Committee on Taxation, the amendment will contain a provision under which "one half of the reported proceeds of a corporation not otherwise included in the minimum tax base would be [treated as] a preference." The effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill. Therefore, there can be no assurance that the district will be able to comply with such requirements. The failure or inability of the district 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.

#### **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 district, 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, and subject to the limitations set forth therein, 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. If the bill, as referred to in the section entitled "Pending Federal Legislation Concerning Tax Exempt Obligations" is enacted, certain of such additional requirements

would apply to the bonds. The district has covenanted in the Bond Resolution to take all actions necessary to comply with the provisions of the bill in order to maintain the federal tax-exempt status of the interest on the bonds. Assuming that the district complies with the covenants and requirements contained in the Bond Resolution, bond counsel is of the opinion that the enactment of the bill would not cause interest on the bonds to be subject to federal income taxation, except that: (i) under the bill, interest on the bonds would be treated as a tax preference in computing the alternative minimum tax imposed by the bill on corporations and individuals; and (ii) for certain insurance companies, the bill would reduce the underwriting loss deduction for such companies by a portion of the interest received from tax-exempt obligations including the bonds.

#### **Delivery and Payment**

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 1, 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 district.

#### **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 district. If a bid is accepted, said check or the proceeds thereof will be held by the district 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 district. If a bid is accepted but the district 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 district as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

#### **CUSIP Numbers**

The bonds are not eligible for the assignment of CUSIP numbers under the guidelines established by CUSIP. Accordingly, the bonds will not bear CUSIP numbers.

#### **Bid Forms**

All bids must be made on forms which may be procured from the secretary or the financial adviser. No additions or alterations in such forms shall be

made and any erasures may cause rejection of any bid. The district 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 secretary and marked "Bond Bid." Bids may be submitted by mail or delivered in person to the undersigned at the office of the Board of Directors and must be received by the undersigned prior to 11:30 a.m. C.D.T. on June 12, 1986.

**Official Statement**

The district has prepared a preliminary official statement dated May 27, 1986, copies of which may be obtained from the secretary or from the financial adviser. Upon the sale of the bonds, the district 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 district for the year 1985 is as follows:

Equalized assessed valuation of taxable tangible property .....	\$69,790
Tangible valuation of motor vehicles .....	\$ -0-
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$69,790

The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$270,000. In addition thereto, a renewal and improvement temporary note 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 secretary, or from the financial advisers, Ranson & Company, Inc., 610 Board of Trade Center, 120 S. Market, Wichita, KS 67202, or United Securities, Inc., 444 Board of Trade Center, 120 S. Market, Wichita, KS 67202.

Dated May 27, 1986.

**THE NORTHWEST INDUSTRIAL DISTRICT OF FINNEY COUNTY, KANSAS**

By Jimmie Stewart, Secretary  
Office of the Board of Directors  
302 Fleming, Suite 6  
P.O. Box 1471  
Garden City, KS 67846

Doc. No. 004305

**State of Kansas**

**SOCIAL AND REHABILITATION SERVICES  
ADVISORY COMMISSION ON JUVENILE  
OFFENDER PROGRAMS AND THE  
STATE ADVISORY GROUP**

**NOTICE OF MEETING**

The Advisory Commission on Juvenile Offender Programs and the State Advisory Group will meet at 9:30 a.m. Friday, June 13, in Room C of the Staff Development Building, Topeka State Hospital Grounds, Topeka.

BENJAMIN S. COATES  
Juvenile Offender Programs  
Youth Services

Doc. No. 004315

**State of Kansas**

**DEPARTMENT OF ADMINISTRATION**

**TEMPORARY ADMINISTRATIVE  
REGULATIONS**

(Effective May 1, 1986.  
Expire May 1, 1987.)

**Article 2.—DEFINITIONS**

**1-2-25. Compensatory time credits.** Compensatory time credits are:

(a) leave credits given to employees who work on holidays and who are compensated for such holiday work by receiving time off at a later date, at the rate of one and a half hours off for one hour worked; or

(b) leave credits for compensatory time off given pursuant to K.A.R. 1-5-24. (Authorized by K.S.A. 1985 Supp. 75-3747; effective May 1, 1979; amended, T-86-17, June 17, 1985; amended, T-86-36, Dec. 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986.)

**Article 5.—COMPENSATION**

**1-5-5. Employees to be paid within range; part-time employees.** (a) Except as provided otherwise in these regulations, each employee in the classified service shall be paid within the salary range adopted for his or her class of position and at the salary step within the range as prescribed by these regulations.

(b) Whenever an employee works, or is otherwise in pay status, in a pay period fewer than the regularly established number of hours for his or her position, the amount paid shall be proportionate to the time actually worked or otherwise in pay status.

(c) For the purpose of this regulation, "in pay status" means time worked, and time off work but for which the employee is compensated because of a holiday, because of use of any kind of leave with pay, or because of use of compensatory time credits. (Authorized by K.S.A. 1985 Supp. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1981; amended, T-86-17, June 17,

(continued)

1985; amended, T-86-36, Dec. 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986.)

**1-5-24. Overtime.** (a) Except as otherwise provided by the statutes or regulations, employees of the state who are eligible to receive overtime pay under the Fair Labor Standards Act of 1938, as amended, shall be compensated for overtime as provided in that act. State employees in agricultural positions shall also be eligible for overtime payment. The director shall make the final determination as to eligibility to receive overtime pursuant to this subsection for all classified employees and all unclassified employees whose salaries are subject to approval by the governor under K.S.A. 75-2935b and amendments thereto.

(b) The rate at which any eligible employee is to be compensated for overtime worked shall be one and a half times the employee's regular rate of pay; this rate shall not include premium pay for holidays worked or any call-in and call-back compensation paid for hours not actually worked.

(c) Each appointing authority shall be responsible for control of overtime in the agency. Overtime, to the extent possible, shall be authorized in advance by the responsible supervisor.

(d) The director may authorize eligibility for overtime for a class or position that is not eligible for overtime under subsection (a).

(e) In determining whether an employee in a position or class determined to be eligible for overtime pay has worked any overtime in a given workweek or work period, all time in pay status shall be considered as time worked. For the purpose of this regulation, "in pay status" shall be defined as in K.A.R. 1-5-5(c).

(f)(1) In lieu of paying an eligible employee at the time and a half rate for overtime worked, an agency may elect to compensate an employee for overtime worked by granting compensatory time off, at the rate of one and a half hours off for each hour of overtime worked, at some time after the workweek or work period in which the overtime was worked.

(2)(A) An eligible employee shall not accrue more than 120 hours of compensatory time for overtime hours worked except as provided in paragraph (B). Any eligible employee who has accrued 120 hours of compensatory time off shall, for any additional overtime hours of work, be paid overtime compensation.

