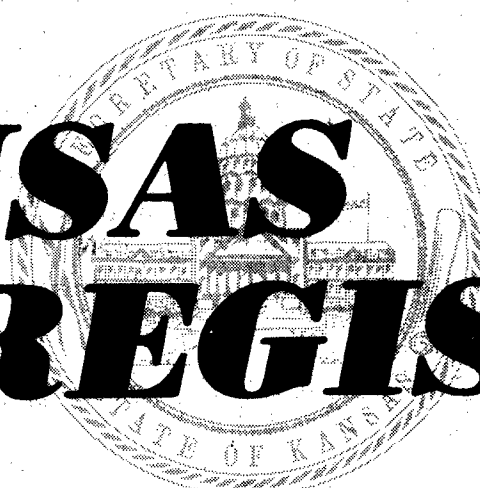


KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

Vol. 6, No. 13

March 26, 1987

Pages 425-472

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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 March 7 through March 23:

State Corporation Commission

Rich Kowalewski, 8215 Halsey, Lenexa 66215. Effective March 20, 1987. Subject to Senate confirmation. Term expires March 19, 1991. Succeeds C. Michael Lennen.

Credit Union Council

Duane C. Raine, 1229 Webster, Topeka 66604. Effective March 12, 1987. Subject to Senate confirmation. Term expires June 11, 1987. Succeeds Joanne Bauer, resigned.

Dealer Review Board

Ronald G. Collins, 104 W. 22nd, Hutchinson 67502.

Effective March 12, 1987. Term expires June 30, 1987. Succeeds Joseph L. Heisler, resigned.

State Grain Inspection Department

Thomas D. Wilson, 933 Sunrise Drive, Salina 67401. Effective April 18, 1987. Subject to Senate confirmation. Serves at the pleasure of the Governor. Succeeds Gary M. Bothwell, Acting Director.

Historic Sites Board of Review

John Hauptli, 110 Overhill Road, Salina 67401. Effective March 18, 1987. Serves at the pleasure of the Governor.

Public Employees Relations Board

Rep. Dorothy N. Nichols, 229½ S. Main, Ottawa 66067. Effective March 18, 1987. Subject to Senate confirmation. Term expires July 1, 1990. Succeeds James Mangan, resigned.

Morris County Register of Deeds

Mary Allen, 317 N. Mission, Council Grove 66846. Effective March 12, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Margaret Johnson, deceased.

BILL GRAVES
Secretary of State

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Phone: (913) 296-3489

State of Kansas

**DEPARTMENT OF ADMINISTRATION
EMPLOYEE AWARD BOARD****NOTICE OF MEETING**

The Employee Award Board will meet at 1:30 p.m. Friday, March 27, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

DEBRA L. MILLER
Chairperson

Doc. No. 005175

State of Kansas

**STATE BANK COMMISSIONER
STATE BANKING BOARD****NOTICE OF MEETING**

The State Banking Board will meet at 10 a.m. Monday, April 20, 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. 005163

State of Kansas

STATE CORPORATION COMMISSION**NOTICE OF HEARING**

The State Corporation Commission has issued an order to show cause to Energy Oil, Inc. and Donald Ziegelmeier with regard to why the requisite care and control has not been exercised with respect to three abandoned wells on property in Thomas County, described as the Southwest Quarter (SW/4) of Section 12, Township 06 South, Range 32 West, and the Northeast Quarter (NE/4) of Section 13, Township 06 South, Range 32 West; and to Midland Enterprises, Inc., Jonathan Garrett, Seeker Oil Inc. and Richard A. Schiffelbein with regard to why the requisite care and control has not been exercised with respect to an abandoned well on property in Franklin County, described as the Northeast Quarter (NE/4) of Section 07, Township 16 South, Range 21 East.

The matters are set for hearing at 10 a.m. Tuesday, March 31, in the hearing room of the Conservation Division, 300 Colorado Derby Building, 202 W. 1st, Wichita.

JAMES E. BROWNE
Assistant General Counsel

Doc. No. 005164

State of Kansas

ATTORNEY GENERAL**Opinion No. 87-45**

Cities of the Third Class; Government by Mayor and Council and General Laws Applicable to Cities of the Third Class—Election, Appointment and Removal of Officers—Husband and Wife Serving as Council Members.

State Departments; Public Officers and Employees; Open Public Meetings—Husband and Wife Serving on Five-Member Board; Definition of "Meeting." Charles F. Bennett, City Attorney, Erie, March 12, 1987.

The mere fact that two members of a five-member city council in a city of the third class are married to each other does not violate the open meetings law or any other Kansas statute. Cited herein: K.S.A. 12-3002; 13-2903; 15-101; 15-106; 15-201; 15-209; 75-4317; 75-4317a; K.S.A. 1986 Supp. 75-4318. RLN

Opinion No. 87-46

Schools—Provisions Related to Common-School Districts—School Attendance. Senator Nancy Parrish, 19th District, Topeka, March 12, 1987.

In Kansas, every child has a constitutional and statutory right to attend the public schools, subject to reasonable regulations adopted by the board of education (*Nutt v. Board of Education*, 128 Kan. 507 (1929); Kan. Const., Art. 6, § 5, as amended in 1986). A regulation is "reasonable" if it furthers the educational mission. In our opinion, a regulation which denies a minor child admission to a public school solely because the child has obtained a G.E.D. is not reasonable. However, depending on the facts and circumstances of the particular case, a regulation which delays enrollment for a certain amount of time or until certain requirements are met may be appropriate. Cited herein: K.S.A. 72-1046; 72-1046a; 72-1107; 72-1111; 72-4530; 72-5209; 72-8201; K.A.R. 1986 Supp. 91-10-1; Kan. Const., Art. 6, §§ 1, 5. RLN

Opinion No. 87-47

Consumer Credit Code—Insurance; Insurance in General; Consumer Credit Insurance; Property and Liability Insurance. Judith K. Stringer, Consumer Credit Commissioner, Topeka, March 12, 1987.

In determining the limitations on a creditor's sale of insurance, a distinction must be drawn between consumer credit sales and consumer loans. A further distinction is made between consumer credit insurance and property insurance which is related to a consumer credit transaction. Cited herein: K.S.A. 16a-1-301; 16a-3-301; 16a-4-202; 16a-4-301. JLM

ROBERT T. STEPHAN
Attorney General

Doc. No. 005172

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 March 12-18:

House Bills

- HB 2564**, by Committee on Appropriations: An act relating to prepaid service plans; concerning regulation thereof; imposing certain requirements; certificates of registration; prohibitions; prescribing powers, duties and functions for the commissioner of insurance.
- HB 2565**, by Committee on Appropriations: An act concerning the Kansas state grain inspection department; relating to net worth requirements for public warehousemen; providing for increase in bushel rate; relating to warehouse examinations; amending K.S.A. 34-228 and repealing the existing section.
- HB 2566**, by Committee on Appropriations: An act concerning the Kansas state grain inspection department; relating to the bonding of warehouses; authorizing acceptance of a certificate of deposit or letter of credit in lieu of a bond; authorizing rules and regulations.
- HB 2567**, by Committee on Appropriations: An act concerning the Kansas state grain inspection department; relating to license fees to be charged by the warehouse division thereof; defining functional unit; amending K.S.A. 34-228 and repealing the existing section; also repealing K.S.A. 34-228a.
- HB 2568**, by Committee on Appropriations: An act relating to certain sales of grain received in a public warehouse; sale to public warehouseman voidable by producer under certain circumstances.
- HB 2569**, by Committee on Federal and State Affairs: An act concerning domestic water rights; imposing a certain limitation on the acquisition thereof; amending K.S.A. 82a-705a and repealing the existing section.
- HB 2570**, by Committee on Federal and State Affairs: An act concerning water use; providing a procedure for investigation and determination of unreasonable diversion thereof; imposing certain duties on the chief engineer of the division of water resources.
- HB 2571**, by Committee on Federal and State Affairs: An act concerning alcoholic liquor; eliminating provisions for certain exclusive territorial franchises; amending K.S.A. 41-701 and repealing the existing section; also repealing K.S.A. 41-410, 41-411, 41-412 and 41-1101.

