

# KANSAS REGISTER

**BILL GRAVES**  
Secretary of State

State of Kansas

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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, March 5, in the Alcohol and Drug Abuse Services conference room, second floor, Biddle Building, 2700 W. 6th, Topeka.

JOAN B. WATSON  
 Commissioner

Doc. No. 005086

State of Kansas  
**STATE BANK COMMISSIONER  
 STATE BANKING BOARD**

**NOTICE OF MEETING**

The State Banking Board will meet at 10 a.m. Monday, March 16, in the conference room of the State Banking Department, 700 Jackson, Suite 300, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

EUGENE T. BARRETT, JR.  
 State Bank Commissioner

Doc. No. 005096

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, March 11, at the SRS Staff Development Training Center, Feldman Building, State Complex West, Topeka.

JANET SCHALANSKY  
 Acting Commissioner of  
 Adult Services

Doc. No. 005084

State of Kansas  
**STATE CONSERVATION COMMISSION**

**NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 70,000 cubic yard flood control dam site 3-4A in Ford County will be received by the Pawnee Watershed Joint District No. 81 in the Pawnee Watershed District Office until 7 p.m. March 16 and then will be publicly opened. Proposals will be issued upon request to all prospective bidders by calling (316) 357-6420. Copies of plans and specifications are available at the Pawnee Watershed District Office, West Highway 156, Route 2, P.O. Box 135, Jetmore 67854.

KENNETH F. KERN  
 Executive Director

Doc. No. 005078

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## State of Kansas

## ATTORNEY GENERAL

Opinion No. 87-28

**Fences—Legal Enclosures—Enclosure of Domestic Animals.**

**Fences—Partition Fences—Adjoining Landowners; Duty to Erect and Maintain Partition Fences.** Senator Joseph F. Norvell, 37th District, Hays, February 16, 1987.

K.S.A. 29-301 requires adjacent landowners to share the costs of erecting and maintaining partition fences. Kansas' adoption of a "fence-in" policy with respect to domestic animal trespass does not negate this duty, notwithstanding the use each landowner makes of his land. Cited herein: K.S.A. 29-101; 29-102; 29-108; 29-201; 29-301; 29-304; 29-305; 29-309; 47-104; 47-120; 47-121; K.S.A. Ensley 1981 47-101 to 47-103; 47-105; 47-106; 47-107 to 47-110; 47-112 to 47-119; 47-301; K.S.A. 47-104; 47-120; 47-124; G.S. 1868, ch. 40, § 1. RLN

ROBERT T. STEPHAN  
Attorney General

Doc. No. 005089

## State of Kansas

## FISH AND GAME COMMISSION

NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS

A public hearing will be held at 7 p.m. Wednesday, March 25, in the B and C Rooms of the Howard Johnson's Lodge, 3839 S.W. Topeka Blvd., Topeka, to consider the adoption and amendment of a temporary regulation of the commission.

All interested parties may submit written comments prior to the hearing to the director of the Kansas Fish and Game Commission, Route 2, Box 54A, Pratt 67124. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for making any changes to the proposed regulation.

The following is a brief summary of the proposed regulation:

**K.A.R. 23-7-7. Fur dealers; application; authority; possession of furs; transporting furs; records; revocation.** This amendment will establish new requirements for fur dealer's record books, their use and inspection.

Copies of the full text of the proposed amendments and the fiscal impact statement may be obtained by writing to the director of the Kansas Fish and Game Commission at the address above.

JOE FOWLER  
Chairman

Doc. No. 005102

## State of Kansas

SOCIAL AND REHABILITATION SERVICES  
KANSAS COMMISSION FOR THE  
DEAF AND HEARING IMPAIRED

## NOTICE OF MEETING

The Kansas Commission for the Deaf and Hearing Impaired will meet at 10 a.m. Friday, March 6, in the International Room of the Kansas Union, fifth floor, at the University of Kansas, Lawrence. Parking is available in Lot X.

The public is invited to attend. Sign language and voice interpreting will be provided.

For additional information, contact the Kansas Commission for the Deaf and Hearing Impaired, Biddle Building, 1st Floor, 2700 W. 6th, Topeka 66606, (913) 296-2874—(Voice or TDD).

ROBERT C. HARDER  
Secretary of Social and  
Rehabilitation Services

Doc. No. 005085

## State of Kansas

DEPARTMENT OF ADMINISTRATION  
DIVISION OF ARCHITECTURAL SERVICESNOTICE OF COMMENCEMENT  
OF NEGOTIATIONS FOR  
ENGINEERING SERVICES

Notice is hereby given of the commencement of negotiations for a contract for engineering services to provide energy conservation measures at Lewis, McCollum and Wescoe halls at the University of Kansas, Lawrence.

Services for Lewis and McCollum halls include preparation of complete plans and specifications for the installation of a run-around heat recovery and automatic control system for the kitchen areas. Services for Wescoe Hall include the design of the retrofit of three multi-zone air handling units to a variable air volume system with a night setback.

Any questions or expressions of interest should be directed to Norman Moody, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to March 13.

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

Doc. No. 005077

## State of Kansas

## LEGISLATURE

## LEGISLATIVE BILLS INTRODUCED

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

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

## Bills introduced February 12-18:

## House Bills

**HB 2381**, by Committee on Education: An act concerning school district finance; relating to the levy of taxes for the purposes thereof; amending K.S.A. 72-7056 and K.S.A. 1986 Supp. 72-7064, and repealing the existing sections.

**HB 2382**, by Committee on Governmental Organization: An act concerning the state board of cosmetology; providing for the regulation thereby of the practice of electrology; amending K.S.A. 65-1901, 65-1902, 65-1903, 65-1904, 65-1904a, 65-1904b, 65-1907, 65-1909 and 65-1912, and repealing the existing sections.

**HB 2383**, by Committee on Appropriations: An act concerning state educational institutions under the control and supervision of the state board of regents; relating to rates of tuition; amending K.S.A. 76-719 and repealing the existing section.

**HB 2384**, by Committee on Appropriations: An act concerning state educational institutions under the control and supervision of the state board of regents; authorizing admissions criteria for certain institutions; amending K.S.A. 72-116 and 76-717 and repealing the existing sections.

**HB 2385**, by Committee on Federal and State Affairs: An act regulating time-share plans.

**HB 2386**, by Committee on Judiciary (by request): An act concerning civil procedure; relating to limitations of actions; amending K.S.A. 60-513 and repealing the existing section.

**HB 2387**, by Committee on Energy and Natural Resources (by request): An act establishing the residential utilities consumer board; providing for the powers, duties and functions thereof; authorizing certain assessments by the state corporation commission; amending K.S.A. 66-1504 and 66-1505 and repealing the existing sections.

**HB 2388**, by Committee on Education (by request): An act concerning community education; authorizing school districts and community colleges to become involved in the process thereof and to levy ad valorem taxes to provide funding therefor; amending K.S.A. 71-614, 71-617, 72-4517, 72-4522, 72-4523, 72-4524, 72-4525 and 72-4526 and K.S.A. 1986 Supp. 72-7062 and 72-7063, and repealing the existing sections.

**HB 2389**, by Committee on Economic Development: An act relating to corporations; concerning confidentiality of certain statements filed with the secretary of state.

**HB 2390**, by Committee on Commercial and Financial Institutions: An act relating to savings and loan associations; utilization of negotiable certificate accounts by certain savings and loan associations.

**HB 2391**, by Committee on Public Health and Welfare: An act concerning the adult care home licensure act; placing certain limitations on the operation of such homes; amending K.S.A. 39-926a and repealing the existing section.

**HB 2392**, by Committee on Public Health and Welfare: An act concerning certain homes for children; prohibiting the maintenance thereof by certain persons; amending K.S.A. 65-516 and repealing the existing section.

**HB 2393**, by Committee on Public Health and Welfare: An act concerning the list of products and services offered to state agencies and unified school districts by the Kansas industries for the blind division and rehabilitation services or other rehabilitation facilities; amending K.S.A. 1986 Supp. 75-3320 and repealing the existing section.

**HB 2394**, by Committee on Local Government: An act concerning county extension programs; relating to election of members of councils; budget filing; programs and personnel funded by two or more counties; authorizing formation of extension districts; amending K.S.A. 2-615 and 2-616 and K.S.A. 1986 Supp. 2-610 and 2-611 and repealing the existing sections.

**HB 2395**, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1987, for the board of accountancy, commission on civil rights, attorney general, board of barber examiners, department of commerce, legislature, department of revenue, Kansas lottery, Kansas racing commission, department of human resources, Kansas commission on veterans affairs, Kansas state school for the visually handicapped, Kansas state university, university of Kansas, university of Kansas medical center, department of education, state board of agriculture, board of state fair managers and Kansas water office; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

**HB 2396**, by Committee on Commercial and Financial Institutions: An act relating to credit unions; concerning certain powers; amending K.S.A. 17-2204a and K.S.A. 1986 Supp. 17-2204 and 17-2245 and repealing the existing sections.

**HB 2397**, by Committee on Commercial and Financial Institutions: An act amending the uniform consumer credit code; relating to additional charges; worthless checks; amending K.S.A. 16a-2-501 and repealing the existing section.

**HB 2398**, by Committee on Taxation: An act relating to the issuance of general obligation bonds by certain unified school districts; validating and confirming certain proceedings for the issuance of such bonds and any bonds issued thereunder.

**HB 2399**, by Committee on Transportation: An act relating to motor vehicles; concerning the registration thereof; amending K.S.A. 8-143b, 8-143c, 8-143d, 8-145a, 8-145b and 8-145c and K.S.A. 1986 Supp. 8-134 and repealing the existing sections.

**HB 2400**, by Committee on Local Government: An act concerning certain weapon-related crimes; providing for disposition of certain stolen weapons seized in connection therewith; amending K.S.A. 21-4206 and repealing the existing section.

**HB 2401**, by Committee on Insurance: An act concerning the Kansas police and firemen's retirement system; relating to service-connected death and disability; amending K.S.A. 74-4952 and repealing the existing section.

**HB 2402**, by Committee on Local Government: An act relating to property tax; concerning time for payment thereof; amending K.S.A. 79-2004 and 79-2004a and repealing the existing sections.

**HB 2403**, by Committee on Insurance: An act amending the Kansas automobile injury reparations act; concerning driver training motor vehicles provided to and used by school districts and accredited nonpublic schools under agreements with motor vehicle dealers; amending K.S.A. 40-3104 and 40-3118 and repealing the existing sections.

**HB 2404**, by Committee on Insurance: An act relating to the establishment, operation and regulation of nonprofit corporations organized for the purpose of entering into contracts with participating pharmacists to provide or administer professional service to subscribers; prescribing certain fees; amending K.S.A. 40-252 and repealing the existing section.

**HB 2405**, by Committee on Taxation: An act relating to property taxation; exempting certain oil and gas properties therefrom.

**HB 2406**, by Committee on Commercial and Financial Institutions: An act amending the uniform consumer credit code; relating to finance charges; amending K.S.A. 1986 Supp. 16a-2-201, 16a-2-202, 16a-2-401 and 16a-3-204 and repealing the existing sections.

**HB 2407**, by Committee on Commercial and Financial Institutions: An act relating to credit unions; concerning certain powers and duties of the administrator; amending K.S.A. 17-2242 and 17-2249 and K.S.A. 1986 Supp. 17-2206, 17-2226 and 17-2230 and repealing the existing sections.

**HB 2408**, by Committee on Commercial and Financial Institutions: An act concerning banks and banking; amending K.S.A. 9-906, 9-907, 9-1712, 9-2014, 17-2008, 68-2313, 72-125, 75-3135, 75-3668, 75-4202, 75-4206, 75-4209, 75-4212, 75-4212a, 75-4226, 76-718a, 79-34-145 and 84-3-122 and K.S.A. 1986 Supp. 9-701, 9-901a, 9-1101, 9-1102, 9-1112, 9-1303, 9-1719, 9-1724, 12-1675, 12-1676, 75-4201, 75-4205 and 75-4218 and repealing the existing sections.

**HB 2409**, by Committee on Judiciary (by request): An act concerning civil procedure; relating to expert witness qualifications in certain actions.

**HB 2410**, by Committee on Judiciary (by request): An act concerning civil procedure; providing for certain jury instructions in certain cases.

**HB 2411**, by Committee on Pensions, Investments and Benefits: An act concerning retirement benefits for officers and employees of the state board of regents and institutions thereunder; relating to retirement annuities; amending K.S.A. 1986 Supp. 74-4925 and repealing the existing section; also repealing K.S.A. 1986 Supp. 74-4925c.

**HB 2412**, by Committee on Public Health and Welfare: An act regulating the smoking of tobacco products in public places and at public meetings; prohibiting the use of tobacco products in health care institutions; declaring certain acts to be misdemeanors and prescribing penalties for violations; repealing K.S.A. 21-4008.

**HB 2413**, by Committee on Public Health and Welfare: An act concerning drug abuse treatment facilities; relating to license renewal, licensing fees and inspections; amending K.S.A. 65-4603, 65-4604 and 65-4605 and repealing the existing sections.

**HB 2414**, by Committee on Public Health and Welfare: An act relating to the display of goods on state highway right of way; concerning sale of products by blind persons; amending K.S.A. 68-432 and repealing the existing section.

**HB 2415**, by Committee on Public Health and Welfare: An act concerning the use of guide dogs by blind persons; amending K.S.A. 39-1102 and repealing the existing section.

**HB 2416**, by Committee on Public Health and Welfare: An act concerning treatment facilities for alcoholics; relating to license renewal, licensing fees and inspections; amending K.S.A. 65-4013, 65-4014 and 65-4018 and repealing the existing sections.

**HB 2417**, by Committee on Public Health and Welfare: An act concerning unlawful acts related to cigarettes and tobacco products; amending K.S.A. 79-3321 and repealing the existing section.

**HB 2418**, by Committee on Judiciary (by request): An act concerning certain health care providers; relating to insurance coverage for medical malpractice liability; concerning regulation, risk management and peer review; amending K.S.A. 40-3403, 45-221 and 65-4915 and K.S.A. 1986 Supp. 65-2836, 65-2837, 65-4921, 65-4922, 65-4923 and 65-4925 and repealing the existing sections.

**HB 2419**, by Committee on Judiciary (by request): An act concerning civil procedure; relating to certain professional liability actions; providing for pretrial screening panels.

**HB 2420**, by Committee on Education: An act concerning special education for exceptional children; affecting certain definitions; providing for appointment of education advocates for certain children; relating to the state advisory council; amending K.S.A. 38-1513a, 72-962, 72-963c and 72-964, and repealing the existing sections.