(B) Upon written request by an appointing authority, the secretary of administration may approve a higher maximum accumulation of compensatory time for a class or a group of eligible employees within that agency, provided that the maximum accumulation shall not exceed 240 hours.

(3) If compensation is paid to an eligible employee for accrued compensatory time off, such compensation shall be paid at the regular rate earned by the employee at the time the employee receives the payment.

(4) An eligible employee who has accrued compensatory time off authorized under this subsection shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than:

(A) the average regular rate received by such eligible employee during the last three years of the employee's employment; or

(B) the final regular rate received by such eligible employee, whichever is higher.

(5)(A) An eligible employee who has accrued compensatory time off authorized under this subsection, and who has requested the use of compensatory time, shall be permitted by the appointing authority to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the agency.

(B) An employee who has accrued compensatory time off under this subsection may be required by the appointing authority to use the compensatory time within a reasonable period after receiving notice of such a requirement. The notice shall state the length of time in which a specified number of hours of compensatory time are to be used.

(g) When an employee who is eligible for overtime works additional time that could result in overtime hours, that employee's agency may give the employee equivalent time off, on an hour for hour basis, in the workweek or work period in which the additional time is worked if:

(1) the agency notifies the employee of the change in the employee's normal work schedule for that workweek or work period at least five calendar days in advance of the day in which the employee's normal work schedule is first changed; or

(2) the agency has established a written policy stating that the employee may be required to take equivalent time off, on an hour for hour basis, in the workweek or work period in which additional time is worked; or

(3) the employee requests or agrees to take equivalent time off during the workweek or work period in which additional time was worked, and the agency determines that this arrangement is not detrimental to the operations of the agency.

In any case, the equivalent time off shall be taken at a time agreeable with the agency during the workweek or work period in which the additional time is worked. (Authorized by K.S.A. 1985 Supp. 75-3747; implementing K.S.A. 75-2938; effective May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-17, June 17, 1985; amended, T-86-36, Dec. 11, 1985; amended May 1, 1986; amended, T-87-11, May 1, 1986.)

## Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

**1-9-13. Payment for accumulated vacation leave and compensatory time credits upon separation.** (a) Except as provided in subsection (b), any employee who resigns or is otherwise separated from the service shall be paid for that employee's accumulated vacation leave and compensatory time credits at the same time the employee is paid for the last day at work. Pay for vacation leave or compensatory time to the employee's credit shall be calculated on the same basis as the pay for the days that the employee actually worked

in the pay period that includes the last day worked, except as provided in K.A.R. 1-5-24(f). Pay for such vacation or compensatory time credit shall be a lump sum addition to the employee's last paycheck.

(b) Each employee who retires from the service shall be paid for that employee's accumulated vacation leave and compensatory time credits. For the purpose of calculating the payment to any employee for leave credit earned as provided for in this regulation, the date of the employee's retirement from the service may be the employee's last day actually worked, or if the employee chooses, the last day in pay status.

(1) If the employee elects to use the last day actually worked, pay for vacation leave, holiday pay, or compensatory time to the employee's credit as of the date of retirement shall be calculated on the same basis as the pay for the hours actually worked in the pay period that includes the last day worked, except as provided in K.A.R. 1-5-24(f).

(2) If the employee elects to use the last day in pay status, the employee shall continue to accrue leave and holidays and shall be paid in the regular manner until all vacation leave, holiday pay, or compensatory time is exhausted. (Authorized by K.S.A. 1985 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1979; amended May 1, 1984; amended May 1, 1985; amended, T-86-36, Dec. 11, 1985; amended T-87-11, May 1, 1986.)

ALDEN K. SHIELDS  
Secretary of Administration

Doc. No. 004270

State of Kansas

**BOARD OF AGRICULTURE**

**TEMPORARY ADMINISTRATIVE  
REGULATIONS**

(Effective May 1, 1986.

Expire May 1, 1987.)

**Article 10.—ANHYDROUS AMMONIA**

**4-10-1. Definitions.** (a) "Tank" or "container" means any vessel designed and constructed for the storage and handling of anhydrous ammonia.

(b) "Gas" means anhydrous ammonia in either the gaseous or liquefied state.

(c) "Designed pressure" means "maximum allowable working pressure."

(d) "Appurtenances" means all devices that are used in connection with a container including safety devices, liquid level gauging devices, valves, pressure gauges, fittings and metering or dispensing devices.

(e) "System" means an assembly of equipment consisting essentially of the container or containers, appurtenances, pumps, compressors, and interconnecting piping.

(f) "Capacity" means the total volume of a container measured in standard U.S. gallons of 231 cubic inches, unless otherwise specified.

(g) "Filling density" means the percent ratio of the

weight of gas in a container to the weight of water the container will hold at 60 °F.

(h) "F." means Fahrenheit.

(i) "Code" means parts UG-1 through UG-136 inclusive, entitled "general requirements for all methods of construction and all materials" and parts UF-1 through UF-136, entitled "requirements for pressure vessels fabricated by forging," as published in section VIII, division 1, of the ASME boiler and pressure vessel code, July 1, 1983 edition, as amended and supplemented on February 1, 1986, as the context requires.

(j) "ASME schedule 80" or "ASME schedule 40" means pipe specifications contained in the "specification for pipe, steel, black and hot-dipped, zinc coated welded and seamless" and the accompanying appendices, as published in section II, of the ASME boiler and pressure vessel code, July 1, 1983 edition, as amended and supplemented on February 1, 1986.

(k) "PSIG" means pounds per square inch gauge pressure.

(l) "ASME" means American society of mechanical engineers.

(m) "Implement of husbandry" means a farm wagon-type vehicle or application unit which has an anhydrous ammonia container mounted on it and which is used for transporting anhydrous ammonia from a source of supply to farms or fields, or from one farm or field to another.

(n) "Public assembly area" means any building, structure, or area used by a gathering of persons for civic, political, travel, religious, recreational or education purposes, or for the involuntary detention of persons.

(o) "Non-code welding" means welding which does not comply with parts UW-1 through UW-65, entitled "requirements pertaining to methods of fabrication of pressure vessels," as published in section VIII, division 1, of the ASME boiler and pressure vessel code, July 1, 1983 edition, as amended and supplemented on February 1, 1986.

(Authorized by and implementing K.S.A. 2-1212, effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1986; amended T-87-9, May 1, 1986.)