Senate Bills

- SB 377**, by Committee on Ways and Means: An act concerning civil procedure; concerning certain evidence; repealing K.S.A. 1986 Supp. 60-3403.
- SB 378**, by Committee on Federal and State Affairs: An act relating to motor vehicle fuels taxes; providing for a border rate tax area.
- SB 379**, by Committee on Ways and Means: An act concerning the health care provider insurance availability act; relating to certain persons engaged in postgraduate training programs; liability of health care stabilization fund; amending K.S.A. 40-3401 and 40-3403 and repealing the existing sections.
- SB 380**, by Committee on Ways and Means: An act regulating traffic; concerning clinging to outside of moving vehicle; amending K.S.A. 1986 Supp. 8-2118 and repealing the existing section.
- SB 381**, by Committee on Ways and Means: An act establishing the Kansas honors scholarship program for Kansas honor students.
- SB 382**, by Committee on Ways and Means: An act concerning unified school district No. 512, Johnson county; providing for the issuance of general obligation bonds thereof for certain purposes; imposing conditions; amending K.S.A. 72-6761 and repealing the existing section.
- SB 383**, by Committee on Ways and Means: An act relating to transfers from the state general fund; relating to the local ad valorem tax reduction fund and the county and city revenue sharing fund; amending K.S.A. 79-2959 and 79-2964 and repealing the existing sections.
- SB 384**, by Committee on Ways and Means: An act relating to transfers from the state general fund to the state highway fund; amending K.S.A. 79-34,147 and repealing the existing section.
- SB 385**, by Committee on Ways and Means: An act concerning the state board of regents; authorizing the construction of a second multilevel parking facility at the university of Kansas medical center and authorizing the issuance of revenue bonds therefor.
- SB 386**, by Committee on Ways and Means: An act concerning boards of zoning appeals; amending K.S.A. 12-714 and repealing the existing section.
- SB 387**, by Committee on Ways and Means: An act concerning the committee on surety bonds and insurance; authorizing the negotiation of certain insurance contracts; amending K.S.A. 1986 Supp. 75-4105 and repealing the existing section.
- SB 388**, by Committee on Ways and Means: An act amending the Kansas retailers' sales tax act; concerning exemptions of schools and educational institutions therefrom; amending K.S.A. 1986 Supp. 79-3606 and repealing the existing section.
- SB 389**, by Committee on Ways and Means: An act concerning scholarships available to medical students; relating to obligations of agreements for such scholarships; amending K.S.A. 1986 Supp. 76-374, 76-375 and 76-376 and repealing the existing sections.
- SB 390**, by Committee on Ways and Means: An act concerning the university of Kansas hospital fund; providing for transfers of moneys thereto from the hospital revenue fund of the university of Kansas medical center; amending K.S.A. 76-827 and repealing the existing section.
- SB 391**, by Committee on Ways and Means: An act concerning civil procedure; concerning certain evidence; repealing K.S.A. 1986 Supp. 60-3403.

Resolutions

- HR 6047**, by Representatives Amos, Beauchamp, Empson, Gatlin, Gross, Kennard, Larkin, Mead, Russell, Sader, Sawyer, Schauf, Sebelius, Shallenburger, Weimer and Wells: A resolution designating March 12, 1987, as "Freshman Day" in the Kansas Legislature.
- HR 6048**, by Representative Aylward: A resolution congratulating the City of Herington on its Centennial Anniversary.
- HR 6049**, by Committee on Energy and Natural Resources: A resolution recognizing the positive role that forests and trees play in enhancing our Kansas environment and commemorating the action of the 1887 Kansas Legislature in making Kansas the fifth state in the nation to establish a state forestry agency, and recognizing the week of March 15 through March 21, 1987, as Kansas Forest Resources Week.
- HR 6050**, by Representative Beauchamp: A resolution congratulating Parmelee Products on its 25th anniversary of being located in Ottawa.

HR 6051, by Representative Beauchamp: A resolution congratulating and commending the Wellsville High School boys' basketball team and its coach, Kermit Deterding, on winning the 1987 Class 3A State Basketball Championship in Kansas.

HR 6052, by Representatives Brady and Knopp: A resolution congratulating and commending the Parsons High School boys' basketball team and its coach, Terry Taylor, on winning the 1987 Class 5A State Basketball Championship in Kansas.

SCR 1608, by Senators Johnston, Anderson, Feleciano, Francisco, Gaines, Gannon, Karr, Martin, Mulich, Parrish, Steineger and Strick: A proposition to amend article 14 of the constitution of the state of Kansas by adding a new section thereto, relating to amendment of the constitution by propositions initiated by qualified electors of the state.

SCR 1609, by Senators Johnston, Anderson, Daniels, Feleciano, Francisco, Gaines, Gannon, Karr, Martin, Mulich, Norvell, Parrish, Steineger, Strick and Warren: A proposition to amend section 1 of article 10 of the constitution of the state of Kansas, relating to reapportionment of senatorial and representative districts.

SR 1833, by Senator Montgomery: A resolution congratulating the City of Herington on its Centennial Anniversary.

SR 1834, by Senator Arasmith: A resolution congratulating and commending the City of Munden on its Centennial Anniversary.

SR 1835, by Committee on Energy and Natural Resources: A resolution recognizing the positive role that forests and trees play in enhancing our Kansas environment, commemorating the action of the 1887 Kansas Legislature in making Kansas the fifth state in the nation to establish a state forestry agency, and recognizing the week of March 15 through March 21, 1987, as Kansas Forest Resources Week.

SR 1836, by Senator Johnston: A resolution congratulating and commending the Parsons High School boys' basketball team and its coach, Terry Taylor, on winning the 1987 Class 5A State Basketball Championship in Kansas.

SR 1837, by Senator Allen: A resolution congratulating and commending the Wellsville High School boys' basketball team and its coach, Kermit Deterding, on winning the 1987 Class 3A State Basketball Championship in Kansas.

SR 1838, by Senator Arasmith: A resolution congratulating and commending the City of Lebanon on its Centennial Anniversary.

SR 1839, by Senators Hoferer, Parrish and Salisbury: A resolution congratulating and commending the Hayden High School boys' basketball team and its coach, Ben Meseke, on winning the 1987 Class 4A State Basketball Championship in Kansas.

SR 1840, by Senator Montgomery: A resolution congratulating and commending the Onaga High School girls' basketball team and its coach, David Schmidt, on winning the 1987 Class 2A State Basketball Championship in Kansas.

SR 1841, by Senator Hoferer: A resolution commending the youth of Topeka and certain agencies involved in the "Teens Are Concerned" Conference.

SR 1842, by Senators Talkington, Burke and Johnston: A resolution congratulating and commending the Kansas Highway Patrol on its 50 years of service to the citizens of the State of Kansas.