**HB 2421**, by Committee on Appropriations: An act making and concerning appropriations for the fiscal years ending June 30, 1987, June 30, 1988, June 30, 1989, and June 30, 1990, to initiate and complete certain capital improvement projects for the department of administration, Kansas state university, university of Kansas, Wichita state university, university of Kansas medical center, adjutant general, Kansas correctional institution at Lansing, Kansas state penitentiary and Larned state hospital; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing disbursements and acts incidental to the foregoing; amending sections 4 and 5 of chapter 15 of the 1986 Session Laws of Kansas and repealing the existing sections.

**HB 2422**, by Committee on Appropriations: An act providing for an individual income tax check-off for support of the United States olympic committee; disposition of moneys designated therefor.

**HB 2423**, by Committee on Governmental Organization: An act concerning the Kansas water authority; relating to the powers, duties and functions thereof; amending K.S.A. 1986 Supp. 74-2622 and repealing the existing section; also repealing K.S.A. 1986 Supp. 74-2622a.

**HB 2424**, by Committee on Local Government: An act concerning recreation commissions; relating to the establishment and operation thereof; amending K.S.A. 1986 Supp. 12-16-102 and repealing the existing section; also repealing K.S.A. 12-1902, 12-1903, 12-1905, 12-1906, 12-1909, 12-1910, 12-1912, 12-1913, 12-1914, 12-1915, 12-1916, 12-1917, 12-1919 and 12-1921 and K.S.A. 1986 Supp. 12-1901, 12-1904, 12-1904a, 12-1907 and 12-1908.

## Senate Bills

**SB 237**, by Committee on Labor, Industry and Small Business: An act concerning the employment security law; relating to definition of terms, administration and rates of contributions; amending K.S.A. 44-703, 44-704a, 44-704b, 44-709, 44-710, 44-710a and 44-714 and repealing the existing sections.

**SB 238**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the apportionment of assessed valuation of state-assessed public utilities; amending K.S.A. 79-1468 and repealing the existing section; also repealing K.S.A. 79-5a06a, 79-5a07, 79-605, 79-606 and 79-607.

**SB 239**, by Committee on Assessment and Taxation: An act repealing K.S.A. 79-315 and 79-316, relating to the listing of certain personal property for taxation purposes.

**SB 240**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning contents of notices provided to taxpayers relating to valuation of property; amending K.S.A. 1986 Supp. 79-1460 and repealing the existing section.

**SB 241**, by Committee on Assessment and Taxation: An act relating to property taxation; concerning the distribution of personal property appraisal guides; amending K.S.A. 75-5105a and repealing the existing section.

**SB 242**, by Committee on Assessment and Taxation: An act relating to property taxation; exempting certain property therefrom.

**SB 243**, by Committee on Economic Development: An act amending the Kansas venture capital company act; concerning income tax credits for investments in certified Kansas venture capital companies; amending K.S.A. 1986 Supp. 74-8303, 74-8304 and 74-8306 and repealing the existing sections.

**SB 244**, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1987, for the department of administration, state finance council, state board of indigent's defense services, department of social and rehabilitation services, crime victims reparations board, Kansas highway patrol, department of corrections, Kansas parole board, Kansas state penitentiary, state industrial reformatory, state correctional-vocational training center, Kansas correctional institution at Lansing, Kansas neurological institute, Larned state hospital, Osawatimie state hospital, Parsons state hospital, Rainbow mental health facility, department of health and environment, Kansas fish and game commission and state park and resources authority; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing; amending section 48 of chapter 33 of the 1986 Session Laws of Kansas and repealing the existing section.

**SB 245**, by Committee on Local Government: An act concerning publications; relating to official newspapers; amending K.S.A. 1986 Supp. 64-101 and repealing the existing section.

SB 246, by Committee on Local Government: An act concerning municipalities; relating to annexation; amending K.S.A. 12-519, 12-520b and 12-521 and K.S.A. 1986 Supp. 12-520 and 12-520a and repealing the existing sections.

SB 247, by Committee on Financial Institutions and Insurance: An act relating to insurance; concerning recording and reporting of loss and expense experience; amending K.S.A. 40-937 and 40-1118 and repealing the existing sections.

SB 248, by Committee on Labor, Industry and Small Business: An act concerning employment; relating to private job listing services; providing for the licensure thereof; amending K.S.A. 44-401 and repealing the existing section.

SB 249, by Committee on Local Government: An act concerning libraries in certain counties; relating to tax levies and the issuance of bonds; amending K.S.A. 12-1257 and repealing the existing section.

SB 250, by Committee on Local Government: An act concerning municipalities; relating to interlocal agreements; amending K.S.A. 1986 Supp. 12-2904 and repealing the existing section.

SB 251, by Committee on Local Government: An act concerning municipalities; relating to interlocal agreements which create separate legal entities.

SB 252, by Committee on Elections: An act relating to state governmental ethics; concerning investigations of complaints by the Kansas public disclosure commission; amending K.S.A. 46-256 and repealing the existing section.

SB 253, by Committee on Assessment and Taxation: An act relating to property taxation; concerning exemptions therefrom for property moving in interstate commerce; amending K.S.A. 79-201f and repealing the existing section.

SB 254, by Committee on Assessment and Taxation: An act relating to the transient guest tax; requiring counties to impose such tax; amending K.S.A. 12-1697 and repealing the existing section.

SB 255, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1988, for the department of administration, state finance council, state park and resources authority, Kansas fish and game commission, state corporation commission and state historical society; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing.

SB 256, by Committee on Judiciary: An act concerning theft; providing certain civil remedies therefor.

SB 257, by Committee on Judiciary: An act concerning criminal procedure; relating to the taking of depositions; amending K.S.A. 1986 Supp. 22-3211 and repealing the existing section.

SB 258, by Committee on Judiciary: An act enacting the Kansas periodic payment of judgments act.

SB 259, by Committee on Public Health and Welfare: An act concerning the uniform vital statistics act; relating to disclosure of certain information; amending K.S.A. 1986 Supp. 65-2422 and repealing the existing section.

SB 260, by Committee on Transportation and Utilities: An act regulating traffic on highways; concerning the operation of bicycles; amending K.S.A. 8-1485, 8-1545, 8-1550, 8-1577, 8-1587, 8-1588, 8-1589, 8-1590, 8-1591, 8-1592 and 8-1703 and K.S.A. 1986 Supp. 8-1586 and 8-2118 and repealing the existing sections.

SB 261, by Committee on Judiciary: An act concerning alcoholic beverages; relating to transportation in open containers and consumption while operating a motor vehicle; amending K.S.A. 12-4413 and 12-4417 and K.S.A. 1986 Supp. 8-2106, 8-2204, 12-4415, 12-4416, 22-2908 and 22-2909 and repealing the existing sections; also repealing K.S.A. 41-804, 41-2719 and 41-2720.

SB 262, by Committee on Local Government: An act prohibiting the theft of satellite cable programming; providing penalties therefor.

SB 263, by Committee on Local Government: An act prohibiting the theft of cable television services; providing penalties therefor; repealing K.S.A. 21-3752.

SB 264, by Committee on Public Health and Welfare: An act concerning medical assistance; relating to determination of persons eligible therefor; concerning recovery of medical assistance paid; amending K.S.A. 21-3605, 39-709 and 39-719a and repealing the existing sections.

SB 265, by Committee on Ways and Means: An act creating the Eisenhower centennial commission to commemorate the centennial of the birth of Dwight D. Eisenhower.

SB 266, by Committee on Education: An act concerning the state school for the deaf and the state school for the visually handicapped; requiring due process hearings for certain employees thereof upon contract nonrenewal or termination; specifying conditions; amending K.S.A. 76-1002a and 76-1116, and repealing the existing sections.

SB 267, by Committee on Education: An act concerning community colleges; affecting the determination of credit hour state aid; amending K.S.A. 71-602 and K.S.A. 1986 Supp. 71-601, and repealing the existing sections.

SB 268, by Committee on Public Health and Welfare: An act relating to marriage licenses; establishing an expiration date therefor; amending K.S.A. 23-106 and 23-107 and repealing the existing sections.

SB 269, by Committee on Public Health and Welfare: An act repealing K.S.A. 75-5629; abolishing the advisory committee on food service and lodging standards.

SB 270, by Committee on Judiciary: An act concerning partnerships; relating to capacity to sue or be sued.

SB 271, by Committee on Public Health and Welfare: An act relating to the secretary of health and environment; concerning laboratory testing; amending K.S.A. 1986 Supp. 65-1107 and repealing the existing section.

SB 272, by Committee on Judiciary: An act concerning criminal procedure; relating to appeals by prosecution; amending K.S.A. 1986 Supp. 22-3602 and repealing the existing section.

SB 273, by Committee on Judiciary: An act concerning crimes and punishments; relating to defrauding an innkeeper or owner in obtaining accommodations; amending K.S.A. 36-206 and 36-207 and repealing the existing sections.

SB 274, by Committee on Judiciary: An act concerning dispute resolution; relating to certain powers and duties of judicial administrator of the courts; creating the dispute resolution advisory board.

SB 275, by Committee on Financial Institutions and Insurance: An act amending and supplementing the Kansas investment certificate act; concerning registration of investment certificates; regulation and standards of operation of investment companies; unlawful acts and penalties; amending K.S.A. 1986 Supp. 16-601 and repealing the existing section.

SB 276, by Committee on Agriculture: An act concerning the fish and game commission; allowing the commission to give fish to stock public waters only; amending K.S.A. 32-215 and repealing the existing section.

SB 277, by Committee on Agriculture: An act concerning agriculture; relating to refunds by the wheat commission and the grain commodity commissions; amending K.S.A. 1986 Supp. 2-2608 and 2-3007 and repealing the existing sections.

SB 278, by Committee on Agriculture: An act relating to agriculture; concerning injunctions against misuse of registered agricultural chemicals; providing for the payment of costs and expenses; amending K.S.A. 2-3203 and repealing the existing section.

SB 279, by Committee on Judiciary: An act concerning crimes and punishments; relating to good time credits; amending K.S.A. 1986 Supp. 22-3717 and repealing the existing section.

SB 280, by Committee on Federal and State Affairs: An act authorizing publication of official notices by radio or television broadcast.

SB 281, by Committee on Federal and State Affairs: An act concerning the suspension and expulsion of pupils; relating to grounds therefor; amending K.S.A. 72-8901 and repealing the existing section.

### Resolutions

HCR 5015, by Committee on Energy and Natural Resources: A concurrent resolution requesting the Governor to appoint a special committee to study the feasibility of Kansas withdrawing from the Central Interstate Low-Level Radioactive Waste Compact.

HCR 5016, by Representatives Shriver and Duncan: A proposition to amend article 7 of the constitution of the state of Kansas by adding a new section thereto relating to a permanent tax levy for state correctional institutions and facilities.

HCR 5017, by Representatives Brown, Blumenthal, Douville, Flottman, Pottorff and Vancrum: A concurrent resolution directing the secretary of social and rehabilitation services to establish a task force on autism and providing for the duties and functions of such task force.

HR 6019, by Representative Sifers: A resolution in memory of Milford Crossberger.

HR 6020, by Representative Hamm: A resolution congratulating and commending Dennis McKinney of Greensburg, Kansas, on winning the American Farm Bureau Federation Young Farmers and Ranchers Discussion Meet at the American Farm Bureau Federation annual meeting in Anaheim, California.

HR 6021, by Representatives Green and King: A resolution congratulating Butler County Community College on the celebration of its 60th anniversary.

HR 6022, by Representative K. Campbell: A resolution congratulating and commending the Concordia High School girls' volleyball team and its coach, Laureli Kitchener, on winning the 1986 Class 4A State Volleyball Championship.

HR 6023, by Representative Gatlin: A resolution congratulating and commending the Hoxie High School debate squad for winning the Class 3-2-1A State Debate Tournament.

HR 6024, by Representative Russell: A resolution congratulating and commending the Field Kindley Memorial High School Debate Squad, Coffeyville, Kansas, on winning the 1987 Class 5A State Debate Tournament.

HR 6025, by Representatives Williams and Walker: A resolution in memory of Hugh "Cap" Edwards.

HR 6026, by Representatives Larkin, Barkis, Brady, K. Campbell, Gjerstad, Hamm, Helgerson, Leach, Rezac and Teagarden: A resolution urging the adoption of proposed changes in the Federal Tax Law which include tax reform; establishment of a cap on gross sales under the provision of cash accounting; and the reinstatement of income averaging.

HR 6027, by Representatives Pottorff and Gjerstad and Baker, Bowden, Cribbs, Dean, Duncan, Foster, Francisco, Fuller, Grotewiel, Helgerson, Kennard, Sawyer, Schauf, Spaniol, Webb and Williams: A resolution congratulating and commending the Wichita State University spirit squad and its coach, David Eads, for winning the 1987 National Cheerleading Championship.

SR 1820, by Senators Martin, Johnston and Talkington: A resolution congratulating and commending the Pittsburg State University football team and its coach, Dennis Franckione, on outstanding 1985 and 1986 seasons.

SR 1821, by Senator Montgomery: A resolution deploring discrimination against veterans.

### State of Kansas

## DEPARTMENT OF HUMAN RESOURCES PRIVATE INDUSTRY COUNCIL

### REQUEST FOR PROPOSALS FOR REMEDIAL EDUCATION SERVICES

The Kansas Private Industry Council for the Job Training Partnership Act in Service Delivery Area III is seeking solicitations of comprehensive proposals to subcontract with any group, agency or institution, public or private, to provide remedial education services to eligible youth 14-15 years of age who are residents of Wyandotte, Johnson and Leavenworth counties in the PIC Summer Youth Employment and Training Program. The program shall provide eligible youth ages 14-21, inclusive, within the SDA with useful work experience and employment training opportunities.

The PIC is seeking to subcontract the remedial education component of the Summer Youth Program with one provider who can conduct a remedial education program in Wyandotte County for youth 14-15 years old, with the services available to youth from all three counties.

The Summer Youth Remedial Education Program will operate from June 1, 1987 through approximately September 1, 1987.

Proposals must be presented with 10 copies. Proposals will be received through 4 p.m. Friday, March 20, at the office of the Private Industry Council, SDA III, 827 Gateway Centre II, 4th and State Ave., Kansas City 66101.

ANN CONWAY  
Planner/Coordinator  
Kansas Private Industry Council, Inc.  
Service Delivery Area III

Doc. No. 005097

## 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 February 10 through February 19:

## Dickinson County Attorney

John McNish, 613 N.W. 2nd, Abilene 67410. Effective February 19, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Keith D. Hoffman, resigned.