**4-10-2. Basic rules.** (a) Approval of equipment and systems. (1) Before installing or relocating a stationary anhydrous ammonia container or permanent unloading facility, the owner shall submit to the secretary a detailed diagram showing:

(A) the location of the container or facility in relation to boundary lines of the property on which the container or facility is to be located;

(B) any source of drinking water within 50 feet of the container;

(C) any facility storing petroleum products within 50 feet of the container; and

(D) each public assembly area, hospital, nursing home or home for the aged within 1,000 feet of the stationary container or permanent unloading facility.

(2) No person shall install or use any system for

(continued)

supplying anhydrous ammonia unless the system is safe and adequate, and unless the tank, system and appurtenances comply with K.A.R. 4-10-1 *et seq.*

(3) No person shall fill a container with anhydrous ammonia unless the container bears a manufacturer's name plate showing that it is a code container and complies with K.A.R. 4-10-1 *et seq.*

(4) No person shall transfer or deliver any anhydrous ammonia into a container having defects which are plainly apparent.

(5) No person shall deliver or transfer anhydrous ammonia into any container without the consent of the owner of the container.

(b) Requirements for construction and testing of containers, including skid systems, other than refrigerated storage tanks.

(1) Each containers used with a system that is subject to K.A.R. 4-10-4, 4-10-5, 4-10-6 or 4-10-7 shall be constructed and tested in accordance with the code.

(2) Each container exceeding 36 inches in diameter or a 250-gallon capacity shall:

(A) be stress-relieved after fabrication in accordance with the code;

(B) use cold-formed heads that have been stress relieved; or

(C) use hot-formed heads.

(3) Each container, except refrigerated storage tanks with a design pressure of less than 15 psig, constructed as required by K.A.R. 4-10-1 *et seq.*, shall be inspected by a person having a current certificate of competency from the national board of boiler and pressure vessel inspectors.

(4) The provisions of K.A.R. 4-10-2 (b)(1) shall not prohibit the continued use of containers constructed and maintained in accordance with any prior edition of the code. The burden of proof of compliance shall be on the person invoking this paragraph.

(5) A pressure test of storage tanks and tanks mounted on implements of husbandry shall be conducted after any accident involving structural damage to the pressure vessel.

(c) Markings on containers and systems.

(1) Each container or system that is subject to K.A.R. 4-10-4, 4-10-5, 4-10-6 or 4-10-7 shall be marked:

(A) With a statement that the container complies with the code under which the container was constructed and any other marks required by that code;

(B) With a notation as to whether the system is designed for underground or above ground installation, or both;

(C) With the name and address of the supplier of the system of the trade name of the system, and date of manufacture;

(D) With the water capacity of the container in pounds or U.S. standard gallons;

(E) With the working pressure, in pounds per square inch, for which the container is designed;

(F) With the wall thickness of the shell and heads;

(G) With a notation of the maximum level to which the container may be filled with liquid at liquid temperatures between 20° F. and 100° F. Such a notation shall not be required for containers provided with fixed, maximum-level indicators, or for containers

which are filled by weighing. Markings shall be in increments of not more than 20° F.; and

(H) With outside surface area in square feet. Each required mark shall be on the container itself or on a nameplate permanently affixed thereto.

(2) All main operating valves on permanently installed containers having a capacity of over 3,000 water gallons shall be identified to show whether the valve is in liquid or vapor service. This method of identification may be by legend or color code and shall be placed within 12 inches of the valve by means of a stencil, tag, or decal.

(d) Location of containers.

(1) Containers shall be located outside of buildings other than those buildings specifically constructed for this purpose. Permanent storage containers shall be located:

(A) outside of densely populated areas;

(B) at a distance not less than 50 feet from either the line of any property upon which a building may be erected or from a source of drinking water, or both;

(C) at a distance not less than 1,000 feet from any public assembly area; and

(D) at a distance not less than 1,000 feet from a hospital, nursing home, or home for the aged. The plant site shall be large enough to permit an easy flow of traffic in and out of the plant, storage of implements of husbandry and adequate access for emergency personnel.

(2) Stationary containers used for the storage of anhydrous ammonia shall be located not less than 50 feet from containers of petroleum products.

(3) From and after May 1, 1986, each new permanent storage container or unloading facility shall be located outside of municipalities or other densely populated areas unless the location has been approved by the appropriate local governing body. Each existing permanent storage container or unloading facility located in a municipality or densely populated area shall not be relocated within the municipality or densely populated area without first obtaining approval from the appropriate local governing body.

(e) Container valves and appurtenances. (1) All shut-off valves and appurtenances shall be suitable for use with anhydrous ammonia and designed for not less than the maximum pressure to which they will be subjected. Valves which may be subjected to container pressures shall have a rated working pressure of at least 250 psig, except valves for refrigerated storage tanks shall have a rated working pressure at least equal to the maximum pressure to which they may be subjected.

(2) All connections to containers, except safety relief connections and gauging devices, shall have manually operated shut-off valves located as close to the container as practicable.

(3) Liquid level gauging devices which are so constructed that outward flow of the container's content does not exceed that passed by a No. 54 drill size opening shall not be required to be equipped with excess flow valves.

(4) Openings from the container or through fittings attached directly on the container to which pressure



gauge connection is made need not be equipped with an excess flow valve if such openings are protected by an opening not larger than No. 54 drill size opening.

(5) All excess flow valves shall be plainly and permanently marked with the name or trademark of the manufacturer, the catalog number, and the rated capacity.

(6) Excess flow valves required by these regulations shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections and line including valves and fittings protected by one or more excess flow valves shall have a greater capacity than the rated flow of these excess flow valves so that these valves will close in case of failure at any point in the line or fittings.

(7) Excess flow and back pressure check valves shall be located inside the container or at an outside point where the line enters the container. In the latter case, installation shall be made in such manner that any undue strain beyond the excess flow or back pressure check valve will not cause breakage between the container and such valve. An excess flow valve shall be installed in any pipe with a diameter which is smaller than the pipe to which it is attached on the end leading from the container. A backflow check valve or a properly sized excess flow valve shall be located at the point where attachment is made to fill the container.

(8) Each excess flow valve shall be designed with a by-pass, not to exceed a No. 60 drill size opening, to allow equalization of pressures.

(f) Piping, tubing, and fittings.

(1) All fittings subjected to container pressure shall be made of materials specified for use with anhydrous ammonia and shall be designed for a minimum working pressure of 250 psig. Fittings for refrigerated storage tanks shall have a rated working pressure at least equal to the maximum pressure to which they may be subjected. No cast iron bushings, plugs, or pipe fittings shall be allowed in the lines or connections.

(2) Galvanized pipe shall not be used. Screwed joints may be used only with extra heavy (ASME schedule 80) pipe. Black steel or iron pipe of at least 800 psig minimum bursting pressure (ASME schedule 40) may be used provided pipe joints are welded or joined by means of welding type flanges. Pipe joint compounds shall be resistant to ammonia.