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. local time on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, APRIL 6, 1987

#26390

Department of Transportation—DRUM PLOTTER
AND ELECTROSTATIC PLOTTER SUPPLIES

#26816 (Re-Bid)

Department of Revenue—POLICE TYPE
UNIFORM COMPONENTS

#27028

Statewide—PHARMACEUTICALS

#68576

University of Kansas Medical Center—
SPECTROPHOTOMETER

#68577

Department of Human Resources—CONTINUOUS
MAILERS "K-CNS 403"

#68581

Wichita State University—ENERGY
MANAGEMENT SYSTEM ACCESSORIES

#68586

Kansas State University—USED MINI BUS

#68615

Kansas State University—MILO

#68625

University of Kansas—PAPER, PRINTING AND
BINDING

TUESDAY, APRIL 7, 1987

#A-5532

Youth Center at Beloit—REPLACE CONCRETE
SIDEWALKS

#A-5719

Adjutant General's Department—ADDITION TO
U.S.P. AND F.O. HEADQUARTERS BUILDING H-1

#27043

Statewide—X-RAY FILM AND SUPPLIES
(CLASS 13)

#27525

Winfield State Hospital and Training Center—
MISCELLANEOUS GROCERIES

#68355-A

Department of Transportation—TYPE 1, PRESSURE
RELIEF JOINT FILLER, Chanute

#68590

Kansas State University—LAB OSCILLOSCOPE

#68591

Kansas State University—LAB PUMP

#68592

Department of Corrections—SPORT VAN, Wichita

#68594

Kansas State University—LIQUID HELIUM
CONTAINER

#68595

Kansas Fish and Game Commission—VIDEO
EQUIPMENT

#68603

Department of Transportation—TRUCKS, various
locations

#68604

Kansas Correctional Industries—CHEMICALS

WEDNESDAY, APRIL 8, 1987

#A-5550

Norton State Hospital—REPLACE LIGHT
FIXTURES, RESIDENT ROOMS, Kenny Building

#A-5740

Kansas State School for the Deaf—REPLACE
METAL MANSARD ROOF, SEALY LAMM DINING
AREA, Roth Administration Building

#27064

Statewide—AUTOMOTIVE SUPPLIES

#27066

Department of Transportation—TEMPORARY
PAVEMENT MARKING TAPE

#68160-A

Department of Transportation—PLANT MIX
BITUMINOUS MIXTURE, Netawaka

#68606

Youth Center at Topeka—LAWN EQUIPMENT

#68607

Department of Transportation—AGGREGATE,
Wyandotte County

#68608

Department of Transportation—PAVEMENT
MARKING TAPE, various locations

#68609

Kansas State University—DIPLOMA COVERS

#68613

Department of Transportation—POLES AND MAST
ARMS, Wichita

#68614

University of Kansas Medical Center—FURNISH
AND INSTALL POWER MANAGEMENT CENTER

#68617

Department of Transportation—TESTING
EQUIPMENT

#68620

University of Kansas—MICROCOMPUTER
SYSTEM**THURSDAY, APRIL 9, 1987**

#27119

University of Kansas Medical Center—ANIMAL
BEDDING

#68622

University of Kansas Medical Center—LAB
CENTRIFUGE

#68623

Kansas State University—AMPLIFIERS/PHYSICS
EQUIPMENT

#68626

Department of Transportation—ASPHALT
STORAGE TANK, HUTCHINSON

#68627

Kansas State University—MAINFRAME
SOFTWARE

#68632

Department of Transportation—SHALLOW POND
WITH A CONTROLLED OUTLET AND
EMERGENCY OVERFLOW, Kingman County**FRIDAY, APRIL 10, 1987**

#68619

Kansas State University—LAB EQUIPMENT,
USAID PAKISTAN

#68631

University of Kansas Medical Center—LOUNGE
SEATING

#68633

Kansas State University—WORKBENCHES AND
STORAGE CABINETS

#68634

University of Kansas—COLOR PRINTER/
PLOTTER—DATA GENERAL COMPATIBLE

#68635

Adjutant General's Department—CONCRETE SLAB

#68636

Department of Human Resources and Wichita State
University—LASER PRINTER/PRINTER

#68637

Kansas State University—PORTFOLIOS

#68642

Adjutant General's Department—TWO-WAY RADIO
EQUIPMENT**WEDNESDAY, APRIL 15, 1987**

#27601-A

Department of Social and Rehabilitation
Services—PHARMACEUTICALS/SRS**THURSDAY, APRIL 23, 1987**

#68616

Department of Human Resources—AUDITING
SERVICES**MONDAY, APRIL 27, 1987**

#27609

Youth Center at Atchison—LEASE OF HAY LAND

MONDAY, MAY 4, 1987

#27030

Kansas Highway Patrol—AIRCRAFT INSURANCE

NICHOLAŠ B. ROACH
Director of Purchases

- Doc. No. 005178

State of Kansas

BOARD OF REGENTS

NOTICE OF HEARING
ON PROPOSED TRAFFIC REGULATIONS
AT KANSAS TECHNICAL INSTITUTE

A public hearing will be held concerning the adoption by Kansas Technical Institute of regulations governing traffic and parking facilities at Kansas Tech at 9 a.m. Tuesday, April 21, in the Resource Center Audiovisual Room, Kansas Technical Institute, Salina.

The following is a summary of the substance of the proposed changes:

Parking Permit Fees. The current regulations establish the fees for parking permits. Proposed amendments provide for the following:

- The Kansas Tech parking permit to be a condition of employment for faculty and staff at Kansas Technical Institute with no fee charged for a permit on one vehicle.
- The Kansas Tech reserved parking permit (restricted to faculty and staff) annual fee will change to \$5.
- The night student parking permit will now include part-time students on campus for Saturday classes.
- Replacement permits for those lost, damaged, etc., will now cost \$2 each.

A change in the narrative throughout the regulations eliminate the initials KTI and the references are now made to Kansas Tech.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted, but must be received prior to the hearing. Written comments or a request for copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to James A. Friesen, Director of Operations, Kansas Technical Institute, 2409 Scanlan Ave., Salina 67401.

TED D. AYRES
General Counsel

Doc. No. 005184

State of Kansas

BOARD OF REGENTS

NOTICE OF HEARING
ON PROPOSED TRAFFIC REGULATIONS
AT KANSAS STATE UNIVERSITY

A public hearing will be held concerning the adoption by the Board of Regents of the regulations governing traffic and parking on the roads, streets, driveways and parking facilities at Kansas State University at 3 p.m. Monday, April 13, in the Student Union Building, Big 8 Room, Kansas State University, Manhattan.

The regulations were completely rewritten and restructured to make them more easily understood by combining certain sections with other relative sections.

The following is a summary of the substance of the rules and proposed changes:

I.A., paragraph 1. State vehicles will require permits if parked on central campus, effective July, 1987.

II.A., paragraph 3. Organizational units of the university may purchase faculty/staff permits for use by state vehicles and private vehicles.

II.A., paragraph 4. A parking permit is required for vehicles used by attendees of continuing education courses or conferences. The conference sponsor is responsible for obtaining the appropriate daily or weekly permits from, and collecting the fee for, the KSU policy.

II.B., last paragraph. A refund policy has been included.

II.C., paragraph 3. Resident hall and Jardine Terrace residents may purchase student or faculty/staff permits as appropriate.

II.D., paragraph 1. Faculty/staff permits are valid from February 1 through January 31 of the following year.

III.B. Faculty, staff and students may park in any general parking area after hours, on weekends and when school is not in session.