## Harper County Clerk

Tanis Williams, 420 N. Springfield, Anthony 67003. Effective February 19, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Joann Poston, resigned.

## Reno County Clerk

Jerry M. Franklin, 4704 Sequoia, Hutchinson 67501. Effective February 19, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Glenis L. Heldenbrand, resigned.

## Advisory Council of Community Colleges

Richard D. Reinhardt, Route 1, Box 118, Erie 66733. Effective February 6, 1987. Term expires December 31, 1988. Succeeds Patricia W. Caruthers.

## Governor's Highway Task Force

Sen. August Bogina, Jr., 13513 W. 90th Place, Lenexa 66215.

Stanley Brown, Route 3, Box 49A, Hutchinson 67501.

Clayton J. Connell, 229 N. 18th, Fredonia 66736.

Rep. Rex Crowell, Box 288, Longton 67352.

Horace B. Edwards, Secretary of Transportation, 311 Rajah Road, Independence 67301.

James Holderman, 1021 Denker, Wichita 67216.

Sen. Michael L. Johnston, 3610 Gabriel, Apt. 237, Parsons 67357.

Tom Kindsvater, 2002 E. Lane, Dodge City 67801.

William W. Martin, 2338 Mayfair Place, Topeka 66611.

Bryan McDaniel, 105 Lincoln, Holton 66436.

Mark Mingenback, 5224 Quail Creek Drive, Great Bend 67530.

Sen. Bill Morris, 9822 Hardtner, Wichita 67212.

Judy S. Riches, Route 5, Box 253, Pittsburg 66762.

Rep. Don Sallee, Route 2, Troy 66087.

Dave Seaton, 2 Easy St., Winfield 67156.

Jeanette Siemens, 119 S. Pine, Pratt 67124.

Paul Steele, 1045 Villa Vista, Colby 67701.

Rep. George Teagarden, Route 2, Box 89A, LaCygne 66040.

Philip B. Wolfe, 2105 Knollwood Drive, Topeka 66611.

## Kansas Public Disclosure Commission

John F. Hayes, P.O. Box 2977, Hutchinson 67505. Effective February 1, 1987. Term expires January 31, 1989. Succeeds Lowell Abeltd. Appointed by the President of the Senate.

BILL GRAVES  
Secretary of State

## State of Kansas

STATE BOARD OF AGRICULTURE  
DIVISION OF WATER RESOURCES

## REQUEST FOR ENGINEERING SERVICES

In accordance with K.S.A. 75-5801 *et seq.*, it is the policy of the Division of Water Resources, Kansas State Board of Agriculture, to negotiate contracts for engineering services on the basis of demonstrated competence and qualifications for the type of professional services required at fair and reasonable fees. Selection criteria will consist of the following:

1. Size and professional qualifications of the firm.
2. Experience and training of the firm's staff in the measurements of rate and quantity of water pumped or removed from wells, lakes and streams, collection of data in conjunction with the use of water for irrigation, industrial, or municipal purposes with principal emphasis on irrigation use. Experience and training in hydrology and hydraulics, water flow measurements (primarily in closed conduits), and knowledge of energy and consumption metering will be a consideration.
3. Workload of the firm.
4. The firm's performance record.
5. Compliance with Kansas statutes. All firms must comply with the requirements set forth in K.S.A. 74-7001 *et seq.*

Engineering firms engaged in lawful practice of providing engineering services, and interested in providing services for collecting water use data to determine the extent that a water right is perfected (developed), are encouraged to submit by April 1 a statement of qualification and experience to the Division of Water Resources, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612-1283.

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

Doc. No. 005098

## State of Kansas

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

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

Kansas Court of Appeals  
Court of Appeals Courtroom, 2nd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas

Before Abbott, C.J.; William Randolph Carpenter, District Judge,  
assigned; and James W. Paddock, District Judge assigned.

Tuesday, March 3, 1987

9:00 a.m.

Case No.	Case Name	Attorney	County
59,686 S.C.	Jeffrey S. Downs, Appellant, v. State of Kansas, Appellee.	Benjamin C. Wood Steven R. Zinn	Johnson
59,665	State of Kansas, Appellee, v. Benjamin L. Holcomb, Appellant.	Dennis Moore, District Attorney Attorney General Geary Gorup, Assistant District Attorney Attorney General	Sedgwick
59,635	Richard McCarther, Appellant, v. State of Kansas, Appellee.	Benjamin C. Wood Steven R. Zinn Benjamin C. Wood Steven R. Zinn Geary Gorup, Assistant District Attorney Attorney General	Sedgwick
59,534	State of Kansas, Appellee, v. Vincent P. Enriquez, Appellant.	Geary Gorup, Assistant District Attorney Attorney General Steven L. Islas	Sedgwick
59,695	Federal Land Bank, Appellant, v. Ronald Wayne Cummings, Marietta Cummings, Graham Michaelis Corp., Don E. Pratt, Appellees.	William B. Elliott Ralph Brock Harry Joe Pratt	Graham
59,273	Michael D. Wilson, Adm. Estate of Virginia Givens, <i>et al.</i> , and Jay Horvath, Gdn. A/L and Eddie Ward, Appellees, v. Kansas Gas & Electric Co., City of Wichita, and Gary Dale Paxson, Appellants.	Michael D. Wilson Jay G. Horvath Janet S. Helsel Michael A. Rump H. E. Jones Nicholas S. Daily	Sedgwick
59,515	Terry Carlson, Appellee, v. Raw Energy Corp. of Kansas, <i>et al.</i> , Appellants.	Robert T. Cornwell Richard D. Greene	Sedgwick

(continued)

2:45 p.m.

59,631	Paul H. Taylor, Appellee, v. General Motors Corp., Chevrolet Pontiac-Canada Group, Appellant.	Michael R. Wallace Stephen A. Murphy	Wyandotte
59,764	Dennis M. Shepherd, Appellant, v. State of Kansas, Appellee.	Dennis M. Shepherd, <i>pro se</i> Michael Buser, Assistant District Attorney Attorney General	Johnson
59,477	In the Interest of S.L.G., a Minor.	Jolene Rooney John D. Clark Megan Campbell, Gdn. A/L William R. Griffith Eric Svoboda	Sedgwick

**Kansas Court of Appeals  
Supreme Courtroom, 3rd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas**

**Before Meyer, P.J.; Rees and Parks, JJ.**

**Tuesday, March 3, 1987**

**9:00 a.m.**

Case No.	Case Name	Attorney	County
59,817	Edward Lee Clemmons, Appellant, v. State of Kansas, Appellee.	Benjamin C. Wood Brad L. Keil  Nick Tomasic, District Attorney Attorney General	Wyandotte
59,531	State of Kansas, Appellee, v. Elgit Clark, Appellant.	Russell Canaday, Assistant County Attorney Attorney General  Benjamin C. Wood Brad L. Keil	Montgomery

**10:30 a.m.**

59,520	State of Kansas, Appellee, v. Kimberlee Ann Scott, Appellant.	Ed Van Petten, Assistant Attorney General  Benjamin C. Wood Roseanne Piatt	Ellis
59,558	State of Kansas, Appellee, v. Harold V. Bailey, Appellant.	Nanette Weber, County Attorney Attorney General  Benjamin C. Wood Roseanne Piatt	Allen
59,518	State of Kansas, Appellee, v. William J. Dickens, Appellant.	Bruce Beye, Assistant District Attorney Attorney General  Benjamin C. Wood	Johnson

**1:00 p.m.**

59,238	In the Interest of E.E.B. and M.W.B., Minor Children.	Randy Barker Sheila Maksimowicz, Gdn. A/L Gerald J. Domitrovic Eric Comer Paula Kidd	Sedgwick
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59,469	Bank of Kansas, Appellant, v. Hutchinson Health Services, Dept. of SRS, and Central State Bank, Trustee, Dept. of Human Resources, Appellee.	Dell Shanahan Swearer  Patricia Rose Myers Bruce A. Roby J. Stanley Hill H. Dean Cotton	Reno
2:45 p.m.			
59,955	Western Apartments, Appellant, v. Michael Burns, Appellee.	David J. King  Michael Burns, <i>pro se</i>	Leavenworth
59,348	Central State Bank, Appellee, v. Bruce W. Albright, Appellant.	Patricia Rose Myers  Michael B. Myers	Reno
59,430	City of Overland Park, Appellee, v. Bryan F. Curry, Appellant.	Karen Arnold Burger James F. Vano  David R. Gilman	Johnson

Kansas Court of Appeals  
Hearing Room Two, 3rd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas  
Before Davis, P.J.; Briscoe and Brazil, JJ.

Tuesday, March 3, 1987  
9:00 a.m.

Case No.	Case Name	Attorney	County
59,331	Charles L. Carter, Appellee, v. Koch Engineering, Inc., and Aetna Casualty & Surety, Appellants.	Edward J. Hund  Eldon L. Boisseau	Sedgwick
59,507) 59,994)	In re Marriage of Amy L. Wilkinson and Gregory Lee Wilkinson.	Mel Gregory Gregory Wilkinson, <i>pro se</i>	Sedgwick
10:30 a.m.			
59,651 S.C.	State of Kansas, Appellee, v. Thomas M. Smalley, Appellant.	Randy Hendershot, Assistant District Attorney Attorney General  Benjamin C. Wood Steven R. Zinn	Shawnee
59,146	Becky J. Andres, Appellee, v. Rose M. Robidou, Appellant.	O. J. Connell Dan E. Turner  Michael G. Coash	Butler
59,487	Church of God State Camp, Inc., A Kansas Corp., Appellee, v. Sedgwick County Board of County Commissioners, Appellant.	Dominic DiSandro Timothy J. King  Linda S. Parks	Sedgwick
1:00 p.m.			
59,419) 59,420)	State of Kansas, Appellee, v. John Clopton Reynolds, Jr., Appellant.	Robin Lewis, Assistant District Attorney Attorney General  Benjamin C. Wood Lucille Marino	Johnson

(continued)

59,700	Kelly E. Mosier, Appellee, v. State of Kansas, Appellant.	Benjamin C. Wood  Geary N. Gorup, Assistant District Attorney Attorney General	Sedgwick
2:45 p.m.			
59,701	State of Kansas, Appellee,  v. George W. Woodman, Appellant.	Geary Gorup, Assistant District Attorney Attorney General  Benjamin C. Wood Lucille Marino	Sedgwick
59,445	State of Kansas, Appellee,  v. Jeffrey Lynn Scott, Appellant.	Geary Gorup, Debra Barnett, Assistant District Attorneys Attorney General	Sedgwick
59,407	State of Kansas, Appellee,  v. Martin D. Priest, Appellant.	Benjamin C. Wood Geary Gorup, Assistant District Attorney Attorney General  Benjamin C. Wood	Sedgwick

**Kansas Court of Appeals  
Court of Appeals Courtroom, 2nd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas**

**Before Abbott, C.J.; Parks and Meyer, JJ.**

**Wednesday, March 18, 1987**

**9:00 a.m.**

Case No.	Case Name	Attorney	County
59,410	State of Kansas, Appellee,  v. Kyle Elliott, Appellant.	Jay C. Hinkel, County Attorney Attorney General  Benjamin C. Wood Lucille Marino	Finney
59,071	Alfredo Containcio Flores, Appellant,  v. State of Kansas, Appellee.	Benjamin C. Wood Melissa Kelly  Jay C. Hinkel, County Attorney Attorney General	Finney
58,857	State of Kansas, Appellee,  v. Dan Lee Culbertson, Appellant.	Jay C. Hinkel, County Attorney Attorney General  Benjamin C. Wood	Finney
10:30 a.m.			
59,263	Rodney W. Timm, Appellant, v. Farmers Insurance Group, Appellee.	Daniel L. Swagerty	Ford
59,369	Joseph and Vickie Perry, Appellants, v. Goff Motors and General Motors Acceptance Corp., Appellees.	Terry J. Malone Erich M. Shultz  David L. Patton Terry J. Malone	Ford

## 1:00 p.m.

59,349 S.C.	In the Matter of the Marriage of Sharon K. Finke and Joel S. Finke.	John M. Lindner Van Smith	Finney
58,792	Glenn J. Weis and George E. Weis, Appellants, v. Thomas County Board of County Commissioners and Jerald E. Wolfe and Betty Wolfe, Appellees.	Jeffery A. Mason	Thomas
58,803	Western Motor Co., Inc., Appellant, v. Perry V. Koehn, Appellee, v. Universal Underwriters.	J. Taylor Neuschwander Jim Armstrong William Tinker	Finney

## 2:45 p.m.

59,437	In the Interest of K.J. and A.J., Minor Children.	Susan Jones, Assistant County Attorney Gerald Schultz, Gdn. A/L Michael Quint Michael K. Ramsey	Finney
59,440	In the Interest of R.G. and K.G., Minor Children.	Susan Jones, Assistant County Attorney Don Vsetecka Ricklin R. Pierce	Finney

Kansas Court of Appeals  
Hearing Room Two, 3rd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas  
Before Briscoe, P.J.; William D. Clement, District Judge, assigned;  
and William M. Cook, District Judge, assigned.