(3) All pipe lines shall be installed as nearly as possible in a straight line with a minimum amount of pipe, and shall not be restricted by an excessive number of elbows and bends. Where nipples are used, they shall be of extra-heavy seamless type.

(4) Rigid connections or all-metal flexible connections with a bursting pressure of 1,000 psig shall be used for permanent installations. Other types of flexible connections may be used for temporary installations.

(5) Provisions shall be made for expansion, contraction, jarring, vibration and for settling. Short sections of flexible connections may be used for this purpose.

(6) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automo-

biles or trucks, or any other undue strain that may be placed upon the piping.

(7) After assembly, all piping and tubing shall be tested at a pressure not less than the normal operating pressure of the system to establish that no leaks exist.

(g) Hose specifications and assemblies.

(1) Each hose and each hose connection shall be fabricated of materials that are resistant to the action of anhydrous ammonia.

(2) Each hose subject to container pressure shall be designed for a minimum working pressure of 350 psig and a minimum burst pressure of 1750 psig. Hose assemblies shall be capable of withstanding a test pressure of 500 psig.

(3) Hose and hose connections located on the low pressure side of flow control or pressure-reducing valves or devices discharging to atmospheric pressure shall be designed for a minimum working pressure of 60 psig. All connections shall be designed, constructed and installed so that there will be no leakage when connected.

(4) If a liquid transfer hose is not drained of liquid upon completion of a transfer operation, the hose shall be equipped with an approved shut-off valve at the discharge end. Provisions shall be made to prevent excessive hydrostatic pressure in the hose.

(5) On all hoses that are at least ½ inch in diameter and which are used in ammonia service and subject to container pressure, the following information shall be etched, cast or impressed at five foot intervals: "Anhydrous Ammonia, XXX psig (Maximum Working Pressure), manufacturer's name or trademark, year of manufacture."

(6) Except as specified below, each hose shall be replaced prior to or upon the expiration of the manufacturer's recommended service life for that hose. Service life commences on the date the hose is installed. Ammonia hoses made with the following reinforcement materials shall be replaced as follows:

(A) rayon—within two years from the date of installation;

(B) nylon—within four years from the date of installation;

(C) kevlar—within four years from the date of installation;

(D) stainless steel—within six years from the date of installation.

(7) Hoses shall be removed from service if a visual examination reveals:

(A) cuts exposing reinforcing fabric;

(B) soft spots or bulges in the hose;

(C) a blistering or loose outer covering;

(D) any unusual abuse including kinking or flattening by a vehicle;

(E) indications that the hose may have been stretched; or

(F) slippage at any coupling.

(8) Hoses shall have either ASME schedule 80 factory-installed ends or reusable ASME schedule 80 hose ends designed for use with anhydrous ammonia.

(h) Safety devices.

(1) Each container used with systems subject to

(continued)



K.A.R. 4-10-4, 4-10-5, 4-10-6, or 4-10-7 shall be provided with one or more safety relief valves of a spring-loaded type or a valve of an equivalent type.

(2) Container safety relief valves shall be set to start-to-discharge at a pressure not less than 95 percent of and not more than 100 percent of the design pressure of the container.

(3) Safety relief valves used on containers or systems shall be constructed to completely discharge before the pressure exceeds 120 percent of the design pressure of the container.

(4) Safety relief valves shall be arranged to minimize the possibility of tampering. If the pressure setting or adjustment is external, the relief valves shall be provided with a satisfactory means for sealing adjustment.

(5) Shut-off valves shall not be installed between the safety relief valves and the container, except that a shut-off valve may be used when the valve is arranged in a manner that affords full required capacity flow through the relief valve.

(6) The discharge from safety relief devices shall not terminate in or beneath any building or other confined area.

(7) All safety relief valve discharge openings shall have suitable raincaps that will allow free discharge of the vapor and prevent the entrance of water. The flow capacity of the safety relief valve shall not be restricted by any connection to it on either the upstream or downstream side.

(i) Filling densities.

(1) Anhydrous ammonia containers shall not be filled to more than 85 percent of their capacity by volume.

(2) All containers filled according to liquid level by any gauging method, other than a fixed-length dip tube gauge, shall have a thermometer well so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container can be easily corrected to a 60° F. basis.

(j) Transfer of liquids.

(1) At least one attendant shall supervise the transfer of liquids from the time the connections are first made until they are finally disconnected.

(2) Containers shall be gauged and charged only in the open air or in buildings especially provided for that purpose.

(3) Pumps used for transferring anhydrous ammonia shall be recommended and labeled for anhydrous ammonia service by the manufacturer.

(A) Liquid pumps shall be designed for 250 psig working pressure.

(B) Positive displacement pumps shall have installed at the discharge port, a constant differential relief valve that discharges through a line of sufficient size to carry the full capacity of the pump at the relief valve setting. The relief valves shall be installed and set according to the pump manufacturer's recommendation.

(C) A fully operational pressure gauge graduated from 0 to 400 psi shall be installed on the discharge side of the pump and before the relief valve line.

(D) Shut-off valves shall be installed within three

feet of the inlet of the pump and within two feet of the discharge.

(4) Compressors used for transferring or refrigerating anhydrous ammonia shall be recommended and labeled for anhydrous ammonia service by the manufacturer.

(A) Compressors may be of the reciprocating or rotary type and shall be designed for 250 psig working pressure.

(B) Plant piping shall contain shut-off valves which shall be located as close as is practical to the compressor connections.

(C) A relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shut-off valve. The discharging pressure of this valve shall not exceed 300 psig.

(D) Compressors shall have pressure gauges graduated from 0-400 psi at suction and discharge.

(E) Adequate means to minimize the entry of liquid into the compressor, such as a drainable liquid trap, shall be provided on the compressor suction.

(5) In addition to the excess flow valves in the liquid and vapor connections of the storage container and the tank car or truck, an excess flow valve or backflow check valve shall be installed in the piping connecting the storage container with the tank car or truck, close to the point where the piping and hose are joined.

(6) Flammable gases or gases which will react with anhydrous ammonia, such as air, shall not be used to unload tank cars or transport trucks.

(k) Tank car and transport truck unloading points and operations.

(1) The track of tank car siding shall be substantially level.

(2) A sign reading "Stop-Tank Car Connected" shall be displayed at the active end or ends of the siding while the tank car is connected for unloading.

(3) While cars are on a side track for unloading, the wheels at both ends shall be blocked on the rails.

(4) Tank cars and transport trucks shall be unloaded only through a permanently installed loading point and into a permanently located bulk storage tank. No anhydrous ammonia shall be unloaded directly from a railroad tank car into a transport truck or other portable container.