VII.B., paragraphs 1-5. The violations were restructured to go from least severe (Group I) to most severe (Group 5).

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to John P. Lambert, Director of Public Safety, Ward Hall, Kansas State University, Manhattan 66506.

TED D. AYRES
General Counsel

Doc. No. 005180

State of Kansas

BOARD OF REGENTS

**NOTICE OF HEARING
ON PROPOSED TRAFFIC REGULATIONS
AT THE UNIVERSITY OF KANSAS
MEDICAL CENTER**

A public hearing will be held concerning the adoption by the Board of Regents of regulations governing traffic and parking on the roads, streets, driveways and parking facilities at the University of Kansas Medical Center at 1 p.m. Monday, April 6, at the University of Kansas Medical Center, Battenfield Auditorium, Olathe and Rainbow Blvd., Kansas City.

The following is a summary of the substance of the rules and the proposed changes:

1. School of Medicine, Wichita, will be subject to Medical Center rules and regulations.
2. Fourth paragraph of section 1 has been dropped.
3. The word "regular" has been dropped and the word "facilities" has been exchanged for the word "lots" in sentence two, section 2.
4. In section 2.1, Wichita campus has been added and a new application process has been established.
5. The words "designed by section 5.2" have been dropped.
6. Section 2.3 has been changed from "Handicapped" to "Medical Parking."
7. Section 2.4 redefines handicapped parking to conform to state land.
8. Section 2.16, "Board of Regents permits," has been moved to section 2.2.
9. Section 3.1 has been changed to reflect new times of meter enforcement.
10. Surface parking restrictions have been added to section 4.1 for the Wichita campus.
11. Restrictions have been added to Wichita campus parking in section 5.0.
12. Section 5.5, "Clergy Permits," has been moved to section 3.4.
13. Orange color zone has been added to section 2.1 and 9.0 for Wichita campus.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted but must be received prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to A. J. Yarmat, Ph.D., Associate Vice Chancellor for Academic Affairs, Room A-201, University of Kansas Medical Center, 39th and Rainbow Blvd., Kansas City 66103.

TED D. AYRES
General Counsel

Doc. No. 005181

State of Kansas

BOARD OF REGENTS

**NOTICE OF HEARING
ON PROPOSED TRAFFIC REGULATIONS
AT THE UNIVERSITY OF KANSAS
MEDICAL CENTER AT WICHITA**

A public hearing will be held concerning the adoption by the Board of Regents of regulations governing traffic and parking on the roads, streets, driveways and parking facilities at the University of Kansas School of Medicine at 3 p.m. Thursday, April 9, at the University of Kansas School of Medicine, Medical School Lecture Hall, Wichita.

The following is a summary of the substance of the rules and proposed changes:

1. School of Medicine, Wichita, will be subject to Medical Center rules and regulations.
2. Fourth paragraph of section 1 has been dropped.
3. The word "regular" has been dropped and the word "facilities" has been exchanged for the word "lots" in sentence two, section 2.
4. In section 2.1, Wichita campus has been added and a new application process has been established.
5. The words "designed by section 5.2" have been dropped.
6. Section 2.3 has been changed from "Handicapped" to "Medical Parking."
7. Section 2.4 redefines handicapped parking to conform to state land.
8. Section 2.16, "Board of Regents permits," has been moved to section 2.2.
9. Section 3.1 has been changed to reflect new times of meter enforcement.
10. Surface parking restrictions have been added to section 4.1 for the Wichita campus.
11. Restrictions have been added to Wichita campus parking in section 5.0.
12. Section 5.5, "Clergy Permits," has been moved to section 3.4.
13. Orange color zone has been added to section 2.1 and 9.0 for Wichita campus.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted but must be received prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to Edward Huycke, M.D., University of Kansas School of Medicine, Wichita 67214.

TED D. AYRES
General Counsel

Doc. No. 005182

State of Kansas

BOARD OF REGENTS

**NOTICE OF HEARING
ON PROPOSED TRAFFIC REGULATIONS
AT EMPORIA STATE UNIVERSITY**

A public hearing will be held concerning the adoption of regulations governing traffic and parking on the roads, streets, driveways and parking facilities at Emporia State University at 2 p.m. Wednesday, April 15, in the Memorial Union Messenger Room, Emporia State University campus, 1200 Commercial, Emporia.

The following is a summary of the substance of the rules and proposed changes:

I. Parking, effective when. The regulations specify the times and locations for parking restrictions at Emporia State University. The proposed amendment would remove restrictions of "F" and "G" parking lots and change restrictions to all lots to reflect the change in class schedule times (from half-hour to hour).

II. Same, prohibited when. The regulations specify locations in which parking is prohibited and provide for a permit issued by the Board of Regents. The proposed amendment would remove the statement concerning visitor's vehicles to be consistent with Article III.

III. Same, visitors. These regulations specify conditions under which visitors may legally park on the Emporia State campus. The amendment would remove time restrictions on visitor parking, adding other designated areas and the necessity and manner of obtaining visitor's permits, and change the statement from "shall not be charged" to "have the privilege of not being charged."

IV. Same, parking permits. The regulations establish the procedure by which parking permits for vehicles may be obtained, the types of parking permits available, the fees charged for such permits, and the procedure for acquiring a "Handicapped" permit, "Service Vehicle" permit and "Special Duty" permit.

(1) **Physical Handicapped**—No amendment proposed.

(2) **Special Duties**—The amendment would remove students, add staff, and remove the statement concerning marked areas (they do not exist).

(3) **Loading Zone Permits**—The amendment would change the name to service vehicle permit and drop temporary permit cards (they do not exist).

(4) **Parking Permits, General**—The amendment would change "B" permits to residents of Morse residence halls and students not living on campus dormitories; change "F" and "G" permits to residents of Twin Towers and Singular-Trusler residence halls; remove students from purchases of "A" handicap permit; and add "C" permits for commuting students.

The fee schedule will be changed to reflect the following:

Permit type	From	To
"A" School Year	\$30.00	\$35.00
"A" Semester Only	\$18.00	\$21.00
"A" Summer Only	\$12.00	\$14.00
"B", "F", "G" School Year	\$24.00	\$28.00
"B", "F", "G" Semester Only	\$15.00	\$17.00
"B", "F", "G" Summer Only	\$ 8.50	\$10.00
"C" School Year	-0-	\$24.00
"C" Semester Only	-0-	\$15.00
"C" Summer Only	-0-	\$ 8.50
"M" School Year	\$ 2.25	\$ 2.50
"B" Weekly	\$ 1.00	\$ 2.00

V. Same, acts prohibited. These regulations specify prohibited acts for which misuse penalties may be assessed. No amendments are proposed.

VI. Same, misuse of areas. The regulations specify the penalties for misuse of parking areas. The proposed amendment would (a) Change two dollar (\$2) violations to five dollars (\$5) violations and change name of "Traffic and Parking Committee" to "Parking Violation Review Panel," and (b) Remove complete statement concerning major violations to be consistent with item (a).

VII. Same, appeals. The regulations establish the procedure for appeals from a charge of misuse of a parking area. The amendment would add "visitor" to all statements and change the name of "Traffic and Parking Committee" to "Parking Violation Review Panel."

VIII. Parking Permits. The regulations specify the location for parking permits on the vehicle. The amendment would change location of parking permit placement from rear bumper to rear window and add location placement of "special" and "pool" permits.