Wednesday, March 18, 1987

## 9:00 a.m.

Case No.	Case Name	Attorney	County
59,375	State of Kansas, Appellee, v. Darrell Ringer, Margaret Ringer and David Nelson, Appellants.	S. Philip Stover, County Attorney Attorney General Doug Thompson	Gove
59,901	State of Kansas, Appellee, v. Joe P. Heffron, Appellant.	David Baumgartner, Assistant County Attorney Attorney General Daniel C. Walter	Phillips
59,449	Beneficial Finance Co. of Kansas, Appellee, v. Louise Schroeder, <i>et al.</i> , Appellant.	Steven Johnson Caleb Boone Richard A. Benjes John R. Eland William B. Elliott William T. Nichols	Gove

## 10:30 a.m.

59,839	State of Kansas, Appellee, v. Lawrence Waldschmidt, Jr., Appellant.	Richard Evans, County Attorney Attorney General Glenn R. Braun	Trego
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(continued)

59,614	Bank of Beaver City, Appellant, v. Donald D. Conway and Judith K. Conway, Appellees.	Steven L. Speth Curtis E. Campbell	Meade
1:00 p.m.			
59,354 S.C.	Jesus Ordonez, Appellee, v. Hyplains Dressed Beef, Inc., Great American Ins. Co., Appellants, and Workers' Compensation Fund.	David L. Patton Terry J. Malone Brock McPherson	Ford
59,423	State of Kansas, Appellee, v. Jim F. Bailes, Appellant.	Gregory G. Meredith, Assistant County Attorney Francis E. Meisenheimer, County Attorney Attorney General Barry K. Gunderson	Renó
59,446	Phillip G. Lowry, Appellee, v. Gene Francis, Appellant.	Daniel C. Walter J. Franklin Hummer	Norton
2:45 p.m.			
59,688	Dorothy D. Cozad, Appellant, v. John E. Cozad, Appellee.	Evelyn E. Zabel Daniel C. Walter	Decatur
59,852	James Noel Jay, v. Sunflower Mfg. Co., Federated Ins. Co., Appellees, v. Workers' Compensation Fund, Appellant.	John M. Ostrowski Jeffrey E. King Brock R. McPherson	Mitchell

**Kansas Court of Appeals  
Supreme Courtroom, 3rd Floor, Judicial Center  
301 W. 10th, Topeka, Kansas**

**Before Rees, P.J.; Brazil and Davis, JJ.**

**Wednesday, March 18, 1987**

**9:00 a.m.**

Case No.	Case Name	Attorney	County
59,454	Lorene Francis Decourdres, Appellee, v. U.S.D. 495 and Trinity Univ. Ins. Co., and Workers' Compensation Fund, Appellant.	Harry Bleeker Naomi Kauffman Brock R. McPherson	Pawnee
59,670	Allen Newell, Appellant, v. Clear Creek, Inc., and Hyland Oil Co., Inc., Appellees.	Richard D. Coffelt John V. Wachtel Randall W. Weller	Ellis
59,727	George H. Parker, Appellant, v. Rains & Williamson Oil Co. and St. Paul Ins. Co., and Workers' Compensation Fund, Appellees.	Harry Bleeker Jerry Ward Brock McPherson	Saline

## 10:30 a.m.

- |        |  |  |           |
|--------|--|--|-----------|
| 59,357 | Victory Electric Cooperative Association, Inc., Appellant,<br>v.<br>State Corporation Commission and Centel Corp., Appellee. | Harry Waite<br>Bernard R. Phillips III   | Ford      |
| 59,886 | In the Matter of A.M., C.H., and S.H., and In the Matter of J.H., Minor Children.  | John Jay Rosacker<br>James G. Flaherty<br>John McNish, Assistant<br>County Attorney<br>Allen Angst, Gdn. A/L<br>Daryl E. Hawkins | Dickinson |

## 1:00 p.m.

- |        |   |  |           |
|--------|---|--|-----------|
| 59,609 | State of Kansas, Appellee,<br>v.<br>Timothy B. Snyder, Appellant.     | John McNish, County<br>Attorney<br>Attorney General<br>Benjamin C. Wood<br>Jessica L. Kunen                      | Dickinson |
| 59,412 | State of Kansas, Appellee,<br>v.<br>Russell D. Countryman, Appellant. | R. Scott McQuin, County<br>Attorney<br>Attorney General<br>Benjamin C. Wood<br>Brad L. Keil                      | Barber    |
| 59,060 | State of Kansas, Appellee,<br>v.<br>Donald A. Dillon, Appellant.      | Darrell Miller, County<br>Attorney<br>Attorney General<br>Tracy J. Thull<br>Benjamin C. Wood<br>Jessica L. Kunen | Jewell    |

## 2:45 p.m.

- |        |  |   |         |
|--------|--|---|---------|
| 59,202 | Floyd L. Elder and Vaughn L. Elder, Appellants,<br>v.<br>K N Energy, Inc., Appellee. | Jerry D. Fairbanks                                  | Wichita |
| 59,612 | Louis Kahan, Appellant,<br>v.<br>Emma Seyfert and Dale Seyfert, Appellees.           | John D. Gatz<br>Jerry M. Ward<br>Charles L. Buehler | Barton  |

LEWIS C. CARTER  
Clerk of the Appellate Courts

## State of Kansas

DEPARTMENT OF ADMINISTRATION  
DIVISION OF PURCHASES

## NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

## MONDAY, MARCH 9, 1987

- #26458  
University of Kansas Medical Center—SECURITY GUARD SERVICE, Wichita
- #27051  
University of Kansas—CHEMISTRY ANALYZER REAGENTS AND SUPPLIES
- #27139  
University of Kansas Medical Center—FROZEN JUICES
- #27586  
Kansas State University—NURSERY STOCK
- #68339  
Department of Social and Rehabilitation Services—HANDICAPPED VAN MODIFICATIONS, Delia
- #68340  
Kansas State University—HERBICIDES AND INSECTICIDES
- #68341  
Department of Transportation—CONCRETE RIGHT OF WAY MARKERS, Chanute
- #68344  
University of Kansas—PAPER, PRINTING AND BINDING
- #68392  
Department of Social and Rehabilitation Services—MOVING SERVICES

## TUESDAY, MARCH 10, 1987

- #A-5580  
Kansas Neurological Institute—REPLACE EMERGENCY LIGHTS AND EXITS LIGHTS, Sunflower Lodge, Flinthills Lodge and Pleasantview Dining Facility
- #27246-Supplement  
University of Kansas Medical Center and Statewide—NEWBORN DIAPERS
- #27480 Rebid  
Statewide—ANTIMICROBIAL HAND CLEANSERS
- #27585  
Department of Administration, Division of Printing—LAWN CARE—1987
- #68343  
University of Kansas Medical Center—ELECTROPHORESIS EQUIPMENT
- #68345  
University of Kansas Medical Center—LAB MICROSCOPE
- #68349  
Department of Administration, Central Motor Pool—VEHICLES
- #68352  
University of Kansas Medical Center—FURNITURE

## WEDNESDAY, MARCH 11, 1987

- #A-5549  
Norton State Hospital—PROVIDE SANITARY SEWER MAIN REPLACEMENT
- #26969  
Kansas State Penitentiary and Kansas Correctional Institution at Lansing—BURIAL SERVICES
- #68353  
Kansas State University—CARGO VAN
- #68354  
Department of Transportation—TRUCK, Garden City
- #68355  
Department of Transportation—TYPE I, PRESSURE RELIEF JOINT FILLER, Chanute
- #68356  
Kansas State University—LIQUID SCINTILLATION SYSTEM
- #68357  
Kansas State University—INTERFEROMETER SYSTEM
- #68358  
Kansas State University—BIOLOGICAL CABINET
- #68360  
Department of Transportation—PLANT MIX, BITUMINOUS MIXTURE
- #68361  
Department of Transportation—TRUCKS, various locations
- #68362  
Department of Transportation—WOOD AND STEEL POSTS, Topeka and Hutchinson
- #68363  
Department of Transportation—SQUARE TELESCOPIC TUBING
- #68365  
Fort Hays State University—SPECTROGRAPHIC DISPLAY UNIT
- #68367  
Department of Transportation—HERBICIDES
- #68368  
Kansas State University—CANNED NUTS
- #68369  
Kansas State University—FLOOR MACHINE
- #68370  
University of Kansas Medical Center—DINING EQUIPMENT
- #68400  
University of Kansas—PAPER, PRINTING AND BINDING

## THURSDAY, MARCH 12, 1987

- #A-4879  
Fort Hays State University—SHERIDAN COLISEUM RENOVATION, PHASE I
- #A-4879-1  
Fort Hays State University—PROVIDE ASBESTOS ABATEMENT OPERATION, Sheridan Coliseum Facility
- #27388-Supplement  
Statewide—GLOVES, PACKS AND TRAYS, SUPPLEMENTAL ITEMS
- #68337  
Various state agencies—SALE OF USED COMPUTER EQUIPMENT
- #68338  
University of Kansas—SALE OF USED COMPUTER EQUIPMENT

- #68364  
University of Kansas Medical Center—LAB WASHER
- #68372  
Kansas State University—PRINTER
- #68373  
University of Kansas—LARGE DISPLAY MONITOR—APPLE
- #68376  
University of Kansas Medical Center—URETERAL STENTS
- #68377  
University of Kansas—CANNED SOUP
- #68387  
Fort Hays State University—FURNISH AND INSTALL BOILER CONTROL SYSTEMS
- #68388  
Department of Social and Rehabilitation Services—VENDING MACHINES

**FRIDAY, MARCH 13, 1987**

- #A-5720  
Department of Social and Rehabilitation Services—REPAIR OF SETTLED FLOOR, Rehabilitation Center for the Blind Dormitory
- #68366  
Various state agencies—MOVING SERVICES
- #68374  
Wichita State University—UPGRADE OF COMPUCORP WORD PROCESSING SYSTEM
- #68375  
Wichita State University—ETHERNET INTERFACE—DEC COMPATIBLE
- #68393  
Kansas State University—LAB INCUBATOR
- #68394  
Kansas State University—LAB CENTRIFUGE
- #68395  
Kansas State University—BIOLOGICAL CABINET
- #68396  
Kansas State University—WINDOW COVERINGS
- #68397  
Department of Corrections—WIRE MESH PARTITIONS
- #68398  
University of Kansas—#5 FUEL OIL

**MONDAY, MARCH 16, 1987**

- #68342  
Department of Human Resources—MOVING SERVICES

**TUESDAY, MARCH 31, 1987**

- #A-5411  
University of Kansas Medical Center—CONSTRUCT ANIMAL RESEARCH LABORATORY

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 005095

**State of Kansas  
SOCIAL AND REHABILITATION SERVICES**

**NOTICE OF HEARING  
ON FEDERAL BLOCK GRANTS**

The Senate Ways and Means Committee of the Kansas Legislature will conduct a public hearing at 11 a.m. Tuesday, March 3, in the Senate Hearing Room, Room 123-S, State Capitol, Topeka. The scheduled agenda includes social services block grant; low income energy assistance block grant; alcohol, drug abuse, and mental health services block grant; community services block grant; and other matters pertaining to the SRS budget.

ROBERT C. HARDER  
Secretary of Social and Rehabilitation Services

Doc. No. 005087

**State of Kansas  
DEPARTMENT OF TRANSPORTATION**

**NOTICE OF PUBLIC AUCTION**

The Kansas Department of Transportation will offer for sale at public auction the following land located in Leavenworth County and described as follows:

A tract of land in the Southeast Quarter of Section 6, Township 11 South, Range 22 East of the 6th P.M., described as follows: BEGINNING at a point 124.7 feet East of the West line and 164.3 feet North of the South line of said Quarter Section; thence East, 400.0 feet to a point 159.2 feet North of said South line; thence North to the old channel of Stranger Creek; thence Northerly and Northwesterly along said Channel to a point 124.7 feet East of the West line of said Quarter Section; thence South to the place of beginning.

The above tract of land is located approximately 4 miles east of Tonganoxie High School on Highway 24. The auction will be held at the site at 10:30 a.m. Monday, March 30.

**Terms of the Sale:**

Cash, certified or cashier's check for full price. Purchaser will receive a quitclaim deed only.

**Option:**

Cash or a certified check for 10 percent of the purchase price the day of the sale. The balance of the purchase price will be paid by cash, certified or cashier's check on or before April 30, 1987. If the balance is paid on or before said date, a quitclaim deed will be given to the purchaser. If the balance of the purchase price is not paid on or before said date, the 10 percent down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

HORACE B. EDWARDS  
Secretary of Transportation

Doc. No. 005099

## State of Kansas

**KANSAS WATER OFFICE****NOTICE OF MEETINGS  
ON THE 1989  
STATE WATER PLAN**

The preliminary draft of the fiscal year 1989 Kansas Water Plan is scheduled for discussion at 12 informal public meetings to be held across the state. The focus of attention this year will be on two new proposed sections for the State Water Plan—stream rehabilitation and an environmental protection strategy—as well as a review of the status of the implementation of the basin plan sections. Public comments on these sections and on any other water matters are encouraged. An executive summary containing complete text of the preliminary drafts will be available free of charge after February 23 from the Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612, (913) 296-3185.

The statewide public meetings on the plan are scheduled as follows:

Date	Time	Location
Monday, March 9	7:00—9:00 p.m.	Liberal, Seward County Community College Auditorium
Monday, March 9	7:30—9:30 p.m.	Atwood, Atwood High School Auditorium
Tuesday, March 10	7:00—9:00 p.m.	Garden City, Finney County 4-H Building, Fairgrounds
Tuesday, March 10	7:30—9:30 p.m.	Osborne, First State Bank meeting room, 203 W. Main
Wednesday, March 11	7:30—9:30 p.m.	Wichita, Sedgwick County Courthouse, Jury Room, 525 N. Main (Main St. or north entrance)
Wednesday, March 11	7:30—9:30 p.m.	Hays, Fort Hays Experiment Station Auditorium
Thursday, March 12	7:00—9:00 p.m.	El Dorado, Butler County Community College, Student Union Cafeteria
Thursday, March 12	7:30—9:30 p.m.	Manhattan, Kansas State University, Williams Auditorium in Umberger Hall
Monday, March 16	7:30—9:30 p.m.	Independence, Memorial Hall Civic Center
Monday, March 16	7:30—9:30 p.m.	Fort Scott, Fort Scott Community College, Administration Building, Round Room, 20th and Horton
Tuesday, March 17	7:00—9:00 p.m.	Emporia, Lyon County Courthouse, Farmer's Room
Tuesday, March 17	1:30—3:30 p.m.	Hiawatha, KPL Gas Service Co., Community Meeting Room, 526 Oregon St.

Based on the ideas and comments generated from these informal public meetings, the plan will be revised as necessary prior to public hearings later this year. The public hearings will provide an opportunity for formal input by groups and individuals who wish to comment on the plan. Following the public hearings, the plan will be presented to the Kansas Water

Authority for approval. The approved plan will then be submitted to the Governor and Legislature for implementation in fiscal year 1989.

JOSEPH F. HARKINS  
Director

Doc. No. 005088

## State of Kansas

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

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. March 19, 1987, and then publicly opened:

**DISTRICT ONE—Northeast**

Nemaha—36-66 K-2085-01—U.S. 36, North Fork Black Vermillion bridge 1, 1.1 miles east of the Marshall-Nemaha county line, bridge repair. (Federal Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

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.