(5) Loading and unloading systems shall be protected by suitable devices to prevent emptying of the storage container or the container being loaded or unloaded in the event of severance of the hose. Backflow check valves or properly sized excess flow valves shall be installed where necessary to provide such protection. If such valves are not practical, remotely operated shut-off valves may be installed.

(6) Tank cars and transport trucks shall be unloaded into a permanent, approved unloading site that discharges into a portable acid-fertilizer conversion unit producing liquid fertilizer when:

(A) the conversion unit is approved for use by the Kansas department of health and environment pursuant to K.S.A. 65-3001 *et seq.*; and

(B) approved air-operated valves which normally

are closed are used in the line connecting the source of anhydrous ammonia and the conversion unit.

(1) Liquid level gauging device.

(1) Each container, except containers filled by weight, shall be equipped with a liquid level gauging device of approved design.

(2) Each gauging device shall be arranged so that the maximum liquid level to which the container may be filled is readily determinable.

(3) Each gauging device that requires bleeding of the product to the atmosphere shall be so designed that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with an excess flow valve. This requirement shall not apply to containers subject to K.A.R. 4-10-7.

(4) Gaging devices have a design pressure at least equal to the design pressure of the storage tank on which they are used.

(5) Fixed liquid level gauges shall be so designed that the maximum volume of the container filled by liquid shall not exceed 85 percent of its water capacity. The coupling into which the fixed liquid level gauge is threaded shall be placed at the 85 percent level of the container. If located elsewhere, the dip tube of this gauge shall be installed in such a manner that it cannot be readily removed, such as by the use of a nipple attached directly to the coupling or to a multiheaded valve.

(6) Gauge glasses of the columnar type shall be restricted to bulk storage installations. Gauge glasses shall be equipped with valves having metallic handwheels, with excess flow valves, and with extra heavy glass adequately protected with a metal housing applied by the gauge manufacturer. Such gauge glasses shall be shielded against the direct rays of the sun.

(m) Painting. The reflective surfaces of each above ground container shall be maintained in good condition. Surfaces which require paint shall be painted with white or any other light-reflecting color.

(n) Reports. Any accident involving anhydrous ammonia shall be reported in writing to the secretary as soon as possible so that an investigation may be made before the area is disturbed.

(o) Railroad tank cars. Railroad tank cars shall not be used for the storage of anhydrous ammonia unless they are retested and meet the requirements of these regulations.

(p) Welding on containers. Non-code welding, if necessary, shall be made only on saddles or brackets originally welded to the container by the manufacturer. Non-code welding directly to the container or any parts subject to pressure shall not be permitted.

(q) Use of containers for other service. Anhydrous ammonia containers of 3,000-gallon water capacity or under shall not be used for any other commodity. (Authorized by and implementing K.S.A. 2-1212, effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1986; amended, T-87-9, May 1, 1986.)

**4-10-4. Stationary, pier, skid-mounted, or underground non-refrigerated storage installations.** Each stationary, pier, skid-mounted, or underground non-

refrigerated storage installation shall meet the following requirements.

(a) Design pressure of containers. Each container shall be constructed in accordance with K.A.R. 4-10-2(b) and shall have a minimum design pressure of 250 psig.

(b) Installation of storage containers.

(1) Each container installed aboveground shall be provided with substantial reinforced concrete footings and foundations, or structural steel supports mounted on reinforced concrete foundations. The reinforced concrete foundations or footings shall extend below the established frost line and shall be constructed with sufficient width and thickness to support adequately the total weight of the containers and contents. If the tank is equipped with bottom withdrawal, the tank's foundation shall maintain the lowest point of the tank at not less than 18 inches above ground level. If the load-bearing surface of a skid assembly has sufficient area to properly support the skid-mounted tank, reinforced concrete footings or foundations are not required.

(2) Each horizontal aboveground container shall be mounted on its foundation in such a manner as to permit expansion and contraction. Each container shall be adequately supported so as to prevent the concentration of excessive loads on the supporting portion of the shell. Suitable corrosion prevention measures shall be utilized on any portion of the container which is in contact with either the foundation or saddles.

(3) Secure anchorage or adequate pier height shall be provided to prevent container flotation during high flood water.

(c) Container valves and appurtenances.

(1) All containers shall be equipped with a fixed, liquid level gauge.

(2) Each container shall be equipped with a pressure indicating gauge with a dial graduated from 0-400 psig.

(3) Each filling connection shall be fitted with an approved combination back pressure check valve and excess flow valve.

(4) Each container shall be equipped with an approved vapor return valve. Except for safety relief valves and those connections specifically exempted by K.A.R. 4-10-2(e)(2) and K.A.R. 4-10-2(e)(4), each vapor or liquid connection shall be equipped with either approved excess flow valves or with approved quick-closing internal valves which shall remain closed except during periods of operation.

(d) Safety devices. Each container shall be provided with one or more spring-loaded or equivalent safety relief valves. Each container shall also comply with the following requirements:

(1) The discharge from each safety relief valve shall be directed upward and away from the container and shall flow in an unobstructed manner into the open air from a height of at least seven feet above the working area.

(2) Vent pipes shall not be restricted or smaller in size than the relief valve outlet connection. All relief

(continued)

valve discharges shall have suitable rain caps. Suitable provision shall be made to drain any accumulated condensate.

(3) Vent pipes from two or more safety relief devices located on the same container, or similar lines from two or more different containers, may be connected and channeled into a common header, if the cross-sectional area of the header is at least equal to the sum of the cross-sectional areas of each of the individual vent pipes.

(e) Marking of containers.

(1) Each tank or group of tanks shall be marked on at least two sides with the words "caution ammonia" in sharply contrasting colors with letters not less than six inches high.

(2) The name of the storage facility and the name and telephone number of individuals to be contacted in case of an emergency shall be posted on the storage facility.

(f) Capacity of containers. Individual storage container capacity shall be limited only by good engineering practice.

(g) Protection of tank appurtenances.

(1) All container appurtenances shall be protected from tampering and mechanical damage and shall also be protected during transportation of containers. Manually controlled valves which, if open, would allow gas to discharge into the atmosphere, shall be kept locked when the installation is unattended.

(2) Storage containers shall be grounded.

(3) All areas occupied by storage installations shall be kept free of dry grass and other readily ignitable materials.

(4) Containers and appurtenances shall be protected from damage by vehicles.

(h) Testing of damaged containers. Damaged containers shall be tested by a person certified as required by K.A.R. 4-10-2(b)(3).

(i) Safety. All stationary plants shall have readily available the following equipment for emergency and rescue purposes:

(1) An approved gas mask which covers the entire face and ammonia canisters;

(2) One pair of rubber or suitable plastic protective gloves.