IX. Same, signs and markings. These regulations authorize use of signs and markings, and establish other restrictions necessary for the best use of roads, streets, driveways and parking facilities. The amendment would remove metered areas (does not exist).

X. Speed limit. The regulations establish the legal speed limit for all vehicles operated on the campus. No amendments are proposed.

XI. Vehicles and pedestrians, conduct. These regulations regulate the conduct of vehicles and pedestrians on the campus. No amendments proposed.

XII. Vehicles, operation and condition, traffic code. The regulations specify when the provisions of the state traffic code apply to the operation of vehicles on the campus. No amendments are proposed.

XIII. Parking permits and misuse of areas, disposition of fees for. The regulations specify who may issue parking tickets, where towing fees, misuse fees and fees charged for parking permits shall be deposited, and how such fees shall be used. No amendments are proposed.

XIV. Parking, misuse of, removal of vehicles. The current regulations specify the conditions under which a vehicle may be removed from the campus. The proposed amendment would remove the major violation statement to be consistent with Article VI and add "visitor" to list.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted but must be received prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to Ray Notson, Stormont Maintenance Center, Emporia State University, Emporia 66801.

TED D. AYRES
General Counsel

Doc. No. 005179

State of Kansas

BOARD OF REGENTS**NOTICE OF HEARING****ON PROPOSED TRAFFIC REGULATIONS
AT WICHITA STATE UNIVERSITY**

A public hearing will be held concerning the adoption by the administration of Wichita State University of regulations governing traffic and parking on the roads, streets, driveways, and parking facilities at the university at 3 p.m. Friday, April 17, in the Campus Activities Center, Room 208, Wichita State University, Wichita. Interested persons will be given a reasonable opportunity to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted but must be received prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to Milton L. Myers, Chief of University Police, Wichita State University, 1845 Fairmount, Wichita 67208.

The following is a summary of the substance of the rules and the proposed changes:

Article 1—Policy. Current regulations specify the purpose of the traffic and parking regulations and provide for the development of the regulations by the University Traffic Committee. Current regulations also specify that Wichita State University assumes no responsibility or liability for the care and protection of any vehicle while on university property. No changes are proposed.

Article 2—Definitions. Current regulations specify the meanings of words and phrases as used in the traffic rules and regulations. Proposed amendments will specify the meaning of the colors utilized to identify some restricted, reserved, and no parking areas.

Article 3—General Information. Current regulations specify individual responsibility for compliance with traffic and parking regulations, prohibit major repairs to vehicles on university property, specify certain areas where parking is prohibited and provides for the removal of vehicles constituting a hazard or abandoned vehicles. No amendments are proposed.

Article 4—Registration of Vehicles. Current regulations specify the condition under which faculty, staff, students and visitors must register vehicles and display parking permits. The current regulations also establish the procedure by which parking permits for vehicles may be obtained, the types of permits available and parking fees assessed to faculty, staff and students. Proposed amendments will specify the location for affixing temporary permits to various vehicles.

Article 5—Parking Regulations. Current regulations specify where and when vehicles may be parked and also provide certain restrictions, conditions and limitations during certain times. Provisions also specify for removal of vehicles from campus. No amendments are proposed.

Article 6—Traffic Regulations. Current regulations

regulate the conduct of drivers and pedestrians on campus. No amendments are proposed.

Article 7—Violations. The current regulations specify prohibited acts and the penalties for misuse of parking areas and moving violations. No amendments are proposed.

Article 8—All Payment of Violation Notices and Fines. The current regulations specify where violation fines are to be paid and the penalties for failure to pay violation fines. No amendments are proposed.

Article 9—Appeal of Violation Notices. The current regulations specify the procedures for appeals from a charge of misuse of parking or traffic violations. No amendments are proposed.

Article 10—Bicycles/Tricycles. Current regulations specify provisions for operating and parking bicycles and tricycles on campus. No amendments are proposed.

TED D. AYRES
General Counsel

Doc. No. 005185

State of Kansas

BOARD OF REGENTS**NOTICE OF HEARING****ON PROPOSED TRAFFIC REGULATIONS
AT THE UNIVERSITY OF KANSAS**

A public hearing will be held concerning the adoption by the Board of Regents of regulations governing traffic and parking on the roads, streets, driveways and parking facilities at the University of Kansas at 3 p.m. Wednesday, April 15, in the Kansas Union, Walnut Room, Level 6, University of Kansas, Lawrence.

The following is a summary of the substance of the rules and proposed changes. While certain sections of the regulations have been renumbered and reorganized, the only substantive changes in the regulations are noted as follows:

1. **General Regulations.** The current regulations specify who is subject to these rules and regulations, that all vehicles must have a valid parking permit, and hours of access to the central campus. The proposed amendment changes hours of access to the central campus to 8 a.m. to 4 p.m.

2. **Definitions.** The current regulations specify, for the purpose of these regulations, the definitions of student, faculty, staff, visitors, dormitory visitor, medical parking needs, handicap parking, moped and motorcycle parking. The proposed amendment will change the procedure for acquiring a permit due to medical conditions and makes that permit available for a maximum of one year.

3. **Visitor Parking.** The current regulations specify conditions under which visitors may legally park at the University of Kansas. The proposed amendment eliminates the toll lot and converts it to half meters.

4. **Parking Permits.** The current regulations establish procedures pertaining to parking permits and the types of permits available. The proposed amendment

(continued)

clarifies the use of the departmental pass, and allows up to three hours upgraded parking, eliminates the loading pass and changes the temporary to a six week minimum.

5. Student, Faculty and Staff Parking. The current regulations establish procedures by which parking permits for vehicles may be obtained and appealed, and procedures for new employees. The proposed amendment adds a clause about disabled drivers and specifies that new employees must have a valid staff I.D. to purchase a permit.

6. Permit Fees. The current regulations specify the fees charged for parking permits. The proposed amendment raises blue to \$70, red to \$55, yellow to \$40, and dorm and housing to \$23. Red motorcycles are \$25, blue cycles are \$30, and service permits are \$100. Campus pass raised to \$30, and lot 115 to \$70.

7. Control of Parking Lots and Zones. The current regulations specify times and locations for parking restrictions at the University of Kansas. The proposed amendment allows for issuance of multiple tickets at meters. Meters will cost \$.25 per hour, or at loading zones, \$.25 for 20 or 40 minutes.

8. Violations. The current regulations specify the penalties for misuse of parking areas. The proposed amendment will remove the reference to loading zones since these will be covered with the meter violation. Group I and II violations will go to \$10.

9. Payment of Fees for Violations. The current regulations specify the method and procedure for payment of violation notices, late payment, what constitutes excessive violations, consequences of excessive violations and towing and impoundment procedures. No amendments are proposed.

10. Appeal of Violation Notices. The current regulations establish the procedure for appeals from a charge of misuse of parking area. No amendments are proposed.

11. Statutory Authorization. The current regulations establish the authorization of the Board of Regents to promulgate regulations for the control of parking and traffic on the University of Kansas campus and to establish misuse fees for violations of the regulations. No amendments are proposed.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to Edwyna Gilbert, Associate Dean, College Office, University of Kansas, Strong Hall, Room 206, Lawrence 66045.