HORACE B. EDWARDS  
Secretary of Transportation

Doc. No. 005100



## State of Kansas

## DEPARTMENT OF TRANSPORTATION

## NOTICE TO CONTRACTORS

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.S.T. March 19, 1987, and then publicly opened:

**DISTRICT ONE—Northeast**

**Brown**—7 C-2028-01—County road, 2.7 miles south of Robinson, then south 0.2 mile, bridge replacement. (Federal Funds)

**Johnson**—635-46 K-2134-04—I-635 and I-35 Interchange, grading, surfacing and bridge. (Federal Funds)

**Nemaha**—66 C-0649-01—County road, 5.8 miles south of Seneca, then south, 0.2 mile, bridge replacement. (Federal Funds)

**Osage**—70 K-1314-03—Melvern Lake State Park road, 1.0 mile, overlay. (State Funds)

**Riley**—77-81 K-2814-01—U.S. 77, Mill Creek bridge 39, 1.6 miles north of the junction of U.S. 24, bridge repair. (Federal Funds)

**Wabaunsee**—70-99 K-1399-01—I-70, eastbound lane over the Chicago, Rock Island and Pacific Railroad bridge 19 and eastbound lane of Mill Creek bridge 21, bridge widening. (Federal Funds)

**DISTRICT TWO—Northcentral**

**Cloud**—15 C-1858-01—County road, 0.9 mile south and 4.3 miles west of Concordia, then west, 0.1 mile, bridge replacement. (Federal Funds)

**Marion**—56-57 K-0561-02—U.S. 56, FAS 428 spur east of Canada, east to U.S. 77, 7.2 miles, surfacing. (Federal Funds)

**Marion**—56-57 K-0562-02—U.S. 56, east junction of K-15 to FAS 428 spur east of Canada, 6.9 miles, surfacing. (Federal Funds)

**Republic**—36-79 M-1464-01—U.S. 36, abandoned Chicago, Burlington and Quincy Railroad bridge 18, 11 miles east of U.S. 81, bridge removal. (State Funds)

**Washington**—101 C-1884-01—County road, 2.0 miles east and 9.0 miles south of Haddam, then south, 0.2 mile, bridge replacement. (Federal Funds)

**DISTRICT THREE—Northwest**

**Logan**—83-55 K-2895-01—U.S. 83, Front Street north to 8th Street in Oakley, 0.6 mile, grading and surfacing. (State Funds)

**Rooks**—82 C-1587-01—County road, 6.0 miles north and 7.0 miles east of Plainville, then east, 0.2 mile, bridge replacement. (Federal Funds)

**Trego/Gove/Thomas/Sherman**—70-106 K-2972-01—I-70, various interchanges from WaKeeney west to the state line, signing. (Federal Funds)

**DISTRICT FOUR—Southeast**

**Allen**—1 C-2496-01—County road, 0.75 mile west of Humboldt, then west and south, 3.0 miles, surfacing. (Federal Funds)

**Anderson**—31-2 K-0113-01—K-31, 3.0 miles west of

Garnett, then east and southeast, 1.2 miles, grading, surfacing and bridge. (Federal Funds)

**Cherokee**—69-11 K-0173-03—U.S. 69, Little Shawnee Creek bridge 11, 1.7 miles north of K-96, bridge replacement. (Federal Funds)

**Crawford**—126-19 X-1034-02—Burlington Northern crossing south of Beulah, grading and surfacing. (Federal Funds)

**Elk**—160-25 M-1470-01—U.S. 160, 1.8 miles east of the east city limits of Elk Falls, then east, slide repair. (State Funds)

**Greenwood**—37 K-2495-01—Fall River State Park road, overlay. (State Funds)

**Labette**—59-50 M-1465-01—U.S. 59, east of Missouri-Kansas-Texas Railroad bridge 6, northwest of Oswego, 0.1 mile, drainage. (State Funds)

**Labette**—96-50 X-0988-02—Burlington Northern crossing west of Altamont, grading and surfacing. (Federal Funds)

**Montgomery**—160-63 M-1466-01—U.S. 160, east end of bridge 30 at the north junction of U.S. 169, slide repair. (State Funds)

**Woodson**—104 K-2496-01—Toronto State Park road, overlay. (State Funds)

**DISTRICT FIVE—Southcentral**

**Barber**—4 C-2248-01—County road, Lake City, then east, 0.2 mile, bridge replacement. (Federal Funds)

**Butler**—8 C-2348-01—County road, 3.5 miles north and 1.1 miles west of Benton, 0.3 mile, bridge replacement. (Federal Funds)

**Reno**—78 C-1764-01—County road, 8.0 miles west of Nickerson, then south, 0.2 mile, bridge replacement. (Federal Funds)

**Reno**—78 U-0947-01—Second Avenue at Harsha Canal in Hutchinson, 0.1 mile, bridge replacement. (Federal Funds)

**Rush**—96-83 K-2815-01—K-96, Walnut Creek Drainage bridge 25, 1.4 miles east of the Ness-Rush county line, bridge repair. (Federal Funds)

**Sedgwick**—87 U-1059-01—18th Street at Little Arkansas River in Wichita, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

**Sedgwick**—135-87 M-1469-01—I-135, bridges 2, 6, 7 and 12 in Wichita, 3.1 miles, bridge overlay. (State Funds)

**DISTRICT SIX—Southwest**

**Meade**—54-60 K-2902-01—U.S. 54, Cedar Street east to State Street in Meade, 0.7 mile, overlay. (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, age, religion, color, sex, handicap or national origin in the award of contracts.

(continued)

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

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

HORACE B. EDWARDS  
Secretary of Transportation

Doc. No. 005074

(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF BOND SALE**  
**\$142,500**  
**GENERAL OBLIGATION BONDS**  
**SERIES A, 1987**  
**OF THE**  
**CITY OF ENTERPRISE, KANSAS**  
(general obligation bonds payable  
from unlimited ad valorem taxes)

**Sealed Bids**

Sealed bids will be received by the undersigned, city clerk of the city of Enterprise, Kansas, on behalf of the governing body at the Community Building, Box 245, Enterprise, KS 67411, until 7:30 p.m. C.S.T. on Thursday, March 5, 1987, for the purchase of \$142,500 principal amount of general obligation bonds, Series A, 1987, of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body immediately thereafter. No oral or auction bids will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,500, dated March 1, 1987, and becoming due serially on December 1 in the years as follows:

Year	Principal Amount
1988	\$ 2,500
1989	5,000
1990	5,000
1991	5,000
1992	10,000
1993	10,000
1994	10,000
1995	10,000
1996	10,000

1997	10,000
1998	10,000
1999	10,000
2000	15,000
2001	15,000
2002	15,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1988.

**Place of Payment and Bond Registration**

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day of the month preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the city and the Attorney General of the State of Kansas.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondowners.

The number, denominations of the bonds, and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar at least two weeks prior to the closing date. In the absence of such information, the city will deliver one bond per maturity registered in the name of the manager of the successful bidder. The initial reoffering price to the public by the original purchaser shall be furnished to the city at least one week prior to the closing date. A certificate setting forth such initial reoffering price to the public shall be furnished to the city by the original purchaser at closing.

**Redemption of Bonds Prior to Maturity**

Bonds maturing in the years 1988 to 1994, inclusive, shall become due without option of prior payment. At the option of the city, bonds maturing in the years 1995 and thereafter may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the city in such equitable manner as it may determine) on December 1, 1994, or on any interest payment date thereafter at the redemption prices set forth below (expressed as a percentage of the principal amount), plus accrued interest to the redemption date:

Redemption Dates	Redemption Price
1994 thru 1998	101%
1999 and thereafter	100%

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in

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

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

#### Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 3 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be authorized. Each bid shall specify the total interest cost to the city during the life of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid, all certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid.

#### Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body shall determine which bid, if any, shall be accepted, and its determination shall be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

#### Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-614 *et seq.*, as amended, for the purpose of paying the cost of certain street improvements. The bonds and the interest thereon will constitute general obligations of the city, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

#### Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

On October 22, 1986, the President of the United States signed into law H.R. 3838, the Tax Reform Act of 1986, which redesignates the Internal Revenue Code of 1954 as the Internal Revenue Code of 1986. The 1986 code imposes certain additional requirements and restrictions which must be met subsequent to the issuance of state and local government obligations in order to maintain the exemption from federal income taxation of the interest on such obligations. The city will covenant in the bond ordinance to comply with the provisions of the Act and to take all action as may be necessary to comply with the Act and all applicable future law to preserve the tax-exempt status of the bonds, to the extent such actions can be taken by the governing body of the city.

In the opinion of Gaar & Bell, Wichita, Kansas, bond counsel, under existing law, statutes, regulations, rulings and judicial decisions, assuming continued compliance by the city with the terms of the bond ordinance, the bonds are exempt from intangible personal property taxes levied by Kansas counties, cities or townships, and the interest on the bonds is exempt from federal income taxation except as follows:

(a) For taxable years beginning in the years 1987, 1988 and 1989, the interest on the bonds will be included in the adjusted net book income of corporations. For purposes of computing the corporate alternative minimum tax, a corporation's alternative minimum taxable income must be increased by 50 percent of the amount by which such corporation's adjusted net book income exceeds such corporation's alternative minimum taxable income (determined without regard to this adjustment or the alternative tax net operating loss deduction). For taxable years beginning after 1989, the use of "book income" will be replaced by "adjusted current earnings," and "50%" will be replaced by "75%."

(b) For taxable years beginning after December 31, 1986, property and casualty insurance companies will be required to reduce their deduction for losses incurred on insurance contracts by 15 percent of the amount of interest received or accrued on tax-exempt obligations acquired after August 7, 1986, including the bonds.

H.R. 2005, the Superfund Amendments and

(continued)

Reauthorization Act of 1986, which was enacted on October 17, 1986, includes among its provisions the imposition of a new environmental tax. Calculation of the tax is to be based generally on a percentage of the corporate alternative minimum taxable income as defined in the 1986 code which would include interest on tax-exempt obligations, including the bonds. The amount of tax is equal to 0.12 percent of excess of the alternative minimum taxable income (without regard to net operating losses and the deduction for the environmental tax) over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax, but is deductible from gross income. The environmental tax is effective for taxable years beginning after 1991. The imposition of this environmental tax could result in additional taxation of interest on the bonds for certain bondowners.

A form of bond counsel's opinion is contained in the official statement of the city with respect to the bonds.

#### Qualified Tax Exempt Obligations

The Tax Reform Act of 1986, H.R. 3838, was signed into law by the President of the United States on October 22, 1986. The Act provides that banks and thrift institutions would be unable to deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations (with certain exceptions) if such interest costs are incurred in taxable years ending after December 31, 1986 with respect to bonds acquired after August 7, 1986. The Act provides that certain "qualified tax-exempt obligations" as defined in Section 902(b)(3) will be treated as having been acquired on August 7, 1986. The city will covenant to take such actions as are necessary to designate the bonds as "qualified tax-exempt obligations" described above.

#### Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before April 16, 1987 at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. The successful bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in federal reserve funds, immediately subject to use by the city.

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America equal to 2 percent of the total amount of the bid payable to the order of the city. If a bid is accepted, said check or the proceeds thereof will be held by the city until the bidder shall have complied with all of the terms and conditions of this notice. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a

bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the city as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

#### Bid Forms

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

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Bond Bid." Bids may be submitted by mail or delivered in person to the undersigned at the Community Building and must be received by the undersigned prior to 7:30 p.m. C.S.T. on March 5, 1987.

#### Official Statement

The city has prepared an official statement dated February 15, 1987, copies of which may be obtained from the city clerk. Upon the sale of the bonds, the city will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered by the successful bidder at his expense.

#### Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city, for the year 1986, is as follows:

Equalized assessed valuation of taxable tangible property .....	\$1,644,705
Tangible valuation of motor vehicles .....	314,206
Equalized assessed tangible valuation for computation of bonded debt limitations .....	\$1,958,911

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$307,500. Temporary notes in the principal amount of \$150,000 will be retired out of proceeds of the bonds and other available funds.

#### Additional Information

Additional information regarding the bonds may be obtained from the City Clerk, Community Building, Box 245, Enterprise, KS 67441, Attention: Joyce L. Chartier, (913) 934-2323.

Dated February 5, 1987.

CITY OF ENTERPRISE, KANSAS  
By Joyce L. Chartier, City Clerk  
Community Building, Box 245  
Enterprise, KS 67441  
(913) 934-2323

Doc. No. 005082

(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF BOND SALE  
\$200,000  
GENERAL OBLIGATION  
CAPITAL OUTLAY BONDS  
SERIES 1987**

**OF UNIFIED SCHOOL DISTRICT 102  
GRAY COUNTY, KANSAS (CIMARRON-ENSIGN)**

**Date, Time and Place of Receiving Bids**

The Board of Education of Unified School District 102, Gray County, Kansas (Cimarron-Ensign), will receive sealed bids at the district's central offices at 314 1st St., Cimarron, Kansas, until 7:30 p.m. C.S.T. on Monday, March 2, 1987, for \$200,000 par value general obligation capital outlay bonds, Series 1987, of the school district, at which time and place the Board of Education will meet to publicly open the bids. No oral or auction bids will be considered.

**Description of Bonds**

The Series 1987 bonds will be dated as of March 1, 1987, and shall mature on March 1 in each of the years and in the amounts set forth below. The bonds shall consist of fully registered certificated bonds in denominations of \$5,000 or any integral multiples thereof not exceeding the principal amount of bonds maturing in each year. Interest on the bonds will be payable semiannually on each March 1 and September 1, commencing March 1, 1988. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America by mailing of check or draft of the paying agent to the registered owners thereof as their names appear on the registration books of the school district maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the school district.

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

Principal Amount	Maturity Date
\$40,000	March 1, 1988
40,000	March 1, 1989
40,000	March 1, 1990
40,000	March 1, 1991
40,000	March 1, 1992

**Redemption of Bonds**

The bonds are not subject to call for redemption and payment prior to their respective maturities.

**Interest Rate**

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed the maximum interest rate

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

**Bid Form and Good Faith Deposit**

Bids shall be submitted on the official bid form furnished by the school district, shall be addressed to the Board of Education, Unified School District 102, 314 1st St., P.O. Box 489, Cimarron, KS 67835, Attention: Norma Hale, Clerk, and shall be plainly marked "Bond Bid." All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct, and the school district will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid and shall be payable to: "Treasurer, Unified School District 102." In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the school district as liquidated damages. The checks of unsuccessful bidders will be promptly returned.

**Award of Bids**

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

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, will be furnished and paid for by the school district, and the bonds will be sold subject to the approving opinion of Hinkle, Eberhart, Elkouri & Jensen, bond counsel, of Wichita, Kansas. The number, denomination of bonds, and the names of the initial registered owners to be initially printed on the bonds shall be submitted in writing by the successful bidder to the bond registrar not later than March 18, 1987. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in immediately available funds. Delivery of the bonds will be made to the successful bidder on or about March 26, 1987, at any bank in the state of Kansas or in Kansas City, Missouri, at the

(continued)

expense of the school district. Delivery elsewhere will be made at the expense of the purchaser.