(3) One pair of rubber or suitable plastic protective boots.

(4) One rubber or suitable plastic protective slicker or pairs of rubber or suitable plastic protective pants and jacket, or both;

(5) An easily accessible shower or a container of clean water of sufficient size to immerse or cleanse an individual; and

(6) A flexible-fitting, splash-proof pair of goggles or one full face shield.

(j) Electrical equipment.

(1) The conduit system and electrical equipment for use at ammonia storage installations may be general purpose, dust-tight, or weather-resistant as appropriate.

(2) Electrical systems shall be installed and grounded in a manner approved by state or local ordinance.

(3) Electrical switches for each pump shall be installed at a remote distance from the pump.

(k) Venting Procedure.

(1) Anhydrous ammonia shall be vented into an adequate portable supply of water. Any aqueous ammonia solution resulting from the venting process shall be disposed of safely and properly.

(2) Anhydrous ammonia shall not be vented into the air. Each transport truck unloading point at an anhydrous ammonia facility shall have a valve for venting purposes installed in the piping at or near the point where the piping and the hose from the transport truck are connected. In the alternative, anhydrous ammonia from any transport truck hose shall be vented into an adequate portable supply of water. For this purpose, an adequate supply of water means five gallons of water for each gallon of liquid ammonia or fraction thereof which could be contained in the hose. Any aqueous ammonia solution resulting from the venting process shall be disposed of properly. (Authorized by and implementing K.S.A. 2-1212; effective Jan. 1, 1966; amended Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1986; amended, T-87-9, May 1, 1986.)

**4-10-5. Tank trucks, semi-trailers and trailers for transportation of anhydrous ammonia.** Each tank truck, semi-trailer and trailer, except implements of husbandry, used for transportation of anhydrous ammonia shall meet the following requirements:

(a) Design pressure of containers.

(1) Each container shall be constructed in accordance with K.A.R. 4-10-2(b) and shall have a minimum design pressure of 250 psig.

(2) The shell or head thickness of each container shall not be less than 3/16 of an inch.

(3) Baffles are not required for any cargo tank which is designed so that the container is loaded to capacity and discharged at one unloading point. All other containers having a capacity in excess of 500 gallons shall be equipped with suitable semi-rigid baffle plates.

(4) Except for safety relief valves, liquid level gauging devices and pressure gauges, all container openings shall be labeled to designate whether they communicate with liquid or vapor space. Labels may be located on valves.

(b) Mounting containers on truck.

(1) The container shall be attached to the cradle, frame or chassis of a vehicle in a manner designed to withstand, in any direction, that amount of static loading which is equal to twice the weight of the container when filled and the attachments thereto. The safety factor used shall be not less than four and shall be based on the ultimate strength of the material to be used.

(2) "Hold-down" devices, when used, shall anchor the container to the cradle, frame or chassis in a suitable and safe manner that will not introduce an undue concentration of stresses.

(3) Whenever any vehicle is designed and constructed so that cargo tanks constitute, in whole or in part, the stress member used in lieu of a frame, the

cargo tanks shall be designed to withstand the stresses thereby imposed.

(4) All connections, including hose installed in the bottom of a container, shall not be lower than the lowest horizontal edge of the trailer axle.

(5) While in transit, both ends of each transfer hose shall be secured.

(6) When the cradle and the container are not welded together, a suitable material shall be used between them to eliminate metal-to-metal friction.

(c) Container valves and appurtenances.

(1) Each container shall be equipped with a fixed liquid level gauge.

(2) Each container shall be equipped with a pressure-indicating gauge which has a dial graduated from 0-400 psi.

(3) Non-recessed container fittings and appurtenances shall be protected against damage.

(4) Filling connections shall be provided with approved automatic valves to prevent back flow whenever the filling connection is broken.

(5) Except for safety relief valves and those connections specifically exempted by K.A.R. 4-10-2(e)(2) and K.A.R. 4-10-2(e)(4), all connections to containers shall be provided with approved excessflow valves.

(6) All containers shall be equipped with an approved vapor return valve.

(d) Safety devices.

(1) The discharge from each safety relief valve shall be directed upward and away from the container and shall flow in an unobstructed manner into the atmosphere. Loose fitting rain caps shall be used.

(2) Each unloading line shall be provided with an excess-flow valve at the point where the hose leaves the truck.

(e) Marking of containers. Each side and the rear of every container shall be conspicuously and legibly marked on a background of sharply contrasting color with the words "anhydrous ammonia" in letters at least four inches high and shall be placarded in compliance with applicable D.O.T. regulations.

(f) Piping, tubing and fittings.

(1) All piping, tubing, and metering or dispensing devices shall be securely mounted and shall be protected against damage.

(2) Threaded pipe shall be extra heavy and comply with ASME schedule 80. Standard weight pipe which complies with ASME schedule 40 may be used when the joints are welded.

(g) Electrical equipment and lighting. Tank trucks, tank trailers, and tank semi-trailers, shall not be equipped with any artificial light other than electric light. Electric lighting circuits shall have suitable overcurrent protection.

(h) Trailers and semi-trailers.

(1) Each trailer or semi-trailer shall be equipped with a reliable system of brakes which comply with DOT regulations.

(2) Each trailer or semi-trailer shall have lights which comply with D.O.T. regulations.

(i) Safety equipment. All tank trucks, trailers, and semi-trailers shall be equipped with the following:

(1) An approved gas mask which covers the entire face and ammonia canisters;

(2) One pair of rubber or suitable plastic protective gloves;

(3) One pair of rubber or suitable plastic protective boots;

(4) One rubber or suitable plastic protective slicker, or rubber or suitable plastic protective pants and jacket, or both;

(5) A pair of flexible-fitting, splash-proof goggles or one full face shield; and

(6) A container of not less than five gallons of clean water.

(j) Transfer of liquids.

(1) Each container shall be loaded by:

(A) weight;

(B) a suitable liquid level gauging device; or

(C) a suitable meter.

(2) Pumps or compressors which are designed and installed in accordance with K.A.R. 4-10-2(j) and properly protected against physical damage may be mounted on ammonia tank trucks and trailers.

(k) Protection against collision. Each end-fitted tank truck and each semi-trailer shall be provided with properly attached steel bumpers or chassis extension to protect the tank, piping, valves and fittings in case of collision.

(l) Conversion from other service to anhydrous ammonia. Tanks used for the transporting or storage of materials other than anhydrous ammonia shall be emptied of the material previously hauled and the pressure in the tank shall be reduced to atmospheric pressure. If the material previously hauled in the container will be harmful to the anhydrous ammonia, then the tank shall be purged prior to being placed in anhydrous ammonia service, and all appurtenances shall be changed to comply with these regulations.