TED D. AYRES
General Counsel

Doc. No. 005183

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of the state of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited February 17, 1987 for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code:

Abercrombie & Associates, Inc., Wichita, KS.
 Abilene Truss & Distributors, Inc., Abilene, KS.
 Aerotechnics, Ltd., Wichita, KS.
 Affiliated Medical Services Inc., Wichita, KS.
 American All-Carr Communications Company,
 Irving, TX.
 American Leasing, Inc., Leawood, KS.
 Anel, Inc., Olathe, KS.
 Associated Builders and Supply, Inc., Wichita, KS.
 Associated Engineering Consultants, Inc.,
 Kansas City, MO.
 Athletic Alley, Inc., Liberal, KS.
 Atlas Roofing, Inc., Hutchinson, KS.
 Augusta Industrial Development, Inc., Augusta, KS.
 Beasley Oil Company, Oklahoma City, OK.
 Beatty Electronics, Inc., Overland Park, KS.
 Behrens Professional Association, Goodland, KS.
 Bell Creek, Inc., Arlington, NE.
 B and H Transportation Services, Inc., Seward, KS.
 Big A Auto Parts, Inc., Norwalk, CT.
 Birdie Enterprises, Inc., McPherson, KS.
 Bi-Rite Directories, Inc., Springfield, MO.
 Bluestem Oil, Inc., Wichita, KS.
 Body Building, Inc., Topeka, KS.
 Bordman/Hutchings, Inc., Shawnee Mission, KS.
 Bottger & Bottger, Inc., Belleville, KS.
 Boxes II, Inc., Lansing, KS.
 Business Men's Assurance Agency, Inc.,
 Kansas City, MO.
 Cabre Exploration Inc., Calgary, Alberta, Canada.
 Cad/Cam Services, Inc., Wichita, KS.
 Calhoun's, Inc., Fort Scott, KS.
 CAM Development and Production Company,
 Amarillo, TX.
 Camelot Construction, Inc., Wichita, KS.
 Camelot Realty Co., Inc., Wichita, KS.
 Campbell Construction, Inc., Prairie Village, KS.
 Capitol Equipment Co., Ladue, MO.
 Carousel Snack Bars of Minnesota, Inc.,
 Minneapolis, MN.
 Carson Manufacturing Company, Inc.,
 Indianapolis, IN.
 Cavco, Inc., Independence, MO.
 CCC Resources, Inc., New York, NY.
 Ceramics Unlimited, Inc., Shawnee Mission, KS.
 Chain Merchandising Cooperative, Inc., Lewis, KS.
 Chartroose Caboose of K.C., Inc., Olathe, KS.
 Check One Systems, Inc., Wichita, KS.
 Cidco Group, Inc., Overland Park, KS.
 Coleman Industrial Construction, Inc.,
 Kansas City, KS.

- Continental Fiberglass Corporation,
Des Moines, IA.
- Coomes, Inc., Phillipsburg, KS.
- Country Realty, Inc., Leawood, KS.
- Crossroads Apartment Hotel, Inc.,
Junction City, KS.
- C.T.E. Communications, Inc.,
Shawnee Mission, KS.
- Curry-Cartwright, Inc., Kansas City, MO.
- Custom Fence Co., Inc., Gardner, KS.
- Cystic Fibrosis Foundation, Bethesda, MD.
- Dale E. King, Inc., Overland Park, KS.
- Darrel Kizer Design Group, Inc., Kansas City, MO.
- Data Communications Systems, Inc.,
Overland Park, KS.
- Datapax, Inc., Topeka, KS.
- Day-by-Day Enterprises, Inc., Wichita, KS.
- D. Bird Oil, Inc., Baldwin City, KS.
- Dehco, Inc., Kansas City, MO.
- Denise M. Hamar, D.O., and Paul W. Toma, D.O.,
Chartered, Junction City, KS.
- Diamond Laboratories Co., Des Moines, IA.
- Digestive Diseases, Chartered, Overland Park, KS.
- Diversified Management, Inc., Wichita, KS.
- The Dixon Products Group, Inc., Kansas City, MO.
- D & K Sales Company, Inc., Olathe, KS.
- D.M.I.C., Inc., Topeka, KS.
- Don Conroy Contractor, Inc., Topeka, KS.
- Double E Refrigerated Truck Line, Inc.,
Leawood, KS.
- Dressler Energy Corporation, Olathe, KS.
- DSD Inc., Smith Center, KS.
- Dutton Farms, Inc., Kingman, KS.
- Ebony Oil and Development Corporation,
Farmington, MO.
- Electronix Systems Midwest/Kansas, Inc.,
Pittsburg, KS.
- Encore Nursing Center Partners, Ltd.—85,
Topeka, KS.
- Farrar Pump and Supply Co., Medicine Lodge, KS.
- Fe T. Villarante, M.D., P.A., Hays, KS.
- Flow Control Products Inc., Overland Park, KS.
- Forms Manufacturers, Inc., Girard, KS.
- FWF Truck Sales Company, Inc., Wichita, KS.
- G.A.B., Inc., Lenexa, KS.
- Gabe's I.C.U., Inc., Overland Park, KS.
- Galichia Cardiovascular Group, P.A., Wichita, KS.
- Gane 1981 C Petroleum, Inc., Calgary,
Alberta, Canada.
- Gane Petroleum, Inc., Wilmington, DE.
- General Elevator and Hydraulics, Inc.,
Kansas City, MO.
- Genesis I Corporation, Overland Park, KS.
- George Baize Oilfield Tractor Service, Inc.,
Great Bend, KS.
- George E. Jensen Contractor, Inc., Mobile, AL.
- Georgetown Home Health Care, Inc.,
Kansas City, MO.
- Georgetown Nursing and Medical Resources
Corporation, Shawnee Mission, KS.
- G & H Pavement Sealing Company, Inc.,
Lewisport, KY.
- GHS Enterprises, Inc., Kansas City, KS.
- Golf Tours, Inc., Overland Park, KS.
- Grafton Group, Inc., Wilmington, DE.
- Great Works, Inc., Wichita, KS.
- Harry Bear's Management, Inc., Lawrence, KS.
- Hawks Communications, Inc., Arkansas City, KS.
- Health Information Management Systems, Inc.,
Stanley, KS.
- Heartland Underwriters, Inc., Overland Park, KS.
- Hiawatha Health Care, Ltd., Atlanta, GA.
- Highlands Operating Company, Inc., Houston, TX.
- Industrial Planners Group, Inc., Ozawkie, KS.
- Irvin H. Whitehouse & Sons Company,
Louisville, KY.
- Iway & Iway, M.D., P.A., Elkhart, KS.
- Izzy's Heating & Air Conditioning Co.,
Concordia, KS.
- J. H. Young Construction Company, Inc.,
Overland Park, KS.
- J & L Enterprises Inc., Overland Park, KS.
- John B. May & Co., Inc., Little Rock, AR.
- Joseph E. Seagram & Sons, Inc., New York, NY.
- JV's Club, Herington, KS.
- Kan-Ex, Inc., Wichita, KS.
- Kansas City Youth for Christ, Shawnee Mission, KS.
- Kansas Satellite Sales, Inc., Eskridge, KS.
- Kaw Valley Electrical Construction Company, Inc.,
Olathe, KS.
- Kayco Incorporated, Ottawa, KS.
- K & B Enterprises Inc., Lenexa, KS.
- KBL, Inc., Iola, KS.
- Kelloil, Inc., Fort Worth, TX.
- Kerr Concrete Products Inc., Cimarron, KS.
- Key Financial Services Inc., Albany, NY.
- LaMurra's Pancake House, Inc., Wichita, KS.
- Lansing Publishers, Inc., Lansing, KS.
- Libra Systems, Inc., Olathe, KS.
- Lions Club of Brewster, Brewster, KS.
- Lynn V. Bowman Mechanical Contractors, Inc.,
Kansas City, MO.
- Machinery Maintenance, Inc., Parsons, KS.
- Mark One Electric, Inc., Kansas City, MO.
- Mercatus Funding Corporation, New York, NY.
- Miami County Livestock Company, Inc., Paola, KS.
- Michaelis Enterprises, Inc., Salina, KS.
- Milk n' More, Inc., Stilwell, KS.
- Minuteman Press International, Inc.,
Farmingdale, NY.
- Minnesota Center, Inc., Kansas City, KS.
- Minoco 1978 Oil and Gas Program, Dallas, TX.
- Minoco 1979 Oil and Gas Program, Dallas, TX.
- Minoco 1979-II Oil and Gas Program, Dallas, TX.
- Minoco 1979-LC Oil and Gas Program, Dallas, TX.
- Minoco 1980-I Oil and Gas Program, Dallas, TX.
- Minoco 1980-II Oil and Gas Program, Dallas, TX.
- Minoco 1980-LC Oil and Gas Program, Dallas, TX.
- Minoco 1981-I Oil and Gas Program, Dallas, TX.
- Minoco 1981-II Oil and Gas Program, Dallas, TX.
- Minoco 1981-III Oil and Gas Program, Dallas, TX.
- New Product Insights, Inc., Overland Park, KS.
- Oak View, Inc., Independence, KS.
- O'Connor-Oklahoma Co., Inc., Wichita, KS.
- Olathe Community Theatre Association, Olathe, KS.