#### The Internal Revenue Code of 1986

The Internal Revenue Code of 1986 was signed into law by the President of the United States on October 22, 1986. The provisions of the code relating to obligations of state and local governments would generally be effective for obligations issued after August 15, 1986. Certain of these provisions would impose requirements which must be met subsequent to the issuance and delivery of such obligations, including the bonds, in order for the interest thereon to remain exempt from federal income taxation. The school district will covenant to comply with the provisions of the code and all other applicable federal laws, regulations, published rulings and court decisions, in order to preserve the tax-exempt status of the bonds to the extent such actions can be taken by the Board of Education of the school district. The failure of the school district to comply with such covenants could adversely affect the tax-exempt status of the bonds. A purchaser of the bonds 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 federal tax exemption.

The code includes interest on certain obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years after 1986 and would include in the calculation of alternative minimum taxable income 50 percent of the excess of a corporation's adjusted net book income over its pre-book alternative taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). In addition, the code provides that banks and thrift institutions would be unable to deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations (with certain exceptions described below) if such interest costs are incurred in taxable years ending after December 31, 1986 with respect to bonds acquired after August 7, 1986. The code provides that certain "qualified tax-exempt obligations" as defined in Section 265(b)(3) will be treated as having been acquired on August 7, 1986. The school district will covenant to take such actions as are necessary to designate the bonds as "qualified tax-exempt obligations" as described above.

The code provides that property and casualty insurance companies would be required for taxable years beginning on or after January 1, 1986 to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986. If the amount of this reduction exceeds the amount otherwise deductible as losses incurred, such excess may be includable in income.

#### Superfund Amendments and Reauthorization Act of 1986

H.R. 2005, the Superfund Amendments and Reauthorization Act of 1986, which was enacted on October 17, 1986, includes among its provisions the imposition of a new environmental tax. Calculation of

the tax is to be based generally on a percentage of the corporate alternative minimum taxable income as defined in the 1986 code which would include interest on tax-exempt obligations, including the bonds. The amount of tax is equal to 0.12 percent of the excess of the alternative minimum taxable income (without regard to net operating losses and the deduction for the environmental tax) over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax, but is deductible from gross income. The environmental tax is effective for taxable years beginning after 1991. The imposition of this environmental tax could result in additional taxation of interest on the bonds for certain bondowners.

#### Legal Opinion

Bids shall be conditioned upon the approving opinion of Hinkle, Eberhart, Elkouri & Jensen, bond counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond, and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the school district. Said legal opinion will state in part that the bonds will constitute general obligations of the school district, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district; and that, under existing laws and regulations, subject to the assumptions and limitations contained therein, 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.

Reference is also made to the section entitled "The Internal Revenue Code of 1986."

#### Purpose of Issue

The bonds are being issued for the purpose of paying the costs of constructing a school building in the school district pursuant to the authority of K.S.A. 72-8801 *et seq.*, as amended and supplemented.

#### CUSIP Identification Numbers

It is not expected that CUSIP identification numbers will be printed on the bonds since the issue does not meet the CUSIP Service Bureau's size guidelines for the assignment of CUSIP numbers.

#### Assessed Valuation

Assessed valuation figures for Unified School District 102, Gray County, Kansas (Cimarron-Ensign), for the year 1986, are as follows:

Assessed valuation of taxable tangible property	\$19,914,501
Taxable value of motor vehicles	\$ 2,075,564
Equalized assessed tangible valuation for computation of bonded debt limitations	\$21,990,065

#### Bonded Indebtedness

The total outstanding general obligation indebtedness of Unified School District 102, Gray County, Kansas (Cimarron-Ensign), at the date hereof consists only of this \$200,000 proposed issue of bonds.

(Published in the KANSAS REGISTER, February 26, 1987.)

**Official Statement**

Additional copies of this notice of bond sale, copies of the school district's official statement relating to the bonds, or further information may be received from the office of the clerk of the school district, 314 1st St., P.O. Box 489, Cimarron, KS 67835, (316) 855-7743, or from the school district's financial consultant, First Securities Company of Kansas, Inc., 200 One Main Place, P.O. Box 1321, Wichita, KS 67201, (316) 262-4411.

Dated February 16, 1987.

BOARD OF EDUCATION  
UNIFIED SCHOOL DISTRICT 102  
GRAY COUNTY, KANSAS  
(CIMARRON-ENSIGN)  
By Norma Hale, Clerk

Doc. No. 005079

(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF CALL FOR REDEMPTION  
TO THE HOLDERS OF  
CITY OF DESOTO, KANSAS  
WATERWORKS AND ELECTRIC SYSTEM  
REVENUE BONDS  
SERIES 1981  
DATED APRIL 1, 1981**

Notice is hereby given that pursuant to the provisions of Section 4 of Ordinance No. 523 of the city of DeSoto, Kansas, the above-mentioned bonds numbered 21, 22, 23, and 24 maturing in the year 1988, bonds numbered 25, 26, 27, 28, and 29 maturing in the year 1989, and bonds numbered 30, 31, and 32 maturing in the year 1990 have been called for redemption and payment on April 1, 1987. The bonds shall be surrendered for redemption and cancellation to the office of the Kansas State Treasurer, P.O. Box 737, 3rd Floor, Security Benefit Life Building, 700 Harrison, Topeka, KS 66603.

On such redemption date and upon the presentation and surrender of each such bond and all appurtenant coupons, there shall become due and payable on each of the above-mentioned bonds the redemption price thereof equal to 100 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds from and after April 1, 1987, and the interest coupons maturing after April 1, 1987 shall be void.

CITY OF DESOTO, KANSAS  
by JoAnn Dinger  
City Clerk

Doc. No. 005094

**NOTICE OF REDEMPTION  
CITY OF CHETOPA, KANSAS  
INDUSTRIAL REVENUE BONDS  
SERIES G 1973  
(THE HUNTSMAN, INC.)**

Notice is hereby given that pursuant to Section 3, Ordinance No. 401, Chetopa State Bank & Trust Co., as trustee and paying agent, will redeem on April 1, 1987 for the city \$110,000 principal amount of the Series G 1973 industrial revenue bonds at the city of Chetopa (The Huntsman, Inc.) at a price equal to the principal amount thereof plus accrued interest thereon to April 1, 1987, plus a premium of 2.5 percent.

All bonds are to be redeemed and are listed as follows:

Bond Number	Amount
155	\$5,000.00
156	\$5,000.00
157	\$5,000.00
158	\$5,000.00
159	\$5,000.00
160	\$5,000.00
161	\$5,000.00
162	\$5,000.00
163	\$5,000.00
164	\$5,000.00
165	\$5,000.00
166	\$5,000.00
167	\$5,000.00
168	\$5,000.00
169	\$5,000.00
170	\$5,000.00
171	\$5,000.00
172	\$5,000.00
173	\$1,000.00
174	\$1,000.00
175	\$1,000.00
176	\$1,000.00
177	\$1,000.00
178	\$1,000.00
179	\$1,000.00
180	\$1,000.00
181	\$1,000.00
182	\$1,000.00
183	\$1,000.00
184	\$1,000.00
185	\$1,000.00
186	\$1,000.00
187	\$1,000.00
188	\$1,000.00
189	\$1,000.00
190	\$1,000.00
191	\$1,000.00
192	\$1,000.00

On April 1, 1987, the bonds described above will be due and payable at the Chetopa State Bank and Trust Co., 409 Maple, Chetopa, KS 67336.

Bonds should be surrendered with all unmaturing

(continued)

interest coupons attached. After April 1, 1987, interest on the aforesaid bonds will cease to accrue.

CHETOPA STATE BANK  
AND TRUST CO.  
Trustee and Paying Agent  
409 Maple  
Chetopa, KS 67336

Doc. No. 005083

(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF REDEMPTION  
COWLEY COUNTY, KANSAS  
SINGLE FAMILY MORTGAGE  
REVENUE BONDS  
1980 SERIES A**

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,835,000 principal amount of the bonds are called for redemption on April 1, 1987 at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

- Due April 1, 1988: 169, 179, 188, 195
- Due April 1, 1989: 205, 214, 227, 236
- Due April 1, 1990: 248, 257, 266, 273
- Due April 1, 1991: 290, 299, 307, 315, 328
- Due April 1, 1992: 331, 338, 347, 362, 370, 378
- Due April 1, 1993: 389, 400, 408, 422, 431, 442
- Due April 1, 1994: 455, 469, 477, 484, 491, 502

**Due April 1, 2011**

520	1080	1564	2086	2614	3161
531	1087	1571	2097	2622	3170
539	1100	1580	2112	2632	3179
548	1109	1590	2126	2644	3192
556	1116	1597	2136	2655	3200
566	1124	1605	2147	2665	3208
580	1137	1614	2176	2673	3218
591	1144	1621	2191	2681	3225
602	1157	1631	2202	2693	3234
612	1169	1640	2211	2706	3243
623	1177	1650	2218	2715	3253
631	1186	1660	2227	2723	3263
644	1192	1671	2238	2733	3271
653	1202	1681	2249	2742	3281
661	1209	1690	2260	2752	3291
673	1217	1701	2268	2765	3305
682	1227	1711	2278	2774	3317
689	1236	1719	2287	2781	3328
700	1244	1732	2302	2790	3336
716	1252	1741	2310	2800	3344
723	1258	1751	2318	2811	3356
735	1265	1762	2327	2819	3365
748	1272	1773	2335	2830	3376
757	1282	1782	2345	2839	3384
765	1290	1792	2356	2846	3391
775	1297	1803	2368	2857	3400
785	1305	1812	2379	2866	3408
794	1311	1822	2390	2878	3414
809	1321	1832	2397	2895	3424

817	1329	1840	2407	2906	3433
829	1338	1854	2417	2914	3441
837	1349	1862	2424	2925	3447
848	1359	1870	2434	2933	3457
860	1366	1882	2441	2942	3467
868	1376	1890	2449	2950	3477
876	1386	1898	2458	2963	3488
884	1423	1909	2466	2976	3496
895	1434	1917	2474	2985	3506
909	1447	1930	2483	2994	3515
919	1455	1939	2490	3004	3525
939	1461	1947	2499	3015	3537
950	1468	1958	2511	3026	3545
960	1474	1970	2521	3036	3555
969	1485	1982	2531	3048	3565
976	1492	1992	2539	3066	3572
985	1498	2001	2547	3078	3579
996	1505	2010	2554	3094	3586
1004	1512	2019	2561	3103	3601
1017	1522	2026	2567	3113	3609
1034	1531	2038	2575	3123	3620
1047	1538	2050	2585	3131	
1055	1546	2064	2591	3141	
1068	1553	2077	2602	3151	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

**Due April 1, 1990:**

Registered Bond Number	Amount Called
R34	5,000

**Due April 1, 1994:**

Registered Bond Number	Amount Called
R65	5,000

**Due April 1, 2011:**

Registered Bond Number	Amount Called
R24	5,000
R38	5,000
R60	5,000
R62	45,000
R63	5,000
R64	10,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after April 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City  
Kansas City, Kansas, Trustee

Doc. No. 005091



(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF REDEMPTION  
RILEY COUNTY, KANSAS  
SINGLE FAMILY MORTGAGE  
REVENUE BONDS  
1980 SERIES A**

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,720,000 principal amount of the bonds are called for redemption April 1, 1987 at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

- Due April 1, 1988: 101, 105, 112
- Due April 1, 1989: 118, 126, 133
- Due April 1, 1990: 146, 156, 167, 171
- Due April 1, 1991: 173, 182, 193, 200
- Due April 1, 1992: 214, 222, 229, 239
- Due April 1, 1993: 248, 256, 264, 266, 275
- Due April 1, 1994: 284, 292, 298, 304, 311, 322

**Due April 1, 2011**

333	763	1171	1590	2034	2491
362	770	1177	1598	2045	2498
369	778	1186	1606	2054	2507
377	796	1193	1612	2061	2515
384	804	1200	1618	2071	2524
394	811	1207	1626	2079	2529
402	817	1215	1635	2087	2535
409	823	1222	1643	2099	2545
422	831	1229	1652	2106	2560
431	839	1238	1659	2115	2571
440	847	1245	1668	2125	2597
447	855	1253	1694	2136	2605
453	863	1264	1699	2142	2615
458	869	1270	1712	2151	2621
464	879	1277	1720	2160	2628
473	886	1293	1736	2178	2635
480	893	1310	1748	2185	2643
489	899	1322	1768	2194	2648
497	909	1332	1778	2202	2655
507	916	1342	1786	2210	2664
514	927	1352	1794	2217	2673
520	933	1362	1804	2227	2680
527	940	1369	1813	2234	2687
539	947	1377	1822	2240	2692
545	956	1385	1833	2253	2702
569	962	1396	1839	2260	2710
576	968	1404	1846	2267	2716
582	978	1411	1854	2275	2723
591	985	1419	1865	2282	2731
598	994	1428	1875	2290	2739

609	1005	1437	1881	2299	2748
620	1015	1454	1891	2306	2759
625	1025	1462	1899	2315	2767
631	1035	1468	1908	2321	2774
641	1041	1476	1915	2327	2780
653	1049	1485	1923	2332	2787
662	1055	1492	1929	2340	2795
673	1064	1500	1938	2349	2804
679	1084	1507	1946	2365	2810
690	1091	1513	1954	2376	2820
697	1101	1525	1962	2389	2826
703	1111	1541	1969	2408	2837
715	1119	1547	1980	2419	2844
722	1125	1554	1996	2427	2851
734	1135	1562	2004	2456	2863
741	1144	1567	2011	2467	2871
747	1152	1574	2019	2476	2877
754	1164	1581	2027	2483	2884

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

**Due April 1, 2011:**

Registered Bond Number	Amount Called
R18	5,000
R31	5,000
R61	5,000
R62	5,000
R63	5,000
R69	5,000
R70	5,000
R72	10,000
R73	40,000
R74	35,000
R75	15,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after April 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City  
Kansas City, Kansas, Trustee

Doc. No. 005093

(Published in the KANSAS REGISTER, February 26, 1987.)