(m) Mobile containers. Mobile containers shall be unloaded only at approved locations.

(n) Parking. Except in emergencies, tank trucks, semi-trailers or trailers transporting anhydrous ammonia shall not be parked in cities or in densely populated areas.

(o) Conversion of tanks from anhydrous ammonia to other service. Tanks used for the transportation of anhydrous ammonia shall be emptied and purged. Ammonia vapor shall be vented into an adequate portable supply of water and not into the atmosphere. An adequate supply of water shall be deemed as five gallons of water per each one gallon of liquid ammonia. The aqueous ammonia solution resulting from the purging process shall be disposed of properly. (Authorized by and implementing K.S.A. 2-1212; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1973; amended May 1, 1986; amended, T-87-9, May 1, 1986.)

HARLAND E. PRIDDLE  
Secretary of Agriculture

Doc. No. 004308

State of Kansas  
STATE CORPORATION COMMISSION

NOTICE OF  
MOTOR CARRIER HEARINGS

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

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

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

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

Applications set for June 26, 1986

Application for Extension of Certificate of Convenience and Necessity:

Pratt Well Service, Inc. ) Docket No. 18,101 M  
P.O. Box 847 )  
Pratt, KS 67124 ) MC ID No. 100037

Applicant's Attorney: None

Oilfield equipment, materials and supplies,

Between all points and places in the state of Kansas.

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes in bulk, fresh water and salt water,

Between all points and places in the counties of Finney, Ford, Stafford, Pratt, Kingman, Barber, Harper, Reno, Gray, Meade, Clark, Comanche, Kiowa, Edwards, Barton and Sedgwick.

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Application for Certificate of Convenience and Necessity:

C.W. and W.L. Oglesby ) Docket No. 149,840 M  
1301 Grand )  
Lamar, MO 64759 )

Applicant's Attorney: None

Grain,

Between all points and places in Crawford and Cherokee counties, Kansas, on the one hand, and all points and places in Kansas, on the other.

\*\*\*\*\*

Application for Abandonment of Certificate of Convenience and Necessity:

James K. Banks, dba ) Docket No. 147,562 M  
Waverly Garage )  
Route 1, Box 70 )  
Waverly, KS 66871 ) MC ID No. 122293

Applicant's Attorney: None

Application for Abandonment of Certificate of Convenience and Necessity:

Eric Tenpenny, dba ) Docket No. 123,945 M  
C & T Trucking )  
Route 2 )  
Valley Falls, KS 66088 ) MC ID No. 103127

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Bill Jones Welding, Inc. ) Docket No. 149,839 M  
Route 1, P.O. Box 38 )  
Great Bend, KS 67530 )

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Agricultural machinery, implements and parts, building materials, iron and steel articles, construction machinery and equipment, and oil field equipment, material and supplies,

Between points in the Kansas counties of Ellis, Russell, Ellsworth, Rice, McPherson, Harvey, Sedgwick, Reno, Barton, Stafford, Pawnee, Rush, Ness, Hodgeman, Edwards, Kiowa, Pratt and Kingman.

Also,

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

\*\*\*\*\*

Application for Extension of Certificate of Convenience and Necessity:

Edwin F. Crowley ) Docket No. 149,814 M  
236 Indiana )  
Walsh, CO 81090 ) MC ID No. 106354

Applicant's Attorney: None

Feed and feed ingredients,

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience and Necessity:

Flint Engineering and ) Docket No. 149,838 M  
Construction Company )  
324 Petroleum Building )  
Billings, MT 59101 )

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Construction machinery and equipment, oil field equipment, materials and supplies, pipeline materials and supplies, fresh water, salt water, and crude oil and chemicals when used in the production of oil and gas,

Between points and places in Kansas, lying on and west of US-81.

Also,

Between points and places in Kansas, lying on and west of US-81, on the one hand, and on the other, points in Kansas.

\*\*\*\*\*

Applications set for July 1, 1986

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

Double G, Inc. ) Docket No. 149,841 M  
 P.O. Box 518 )  
 Hugoton, KS 67951 )

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

*Grain, dry feed, dry feed ingredients, seeds and dry fertilizer,*

Between points and places in Cheyenne, Rawlins, Sherman, Thomas, Wallace, Logan, Gove, Greeley, Wichita, Scott, Hamilton, Kearny, Finney, Gray, Ford, Edwards, Reno, Lincoln, Lyon, Douglas, Wyandotte, Stanton, Grant, Haskell, Morton, Stevens, Seward, Meade and Cowley counties.

Also,

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

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**Application for Consolidation, Re-Description and Extension of Certificate of Convenience and Necessity:**

Robertson Trucking, Inc. ) Docket No. 26,080 M  
 P.O. Drawer 100 )  
 Elkhart, KS 67950 ) MC ID No. 100140

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

*Anhydrous ammonia,*

Between all points and places in Ford County.

Also,

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

*Liquid fertilizer solutions,*

Between points and places in Ford and Finney counties.

Also,

Between points and places in Ford and Finney counties, on the one hand, and points and places in the state of Kansas, on the other hand.

*Livestock,*

Between points and places in Wichita, Scott, Hamilton, Kearny, Finney, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade, Stafford, Kiowa, Pratt, Kingman, Barber and Reno counties.

Also,

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

*Hay, grain, seed, feed and feed ingredients,*

Between all points and places in Kansas on and west of US-281 and south of K-96.

Also,

Between all points and places in the above de-

scribed territory, on the one hand, and points and places in the state of Kansas, on the other hand.

*Grain, feed and feed ingredients,*

Between points and places in Stafford, Kiowa, Pratt, Kingman, Reno and Barber counties.

Also,

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

*Farm machinery,*

Between all points and places in Wichita, Scott, Hamilton, Kearny, Finney, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade, Clark, Barton, Reno and Sedgwick counties.

Also,

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

*Building materials,*

Between points and places in Meade County, on the one hand, and points and places in Gray, Haskell, Seward and Meade counties, on the other.

*Salt,*

Between points and places in Reno and Rice counties, on the one hand, and points and places in Gray, Haskell, Seward, Morton and Meade counties, on the other.

\*\*\*\*\*

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

Robertson Trucking, Inc. ) Docket No. 26,080 M  
 P.O. Drawer 100 )  
 Elkhart, KS 67950 ) MC ID No. 100140

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

*Motor oils and food grade white oil,*

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

Five Star Transportation, ) Docket No. 149,842 M  
 Inc. )  
 7814 Miller Road, No. 3 )  
 Houston, TX 77213 )

Applicant's Attorney: None

*General commodities (except classes A and B explosives, commodities in bulk, and hazardous materials),*

Between all points in the state of Kansas.