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- Opliger Communications, Inc., Wichita, KS.
 Orthodox Presbyterian Church of Caney, Kansas,
 Caney, KS.
 Osage Plaza, Inc., Wichita, KS.
 Owens Optical, Inc., Topeka, KS.
 Pediatric Associates, Chartered, Kansas City, KS.
 The Phone Booth, Inc., Independence, KS.
 P&J Enterprises, Ltd., Shawnee Mission, KS.
 PK Well Service, Inc., Great Bend, KS.
 Prairie Development, Inc., Wichita, KS.
 Professional Career Development of Kansas, Inc.,
 Topeka, KS.
 Propane Industrial, Inc., N. Kansas City, MO.
 Q Corporation, Lenexa, KS.
 Quadel Energy Corporation, Rockville, MD.
 Ralls, Inc., Wichita, KS.
 Rambur Stables Inc., Newton, KS.
 Ranch Stores, Inc., Wichita, KS.
 Ranger Plant Constructional Company, Inc.,
 Abilene, TX.
 Refer America, Inc., Madison, NE.
 Restminn Inc., Minneapolis, MN.
 Riverside IGA, Inc., Wichita, KS.
 Robert W. Fry, D.D.S., M.S., P.A.,
 Overland Park, KS.
 Rock Ledge West, Inc., Topeka, KS.
 Rolling Meadows, Inc., Grandview, MO.
 Rooks County Golf and Country Club, Inc.,
 Plainville, KS.
 The Rothrock Corporation, Worthington, OH.
 R.T.W., Inc., Shawnee, KS.
 R. W. Lingenfelter Construction Co.,
 Kansas City, MO.
 Schlagel and Associates, P.A., Lenexa, KS.
 Schrock, Inc., Kiowa, KS.
 Scorpio, Inc., Wichita, KS.
 Seabyrd, Inc., Wichita, KS.
 Seger Farms, Inc., Johnson, KS.
 Sentry Consultants, Inc., Los Angeles, CA.
 Sher-Lon Corporation, Sterling, KS.
 Sigma Imports, Inc., Wichita, KS.
 Simmons U.S.A. Corporation, Norwalk, CT.
 S.M.R. Enterprises, Inc., Memphis, TN.
 Solartech Energy and Research Corporation,
 Topeka, KS.
 Southeast Football Boosters Club, Inc., Wichita, KS.
 Sports Gallery, Inc., Kansas City, MO.
 Stag's Leap Oil & Gas, Inc., McPherson, KS.
 Stanley Land and Development, Inc., Stilwell, KS.
 Steimer Enterprises, Inc., Overland Park, KS.
 Stewart Livestock, Inc., Smith Center, KS.
 Stockex Investment Corp., Wilmington, DE.
 Sunflower Excursions, Inc., Garden City, KS.
 Synergistic Communications Group, Inc.,
 Overland Park, KS.
 System Sales, Inc., Lenexa, KS.
 Tangent Oil & Gas, Inc., Houston, TX.
 TC Industries, Inc., Chanute, KS.
 Team Oil Corporation, McPherson, KS.
 Ted Shoush Co., Inc., Independence, MO.
 Tenex Oil Corporation, Paola, KS.
 Thomas Management Services Inc.,
 N. Kansas City, MO.
 3-D Cattle Co., Inc., Hoxie, KS.
 Tobarro, Inc., Topeka, KS.
 Tom Hansen Co., Inc., Oklahoma City, OK.
 Topeka Income Tax Service, Inc., Topeka, KS.
 Topeka Radiator and Body Works, Inc., Topeka, KS.
 Travel Services Clearinghouse, Inc.,
 Overland Park, KS.
 Tri-State Investment Company, Oberlin, KS.
 T.V. Clinic, Inc., Salina, KS.
 Vanderbilt's No. 6, Inc., Leavenworth, KS.
 Vintage Tin, Inc. of Hutchinson, Kansas,
 Hutchinson, KS.
 Wendel Bus Service, Inc., Lansing, KS.
 The Western Food Products Company, Inc.,
 Fredonia, NY.
 Westhoff Ready Mix, Inc., Great Bend, KS.
 Wichita Community Housing Resource Board, Inc.,
 Wichita, KS.
 William G. Young Construction, Inc.,
 Overland Park, KS.
 William L. Jung, Incorporated, Kansas City, MO.
 Williams Meat Co., Inc., Kansas City, KS.
 Windmill Cattle Co., Inc., Garden City, KS.
 W.M.F.S., Inc., Colorado Springs, CO.
 Wren Investment Company, McPherson, KS.
 X.C.L., Inc., Emporia, KS.
 Zahner & Associates, Inc., Paola, KS.

BILL GRAVES
 Secretary of State

Doc. No. 005138

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

NOTICE OF BOND SALE
\$570,000
GENERAL OBLIGATION BONDS
SERIES 1987
OF THE
CITY OF ELLSWORTH, KANSAS

The city of Ellsworth, Kansas will receive sealed bids at the office of the City Clerk, City Hall, Ellsworth, Kansas, until 7 p.m. C.S.T. on Monday, March 30, 1987, for \$570,000 par value general obligation bonds, Series 1987, of the city, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series 1987 bonds will be dated as of May 1, 1987, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall be fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof, not exceeding the principal amount of bonds maturing in each year. The bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date	Principal Amount	Maturity Date
\$20,000	December 1, 1989	\$40,000	December 1, 1996*
30,000	December 1, 1990	45,000	December 1, 1997*
30,000	December 1, 1991	45,000	December 1, 1998*
30,000	December 1, 1992	50,000	December 1, 1999*
35,000	December 1, 1993	55,000	December 1, 2000*
35,000	December 1, 1994	55,000	December 1, 2001*
40,000	December 1, 1995*	60,000	December 1, 2002*

***OPTIONAL REDEMPTION:** Bonds due December 1, 1995, and thereafter, are callable for redemption on December 1, 1994, or any interest payment date thereafter, in inverse numerical order at par and accrued interest to date of redemption.