**NOTICE OF REDEMPTION  
GEARY COUNTY, KANSAS  
SINGLE FAMILY MORTGAGE  
REVENUE BONDS  
1980 SERIES A**

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,160,000 principal amount of the bonds are called for redemption April 1, 1987 at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

- Due April 1, 1988: 69, 77
- Due April 1, 1989: 88, 94
- Due April 1, 1990: 96, 106
- Due April 1, 1991: 114, 124, 132
- Due April 1, 1992: 148, 155
- Due April 1, 1993: 164, 170, 178
- Due April 1, 1994: 190, 202, 208, 216

**Due April 1, 2011**

221	528	803	1099	1366	1654
230	536	811	1108	1372	1670
249	543	817	1115	1379	1677
259	554	827	1122	1386	1685
265	561	834	1129	1399	1699
275	569	846	1139	1409	1706
287	575	855	1150	1418	1719
293	581	863	1158	1428	1726
301	591	873	1164	1444	1733
308	602	881	1171	1450	1741
314	609	891	1177	1458	1748
324	615	898	1186	1468	1759
335	624	908	1194	1475	1767
345	631	917	1203	1485	1774
353	638	925	1210	1492	1781
362	647	932	1216	1504	1787
370	660	942	1228	1512	1793
383	667	953	1237	1520	1801
390	675	959	1242	1529	1808
399	685	966	1250	1536	1815
413	692	975	1258	1543	1832
420	700	986	1266	1552	1838
426	707	997	1274	1560	1844
434	714	1007	1280	1566	1851
445	723	1015	1285	1573	1864
452	736	1027	1291	1580	1872
458	746	1034	1302	1590	1889
476	754	1039	1310	1596	1905
482	760	1047	1321	1603	1911
489	766	1054	1329	1609	1920
496	774	1061	1334	1617	1929
505	783	1077	1343	1630	1939
511	789	1085	1349	1636	1947
518	797	1093	1357	1645	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

**Due April 1, 1992:**

Registered Bond Number	Amount Called
R41	5,000

**Due April 1, 2011:**

Registered Bond Number	Amount Called
R43	5,000
R51	5,000
R64	5,000
R81	5,000
R82	5,000
R84	15,000
R85	10,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after April 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City  
Kansas City, Kansas, Trustee

Doc. No. 005092

**State of Kansas**

**BOARD OF AGRICULTURE  
PERMANENT ADMINISTRATIVE  
REGULATIONS  
(Effective May 1, 1987)**

**Article 4.—COMMERCIAL  
FERTILIZERS**

**4-4-2. Inspection fee.** The inspection fee for commercial fertilizers shall be \$.30 per ton of 50 pounds. The fee shall apply to fertilizer sold on and after July 1, 1986. (Authorized by and implementing K.S.A. 2-1205; effective, T-83-35, Nov. 10, 1982; effective May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended, T-87-6, May 1, 1986, amended May 1, 1987.)

**Article 7.—MILK AND DAIRY  
PRODUCTS**

**4-7-213. Adoption by reference.** Except for sections 1 through 6, inclusive of subpart A, the definitions found in subparagraphs (a), (b), (t) and (u) of section 2 of subpart B, and sections 2.1 through 2.6, inclusive, of subpart F, in the United States department of agriculture recommended requirements regarding "Milk for Manufacturing Purposes and its Production and Processing," as published in the federal register on April 7, 1972, and revised on August 27, 1985, are hereby adopted by reference. Copies of the pertinent portions of this regulation shall be available from the inspections division of the state board of agriculture. (Authorized by K.S.A. 75-1401;

implementing K.S.A. 65-701; effective, E-81-24, Aug. 27, 1981; effective May 1, 1981; amended May 1, 1986; amended T-87-21, Aug. 21, 1986; amended 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 fab-

rication 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; amended May 1, 1987.)

**4-10-2.** (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; revoked May 1, 1987.)

**4-10-2a. Basic rules for approval of equipment and systems.**

(a) Before installing or relocating a stationary anhydrous ammonia container or permanent unloading facility, the owner shall submit to the secretary a detailed diagram showing:

(1) 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;

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

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

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

(b) No person shall install or use any system for 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.*

(c) 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.*

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

(e) No person shall deliver or transfer anhydrous ammonia into any container without the consent of the owner of the container. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2b. Basic rules for construction and testing of containers, including skid systems, other than refrigerated storage tanks.**

(a) Each container 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.

(b) Each container whose diameter exceeds 36 inches or whose capacity exceeds 250 gallons shall:

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

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

(3) use hot-formed heads.

(c) 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

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competency from the national board of boiler and pressure vessel inspectors.

(d) The provisions of K.A.R. 4-10-2b (a) 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.

(e) 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2c. Basic rules for markings on containers and systems.**

(a) 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:

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

(2) With a notation as to whether the system is designed for underground or aboveground installation, or both;

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

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

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

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

(7) 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

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

(b) 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. The 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2d. Basic rules for location of containers.**

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

(1) outside of densely populated areas;

(2) 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;

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

(4) at a distance not less than 1,000 feet from any 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.

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

(c) 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1 1987.)

**4-10-2e. Basic rules for container valves and appurtenances.**

(a) 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.

(b) 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.

(c) 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.

(d) Openings from the container or through fittings attached directly on the container to which pressure gauge connection is made need not be equipped with excess flow valve if such openings are protected by an opening not larger than a No. 54 drill size opening.

(e) 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.

(f) 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.

(g) 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 a 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.

(h) 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. (Authorized by and implementing K.S.A. 2-1212, effective May 1, 1987.)

**4-10-2f. Basic rules for piping, tubing, and fittings.**

(a) 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.

(b) 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.

(c) 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.

(d) 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.

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

(f) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automobiles or trucks, or any other undue strain that may be placed upon the piping.

(g) 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2g. General rules for hose specifications and assemblies.**

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

(b) 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.

(c) 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.

(d) 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.

(e) 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."

(f) 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:

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

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

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

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

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

(1) cuts exposing reinforcing fabric;

(2) soft spots or bulges in the hose;

(3) a blistering or loose outer covering;

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

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

(6) slippage at any coupling.

(h) Hoses shall have either ASME schedule 80 factory-installed ends or reusable ASME schedule 80 hose ends designed for use with anhydrous ammonia. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2h. General rules for safety devices.**

(a) Each container used with systems subject to 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.

(b) 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.

(c) 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.

(d) Safety relief valves shall be arranged to minimize the possibility of tampering. If the pressure set-

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ting or adjustment is external, the relief valves shall be provided with a satisfactory means for sealing adjustment.

(e) 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.

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

(g) 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2i. General rules regarding filling densities and transfer of liquids.**

(a) 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.

(b) 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. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2j. General rules for tank car and transport truck unloading points and operations.**

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

(b) 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.

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

(d) 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.

(e) 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.

(f) 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:

(1) 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

(2) approved air-operated valves which normally are closed are used in the line connecting the source of anhydrous ammonia and the conversion unit. (Authorized by and implementing K.S.A. 2-1212; effective May 1, 1987.)

**4-10-2k. General rules—miscellaneous provisions.**

(a) 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) Gauging devices shall 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.

(b) 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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 May 1, 1987.)

**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. 4-10-2b 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 their 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. 4-10-2e(b) and K.A.R. 4-10-2e(d), 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 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

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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. 4-10-2b(c).

(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 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; amended May 1, 1987.)

**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. 4-10-2b and shall have a minimum design pressure of 250 psig.

(2) The shell or head thickness of each container shall not be less than  $\frac{3}{16}$  of an inch.

(3) Baffles shall not be 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. 4-10-2e(b) and K.A.R. 4-10-2e(d), all connections to containers shall be provided with approved excess-flow 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 D.O.T. 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

(F) 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; amended May 1, 1987.)

**4-10-15. Adoption by reference.** The state board of agriculture bulletin entitled "Guidelines to Kansas Anhydrous Ammonia Regulations and Inspections" as published in May 1, 1986 is hereby adopted by reference. Copies of this material or the pertinent portions of it are available from the office of control, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 2-1212, effective May 1, 1987.)

#### Article 13.—PESTICIDES

**4-13-11. Categories and subcategories of commercial applicator certification.** (a) Category 1—agricul-

(continued)

tural pest control. This category shall include commercial applicators using or supervising the use of restricted use pesticides in the production of agricultural crops and animals.

(1) Subcategory 1a—agricultural plant pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides on grasslands and non-crop agricultural lands and in production of agricultural crops, including tobacco, peanuts, cotton, feed grains, soybeans and forage, vegetables, small fruits, tree fruits and nuts.

(2) Subcategory 1b—agricultural animal pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides for places on or in which animals are confined and on animals, including beef cattle, dairy cattle, swine, sheep, horses, goats, poultry, and livestock. Doctors of veterinary medicine who apply pesticides for hire, publicly hold themselves out as pesticide applicators, or engage in large-scale use of pesticides shall be included in the agricultural animal pest control category.

(3) Subcategory 1c—wildlife damage control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides for the management and control of wildlife in rangeland and agricultural areas. Wildlife shall mean non-domesticated vertebrate species which hinder agricultural and rangeland production.

(b) Category 2—forest pest control. This category shall include commercial applicators using or supervising the use of restricted use pesticides in forests, forest nurseries, and forest seed-producing areas.

(c) Category 3—ornamental and turf pest control. This category shall include commercial applicators using or supervising the use of restricted use pesticides to control pests in the maintenance and production of ornamental trees, shrubs, flowers, and turf.

(1) Subcategory 3a—ornamental pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides to control pests in the maintenance and production of ornamental trees, shrubs and flowers.

(2) Subcategory 3b—turf pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides to control pests in the maintenance and production of turf.

(d) Category 4—seed treatment. This category shall include commercial applicators using or supervising the use of restricted use pesticides on seeds.

(e) Category 5—aquatic pest control. This category shall include commercial applicators using or supervising the use of any restricted use pesticide purposefully applied to standing or running water. Applicators engaged in public health-related activities included under subsection h shall be excluded.

(f) Category 6—right-of-way pest control. This category shall include commercial applicators using or supervising the use of restricted use pesticides in the maintenance of public roads, electric powerlines, pipelines, railway rights-of-way or other similar areas.

Applicators engaged in regulatory activities under subsection i shall be excluded.

(g) Category 7—industrial, institutional, structural and health-related pest control. This category shall include commercial applicators using or supervising the use of restricted use pesticides for the protection of stored, processed or manufactured products and in, on, or around food-handling establishments, human dwellings, institutions, schools and hospitals, industrial establishments, including warehouses and grain elevators, and any other structures and adjacent areas, public or private.

(1) Subcategory 7a—wood-destroying pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides in the control of termites, powder post beetles, wood borers, wood rot fungus and any other wood-destroying pest.

(2) Subcategory 7b—stored products pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides in the control of pests in stored grain and food products.

(3) Subcategory 7c—industrial weed control. The subcategory shall include commercial applicators using or supervising the use of restricted use pesticides in the control of pest weeds.

(4) Subcategory 7d—health-related pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides in health programs for the management and control of pests having medical and public health significance.

(5) Subcategory 7e—structural pest control. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides in structures for control of any pest not covered in paragraph (g)(1) of this regulation.

(6) Subcategory 7f—wood preservation and wood products treatment. This subcategory shall include commercial applicators using or supervising the use of restricted use pesticides to extend the life of wooden poles, posts, crossties and other wood products to preserve or protect them from damage by insects, fungi, marine organisms, weather deterioration or other wood-destroying agents.

(h) Category 8—public health pest control. This category shall include state, federal, or other governmental employees using or supervising the use of restricted use pesticides in public health programs for the management and control of pests having medical and public health significance.

(i) Category 9—regulatory pest control. This category shall include state, federal, or other governmental employees who use or supervise the use of restricted use pesticides in the control of federal and state regulated pests.

(1) Subcategory 9a—noxious weed control. This subcategory shall include state or other governmental employees who use or supervise the use of restricted use pesticides in the control of weed pests regulated under the Kansas noxious weed law.

(2) Subcategory 9b—regulated pest control. This

subcategory shall include state, federal or other governmental employees who use or supervise the use of restricted use pesticides in the control of federal or state regulated pests not covered by paragraph (i)(1).

(j) Category 10—demonstration and research pest control. This category shall include:

(1) individuals who demonstrate to the public the proper techniques for application and use of restricted use pesticides or who supervise such a demonstration. Such individuals shall include extension specialists, county agents, commercial representatives demonstrating pesticide products, and those individuals demonstrating methods used in public programs; and

(2) persons who use or supervise the use of restricted use pesticides in conducting field research which involves the use of pesticides. Such persons shall include state, federal, and commercial employees and other persons conducting field research regarding or utilizing restricted use pesticides; and

(3) qualified laboratory personnel using restricted use pesticides while engaged in pesticide research in areas where environmental factors beyond their control, such as wind, rain or similar factors, can affect the safe use of the pesticide or cause it to have an adverse impact on the environment. Such personnel listed in paragraphs (j)(2) and (3) shall not be considered exempt from certification under the provisions of K.S.A. 2-2441(d). (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2444a and 2-2467a; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended May 1, 1985; amended T-87-39, Nov. 19, 1986; amended May 1, 1987.)

**4-13-13. Commercial applicator examination.** (a) Examinations for commercial applicator certification shall test the applicant's knowledge in the following subjects in addition to those subjects set out in K.S.A. 2-2443a (a) through (h).

(1) Each examination shall test the applicant's practical knowledge of pesticide application including:

(A) The general format and terminology of pesticide labels and labeling, the instructions, warnings, symbols and other information appearing on pesticide labels, the classification designation on pesticide labels and the necessity of using each pesticide in a manner which is consistent with information and instructions on its label;

(B) safety factors, including pesticide toxicity, types and causes of pesticide accidents, precautionary measures which are necessary to guard against injury to the applicator and other individuals, symptoms of pesticide poisoning, first aid and other procedures to follow in case of a pesticide accident, and proper identification, storage, transportation of, mixing and handling of pesticides;

(C) the potential for damage to the environment from use and misuse of pesticides as influenced by such factors as types of terrain, soil and other substrata and drainage patterns;

(D) pest development and biology as it may be relevant to pest identification and control;

(E) types of pesticides and pesticide formulations used, compatibility, synergism, persistence and ani-

mal and plant toxicity of pesticides, practices that cause pesticide resistance and dilution procedures.

(F) types of equipment used and the limitations of each, equipment use, maintenance and calibration.

(G) proper application techniques for various pesticides and formulations of pesticide in given situations, relationship of placement of pesticides to proper use, unnecessary pesticide use and pesticide misuse, and prevention of pesticide loss into the environment through drift and other means; and

(H) requirements which must be met by a certified applicator in supervising noncertified applicators of restricted pesticides, including practical knowledge of federal and state supervisory requirements; requirements found on labeling; requirements regarding verifiable instruction of such noncertified applicator and availability of certified applicator during application; and any added restrictions which may be imposed for specific pesticides through labeling including the required physical presence of the supervising applicator during the application.