\*\*\*\*\*

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

Terry R. Vestal, dba ) Docket No. 149,843 M  
 Vestal Tow Service )  
 1130 Edwardsville Drive )  
 Edwardsville, KS 66111 )

Applicant's Attorney: None

(continued)



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

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

Also,

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

\*\*\*\*\*

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

James Thompson, dba ) Docket No. 149,844 M  
Double J Auto Repair )  
413 W. Mill )  
Plainville, KS 67663 )

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka KS 66612

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

Between points and places in the Kansas counties of Ellis, Trego, Graham, Norton, Phillips, Smith, Osborne, Lincoln and Russell.

Also,

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

\*\*\*\*\*

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

Gerald M. Carter, dba ) Docket No. 110,827 M  
Carter Delivery Service )  
55 Random Road )  
Hutchinson, KS 67501 ) MC ID No. 101832

TO:

Richard B. Yingling  
2000 N. Monroe  
Hutchinson, KS 67501

Applicant's Attorney: William Mitchell, 119 W. Sherman, P.O. Box 604, Hutchinson, KS 67504-0604

*General commodities, except those of unusual value, dangerous explosives, household goods as defined by "Practices of Motor Common Carriers of Household Goods, M.C.C. 467," commodities requiring special equipment, and commodities injurious or contaminating to other lading,*

Between Hutchinson, Kansas, on the one hand, and farms and rural locations within a 50-mile radius of Hutchinson, on the other hand.

Restricted to provide no interline service, and further restricted against tacking with any other authority.

**Furniture or household appliances,**

Between Hutchinson, Kansas, on the one hand, and all points and places within a 50-mile radius of Hutchinson, Kansas, on the other.

Restriction: Prohibited from transporting antique furniture to or from beyond a 40-mile radius of Hutchinson, Kansas.

**Furniture and household goods,**

Between all points and places within Reno, Rice, McPherson, Harvey and Stafford counties, Kansas.

Also,

Between all points and places within Reno, Rice, McPherson, Harvey and Stafford counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

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

Richard B. Yingling ) Docket No. 110,827 M  
2000 N. Monroe )  
Hutchinson, KS 67501 )

Applicant's Attorney: William Mitchell, 119 W. Sherman, P.O. Box 604, Hutchinson, KS 67504-0604

*General commodities (except those of unusual value, dangerous explosives, household goods, as defined by "Practices of Motor Carriers of Household Goods M.C.C. 467," commodities requiring special equipment and commodities injurious or contaminating to other lading),*

Between all points and places in Reno County, Kansas on the one hand, and all points and places in Rice, Sedgwick, McPherson, Harvey and Stafford counties, Kansas, on the other.

**Furniture and household goods,**

Between all points and places within Reno, Rice, McPherson, Harvey and Stafford counties, Kansas.

Also,

Between all points and places within Reno, Rice, McPherson, Harvey and Stafford counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other hand.

\*\*\*\*\*

**Applications set for July 3, 1986**

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

David Lieber, dba ) Docket No. 149,845 M  
David Lieber Trucking )  
Route 1 )  
Osage City, KS 66523 )

Applicant's Attorney: None

**Grain,**

Between all points and places in the state of Kansas.

\*\*\*\*\*

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

Ed Racette & Son, Inc. ) Docket No. 60,130 M  
6021 N. Broadway )  
Wichita, KS 67219 ) MC ID No. 100617

Applicant's Attorney: None

**Grain, feeds, seeds and beans,**

Between points and places in Sedgwick, Reno, Kingman, McPherson, Harvey, Harper, Sumner,



Cowley, Butler and Marion counties, Kansas, on the one hand, and points and places in Kansas, on the other.

*Component parts for mobile homes and recreational vehicles (except in bulk),*

Between points and places in Reno and Harvey counties, Kansas, on the one hand, and points and places in Kansas, on the other.

*Lumber and lumber products,*

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

*Salt,*

Between points and places in Reno and Sedgwick counties, Kansas.

\*\*\*\*\*

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

Art Becker, dba ) Docket No. 145,278 M  
B & G Trucking )  
2410 Applewood Lane )  
Salina, KS 67401 ) MC ID No. 121948

Applicant's Attorney: None

\*\*\*\*\*

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

Stasi Transportation Co. ) Docket No. 121,871 M  
1418 W. 9th )  
Kansas City, MO 64101 ) MC ID No. 106504

TO:  
Stasi Transportaton Co., Inc.  
1418 W. 9th  
Kansas City, MO 64101

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

*Meat, meat products and meat by-products and articles distributed by meat packinghouses, and frozen foods and foodstuffs,*

Between points and places in Wyandotte and Johnson counties, Kansas, on the one hand, and points and places in Kansas, on and east of US-281, on the other hand.

Also,

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

\*\*\*\*\*

*Application for Transfer of Certificate of Convenience and Necessity (Stock Purchase Transaction):*

Stasi Transportation Co., ) Docket No. 121,871 M  
Inc. )  
1418 W. 9th )  
Kansas City, MO 64101 ) MC ID No. 106504

TO:  
Dewey System, Inc.  
939 State Line  
Kansas City, MO 64101

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

*Meat, meat products and meat by-products and articles distributed by meat packinghouses, and frozen foods and foodstuffs,*

Between points and places in Wyandotte and Johnson counties, Kansas, on the one hand, and points and places in Kansas, on and east of US-281, on the other hand.

Also,

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

\*\*\*\*\*

*Application for Certificate of Convenience and Necessity:*

Jerry T. Mattox, dba ) Docket No. 149,846 M  
Mattox Body & Glass Shop )  
804 E. Oak )  
Columbus, KS 66725 )

Applicant's Attorney: None

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

Between all points and places in Cherokee, Labette and Crawford counties, Kansas.

\*\*\*\*\*

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

Schanno Transportation, ) Docket No. 146,580 M  
Inc. )  
5 W. Mendota Road )  
West St. Paul, MN 55118 ) MC ID No. 107142

Applicant's Attorney: Alex Lewandowski, 6th Floor,  
Midland Bldg., 1221 Baltimore Ave., Kansas City,  
MO 64105-1961

*General commodities (except classes A and B explosives),*

Between all points and places in the state of Kansas.

\*\*\*\*\*

*Application for Certificate of Convenience and Necessity:*

KAT, Inc. ) Docket No. 149,847 M  
P.O. Box 556 )  
Chesterton, IN 46304 ) MC ID No. 110247

Applicant's Attorney: John Jandera, 1610 S.W. Topeka  
Blvd., Topeka, KS 66612

*Food and related products, including meat and meat by-products,*

Between points and places in Kansas.

\*\*\*\*\*

WILLIAM E. GREEN  
Adminstrator  
Transportation Division

Doc. No. 004314

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