(2) Each examination shall test the applicant's practical knowledge of the category and subcategory of applicator certification in which the applicant wishes to be certified.

(A) Agricultural pest control.

(i) Each examination for agricultural plant pest control applicators shall test the applicant's practical knowledge of the crops grown in Kansas and the specific pests commonly associated with these crops, potential soil and water damage, preharvest intervals, re-entry intervals, phytotoxicity, environmental contamination, non-target injury and potential adverse effects on the community which are related to the use of restricted pesticides in agricultural areas.

(ii) Each examination for agricultural animal pest control applicators shall test the applicant's practical knowledge of Kansas agricultural animals and their pests, specific pesticide toxicity levels, residue potential and relative hazards associated with various pesticide formulations, application techniques, ages of animals, stress and extent of treatment.

(iii) Each examination for wildlife damage control applicators shall test the applicant's practical knowledge of vertebrate species pests and damage associated with each, methods useful in damage prevention, products used in damage control, the potential for direct poisonings of nontarget species, the potential for secondary poisonings, effects upon threatened and endangered species, specific pesticide toxicity and residue levels, and methods of application necessary to minimize hazards to humans, environment, pets, and domestic animals.

(B) Forest pest control. Each examination for forest pest control applicators shall test the applicant's practical knowledge of types of forests, forest nurseries and forest seed production in Kansas and of the pests associated with them, pest cycles and population dynamics as they influence control programming, biotic agents and their relative vulnerability to pesticides, and proper use of specialized equipment as it relates to adjacent land use.

(continued)

(C) Ornamental and turf pest control.

(i) Each examination for ornamental pest control applicators shall test the applicant's practical knowledge of pest and pesticide problems associated with the production of ornamental trees, shrubs and flowers in Kansas, potential phytotoxicity problems related to the large variety of plants in treated areas, pesticide persistence beyond the intended period of control, and the application methods which minimize hazards to humans, pets and domestic animals.

(ii) Each examination for turf pest control applicators shall test the applicant's practical knowledge of pest and pesticide problems associated with the production of turf in Kansas, potential phytotoxicity problems related to the wide variety of plants in treated areas, pesticide persistence beyond the intended period of control and application methods which minimize hazards to humans, pets and domestic animals.

(D) Seed treatment. Each examination for seed treatment applicators shall test the applicant's practical knowledge of the types of seeds that require protection against pests, factors which may affect germination, including seed coloration, carriers and surface active agents, hazards associated with handling, storing, mixing and misuse of treated seeds and proper disposal of unused treated seeds.

(E) Aquatic pest control. Each examination for aquatic pest control applicators shall test the applicant's practical knowledge of secondary effects caused by improper application rates, incorrect formulations, and faulty aquatic pesticide applications, knowledge of various water use situations and the potential of downstream effects, and knowledge of potential effects on plants, fish, birds, beneficial insects and other organisms in the aquatic environment and of the principles of limited area application.

(F) Right-of-way pest control. Each examination for right-of-way pest control applicators shall test the applicant's practical knowledge of the wide variety of environments crossed by rights-of-way, problems of runoff, drift and excessive foliage destruction, the nature of herbicides, the need for containment of herbicides within the right-of-way area and the impact of applicator's activities on adjacent areas and communities.

(G) Industrial, institutional, structural and health related pest control.

(i) Each examination for wood-destroying pest control applicators shall test the applicant's practical knowledge of wood-destroying pests, their life cycles, pesticide formulations appropriate for their control, methods of application that avoid exposure of people and pets and specific factors which may lead to hazardous conditions, including continuous exposure to the pesticide use.

(ii) Each examination for stored products pest control shall test the applicant's practical knowledge of pests found in stored grain and food processing areas, their life cycles, pesticide formulations appropriate for their control, methods of application that avoid contamination of food products and exposure of people,

and specific factors which may lead to a hazardous condition, including continuous exposure.

(iii) Each examination for industrial weed control applicators shall test the applicant's practical knowledge of weed pests found in industrial areas, pesticide formulations appropriate for their control, methods of application that avoid contamination of habitat and exposure of people and pets, and environmental conditions particularly related to this activity.

(iv) Each examination for health-related pest control applicators shall test the applicant's practical knowledge of vector-disease transmission as it relates to and influences application programs, pests which adversely affect public health, their life cycles and habitats and the variety of environments in which they are encountered.

(v) Each examination for structural pest control applicators shall test the applicant's practical knowledge of the wide variety of pests found in buildings, including their life cycles; types of pesticide formulations appropriate for their control and methods of application that avoid contamination of food, damage and contamination of habitat and exposure of people and pets; specific factors which may lead to a hazardous condition, including continuous exposure in the various situations encountered in this category; and environmental conditions particularly related to this activity.

(vi) Each examination for wood preservation and wood-products treatment applicators shall test the applicant's practical knowledge of pest problems and pests associated with wood degradation, including their life cycles, types of pesticide formulations appropriate for their control, methods of application, application hazards and safety, proper means of container storage, container and waste disposal, procedures to contain spills and to avoid contamination and exposure of the environment including people, domestic animals and wildlife.

(H) Public health pest control. Each examination for public health pest control applicators shall test the applicant's practical knowledge of vector-disease transmission as it relates to and influences application programs, pests which adversely affect public health, their life cycles and habitats, the variety of environments in which they are encountered and the importance of such non-chemical control methods as sanitation, waste disposal and drainage.

(I) Regulatory pest control.

(i) Each examination for noxious weed control applicators shall test the applicant's practical knowledge of pest weeds as regulated by the Kansas noxious weed law, the potential impact on the environment of restricted use pesticides used in suppression and eradication programs, and factors influencing introductions, spread, and population dynamics of those pest weeds.

(ii) Each examination for regulated pest control applicators shall test the applicant's practical knowledge of federal and state-regulated pests, applicable laws relating to quarantine and other regulations regarding pests, the potential impact on the environment of restricted use pesticides used in suppression and

eradication programs, factors influencing introductions, spread and population dynamics of relevant pests.

(J) Demonstration and research pest control. Each examination for demonstration and research pest control applicators shall test the applicant's practical knowledge of the many different pest problems encountered in the course of activities associated with demonstration, field research and method improvement work, pesticide-organism interactions and the importance of integrating pesticide use with control methods. Such applicators shall meet the examination requirements for application in the other categories which are applicable to their particular activity.

(b) Any emergency examination administered to applicants for temporary commercial applicator permits under K.S.A. 2-2442 shall be the same examination as is required under K.S.A. 2-2443 and the preceding portions of this regulation.

(c) A grade of 70% correct answers shall be required to pass any commercial applicator examination. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2443a and 2-2467a; effective, E-78-26, Sept. 7, 1977; effective May 1, 1978; amended May 1, 1985; amended T-87-39, Nov. 19, 1986; amended May 1, 1987.)

**4-13-29. General use pesticides for household application or use for the purpose of pesticide dealer registrations.** General use pesticide products sold for household application or use shall include only those ready-to-use general use pesticide products which:

(a) are to be applied undiluted, in accordance with use instructions shown on the pesticide's label; and

(b) are to be applied by homeowners or occupants to control pests in and around the family dwelling and associated structures. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 1985 Supp. 2-2469; effective May 1, 1987.)

**4-13-30. Dealer recordkeeping requirements.** (a) Each pesticide dealer shall maintain records regarding sales of restricted use pesticide products. These records shall be made available during reasonable business hours to the secretary or the secretary's authorized representative for purposes of inspection and copying. Each record shall be kept for a minimum of two years after the date of the sale.

(b) The records shall contain the following information:

(1) The name and address of the residence or principal place of business of each person to whom the restricted use pesticide product has been sold;

(2) the name and address of the residence or principal place of business of the individual to whom the restricted use pesticide product has been delivered or made available if different from the purchaser;

(3) the certification number of applicator's certificate;

(4) the name of the state issuing the certificate;

(5) the expiration date of the certificate;

(6) if the applicator is a certified commercial applicator of pesticides, the categories and subcategories, if applicable, in which the applicator is certified;

(7) the registered name of the restricted use pesticide product, its EPA registration number and the state special local need registration number, if any;

(8) the quantity of the restricted use pesticide product sold; and

(9) the date of the transaction.

(c) If the pesticide dealer makes a restricted use pesticide product available to an uncertified person for use by a certified applicator, the following additional records shall be kept:

(1) The name and address of the residence or principal place of business of the uncertified person to whom the restricted use pesticide product has been made available; and

(2) the name and address of the residence or principal place of business of the certified applicator who will use the restricted use pesticide product.

(d) Each pesticide dealer shall submit an annual report for each restricted use pesticide product sold. The report shall include:

(1) the registered name of the restricted use pesticide product, its EPA registration number and the state special local need registration number, if any; and

(2) the quantity sold of the restricted use pesticide product. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 1985 Supp. 2-2469; effective, T-86-27, Aug. 19, 1985; effective May 1, 1986; amended May 1, 1987.)

#### Article 16.—MEAT AND MEAT PRODUCTS INSPECTION

**4-16-250. Adoption by reference.** The United States department of agriculture, food safety and inspection service agriculture handbook 570 entitled "U.S. Inspected Meat and Poultry Packing Plants—a Guide to Construction and Layout," as published and revised in April, 1984 is hereby adopted by reference. Copies of this material or the pertinent portions of it are available from the office of meat and poultry inspection, division of inspections of the state board of agriculture, Topeka, Kansas. This regulation shall apply to meat plants in the state built or planned for construction on or after May 1, 1987. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a25, 65-6a30 and 65-6a35; effective May 1, 1987.)

**4-16-251. Adoption by reference.** The United States department of agriculture, food safety and inspection service handbook entitled "Federal Facilities' Requirements for Small Existing Meat Plants," as published and revised in April, 1985, is hereby adopted by reference and shall apply to existing meat plants in the state. Copies of this material or the pertinent portions of it are available from the office of meat and poultry inspection, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by K.S.A. 65-6a44; implementing K.S.A. 65-6a25, 65-6a30 and 65-6a35; effective May 1, 1987.)

#### Article 20.—CHEMIGATION

**4-20-4. Permits.** No individual shall supervise

(continued)

more than 10 operating chemigation units at one time.

Each individual possessing a chemigation user permit shall be responsible for insuring that those persons who work under his or her direct supervision and who handle pesticides:

- (a) are knowledgeable in the use of the pesticide;
- (b) are knowledgeable concerning the proper calibration methods for the pesticide;
- (c) are knowledgeable regarding the injection devices and anti-pollution devices being used in the system;
- (d) follow all applicable directions on the pesticide's label; and
- (e) use all safety precautions pertaining to that pesticide. (Authorized by K.S.A. 1985 Supp. 2-3309; implementing K.S.A. 1985 Supp. 2-3306; effective, T-86-27, Aug. 19, 1985; effective May 1, 1986; amended May 1, 1987.)

#### Article 25.—BOARD OF AGRICULTURE PUBLICATIONS

**4-25-1. Annual report fee.** (a) The fee for the annual report of the state board of agriculture shall be \$5.00 per copy.

(b) Upon request, the fee prescribed in subsection (a) may be waived for the first copy requested by a potential supplier of agricultural data.

(c) For the purposes of this regulation, a potential supplier of agricultural data shall include:

- (1) any person who owns or operates a farm, ranch or feedlot located in Kansas;
- (2) any person who buys farm products in an amount of \$1,000.00 or more directly from farms or ranches located in Kansas;
- (3) any person who sells directly to farmers or ranchers operating in Kansas equipment or supplies directly necessary for the production of food and fiber; or

(4) any state, county or federal agency which supplies data used in the annual report of the state board of agriculture. (Authorized by and implementing L. 1986, Ch. 24, section 2; effective T-87-39, Nov. 19, 1986; effective May 1, 1987.)

**SAM BROWNBACK**  
Secretary of Agriculture

Doc. No. 005081

(Published in the KANSAS REGISTER, February 26, 1987.)

#### HOUSE BILL No. 2398

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

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

Section 1. Any unified school district which, prior to the effective date of this act, has authorized, pursuant to the provisions of K.S.A. 72-6761, and amendments thereto, the issuance of general obligation bonds of the school district in the amount of \$2,000,000, for the purpose of providing funds for constructing a new elementary school within the district, and conducted a bond election therefor under the mail ballot election act, and a majority of the qualified electors of the school district voting on the question voted in favor of the issuance of the bonds, is hereby authorized to issue and sell such bonds in the manner provided by law notwithstanding the fact that insufficient published notice of the bond sale was given. All proceedings for the issuance of such bonds and all bonds issued pursuant thereto are hereby validated and confirmed. The total amount of bonds issued under authority of this act shall not exceed the amount of \$2,000,000.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body February 17, 1987.

**JAMES D. BRADEN**  
*Speaker of the House.*  
**GENEVA SEWARD**  
*Chief Clerk of the House.*

Passed the SENATE February 17, 1987.

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

APPROVED February 19, 1987.

**MIKE HAYDEN**  
*Governor.*

STATE OF KANSAS  
Office of Secretary of State

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

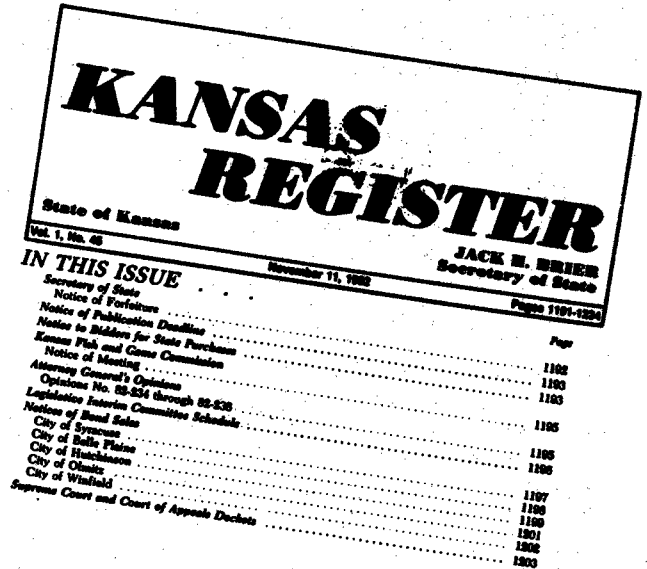
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 20th day of February, 1987.

**BILL GRAVES**  
*Secretary of State.*

(SEAL)

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