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

Interest will be payable semiannually, commencing June 1, 1988, and each June 1 and December 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America at the office of the Citizens State Bank and Trust Company, Ellsworth, Kansas (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the United States of America by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month next preceding the interest payment dates (the record dates). The fees of the bond registrar for registration and transfer of the bonds shall be paid by the city.

Types of Bids and Interest Rates

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest and lowest interest rates specified in any bid shall not exceed 3 percent. No interest rate shall exceed the maximum rate allowed by Kansas law, said maximum rate being 2 percent above the weekly Credit Market's 20 bond index of tax exempt municipal bonds, published in New York, New York, on the Monday next preceding the day on which the bonds are sold, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental interest rates will not be considered. Bids for less than the entire issue of bonds will not be considered.

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at the City Hall, Attention: Gladys Toman Wagner, City Clerk, and shall be plainly marked "Bond Bid." All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to 2 percent of the total amount of the bid, and shall be payable to Treasurer, City of Ellsworth, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of

purchase, said deposit shall be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Basis for Award

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice, and the bonds will be sold to the best bidder. The city reserves the right to reject any and all of the bids and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities. 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. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Delivery

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the approving opinion of Garr & Bell, bond counsel, of Wichita, Kansas, whose opinion will be paid for by the city. The number, type and denomination of bonds, and names of the initial registered owners to be initially printed on the bonds and their social security or taxpayer identification numbers shall be submitted in writing by the successful bidder to the bond registrar and the city not later than seven business days preceding delivery of the bonds. 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 May 6, 1987, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for failure by the successful bidder to accept delivery of and pay for the bonds in accordance with the terms of his contract and this notice of bond sale. All expenses in connection with the printing of CUSIP numbers on the bonds shall be paid for by the city.

Security and Purpose

Bids shall be conditioned upon the approving opinion of Gaar & Bell, bond counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the

(continued)

bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the city. Said legal opinion will state in part substantially that the bonds will constitute general obligations of the city, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the city and that, under existing law, the interest on said bonds is exempt from present federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties or townships. The bonds are being issued for the purpose of providing permanent financing for two previously authorized projects for which temporary notes were issued: a project to construct a fire station facility (K.S.A. 12-1736 *et seq.*) and a special assessment improvement project to the Parkton Addition of the city of Ellsworth (K.S.A. 12-6a01 *et seq.*). Additionally, a portion of the proceeds will be used to partially finance certain improvements to the city's sewer system (K.S.A. 12-631t).

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 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.

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 Series 1987 bonds as "qualified tax-exempt obligations" described above.

Financial Information

Assessed valuation figures for the city of Ellsworth, for the year 1986, are as follows:

Equalized assessed valuation of taxable, tangible property	\$5,596,663
Tangible valuation of motor vehicles	\$ 526,027
Equalized assessed tangible valuation for computation of bonded debt	\$6,122,690

The total general obligation bonded indebtedness of the city of Ellsworth, including this issue of bonds, is \$989,400. The city presently has \$365,000 in temporary notes outstanding which will be retired from the proceeds of this issue.

Further Information

Further information may be obtained from the city clerk or Ransom & Company, Inc., financial adviser to

the city, at Suite 610, 120 S. Market, Wichita, KS 67202, Attn: Jeffrey K. Ray, (316) 262-2651.

Dated March 13, 1987.

GLADYS TOMAN WAGNER
City Clerk
P.O. Box 163
Ellsworth, KS 67439

Doc. No. 005166

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

**NOTICE OF REDEMPTION
CITY OF INDEPENDENCE, KANSAS
INDUSTRIAL REVENUE BONDS
SERIES A-1974
(INDEPENDENCE INDUSTRIES, INC.)**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 3182 of the city of Independence, Kansas, passed and approved on May 20, 1974, there will be redeemed on May 1, 1987 all bonds maturing after May 1, 1987 at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium equal to 3 percent of the principal amount of the bonds so called for redemption. Such bonds are numbered 127 to 324, inclusive.

On May 1, 1987, all bonds will be due and payable at the principal office of Citizens National Bank, 125 N. Penn, P.O. Box 687, Independence, KS 67301, upon presentation and surrender of such bonds with all subsequently maturing coupons attached. All coupons maturing subsequent to May 1, 1987 must be attached and surrendered with said bonds. From and after May 1, 1987, interest on the aforesaid bonds will cease to accrue.

All holders, other than exempt parties (banks, brokers, corporations, etc.), submitting their bonds directly to Citizens National Bank must also submit a form W-9 in order to avoid a 20 percent back-up withholding under the Interest and Dividend Tax Compliance Act of 1983. Failure to provide a completed form W-9 will result in a 20 percent back-up withholding to bondholders. The form W-9 may be obtained from the Internal Revenue Service or from Citizens National Bank at the address above.

Dated March 26, 1987.

CITIZENS NATIONAL BANK
125 N. Penn
P.O. Box 687
Independence, KS 67301

Doc. No. 005167

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

**NOTICE OF REDEMPTION
NEOSHO COUNTY, KANSAS
NEOSHO COUNTY MEMORIAL HOSPITAL
REVENUE BONDS
SERIES 1982**

(Dated: November 1, 1982)

Notice is hereby given that pursuant to a resolution Neosho County, Kansas passed and approved on November 19, 1982, there will be redeemed on May 1, 1987 all outstanding Neosho County, Kansas, Neosho County Memorial Hospital Revenue Bonds, Series 1982, which bonds mature on November 1 in each of the years from 1987 to 1992, inclusive, and are numbered from 25 to 60, inclusive. Said bonds will be redeemed at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date.

Neosho County, Kansas has reserved the right to rescind its election to cause redemption of the bonds as aforesaid, by giving written notice thereof to the undersigned prior to May 1, 1987.

On May 1, 1987, all bonds will be due and payable at the principal office of the State Treasurer, Topeka, Kansas. All coupons maturing subsequent to May 1, 1987 must be attached and surrendered with said bonds. From and after May 1, 1987, interest on the aforesaid bonds will cease to accrue.

Dated March 13, 1987.

Board of County Commissioners
Neosho County, Kansas

Doc. No. 005168

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

**NOTICE OF REDEMPTION
JOHNSON 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 May 1, 1980, \$6,000,000 principal amount of the bonds are called for redemption May 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 May 1, 1988: Cusip 478747-AH	788, 802, 815, 827, 840, 853, 868, 891, 906, 923, 939
Due May 1, 1989: Cusip 478747-AJ	959, 973, 996, 1017, 1033, 1048, 1067, 1083, 1099, 1114, 1131, 1145
Due May 1, 1990: Cusip 478747-AK	1174, 1188, 1210, 1229, 1244, 1258, 1273, 1294, 1308, 1323, 1338, 1351, 1364
Due May 1, 1991: Cusip 478747-AL	1379, 1397, 1434, 1450, 1466, 1481, 1499, 1517, 1535, 1550, 1567, 1582, 1601, 1616
Due May 1, 1992: Cusip 478747-AM	1634, 1649, 1665, 1684, 1698, 1713, 1734, 1750, 1764, 1780, 1796, 1811, 1827, 1844, 1861, 1879, 1895

(continued)

Due May 1, 1993:
Cusip 478747-AN 1908, 1923, 1947, 1963, 1979, 1994, 2012,
2030, 2046, 2062, 2084, 2100, 2118, 2134,
2150, 2168, 2183, 2198

Due May 1, 1994:
Cusip 478747-AP 2224, 2238, 2261, 2276, 2292, 2309, 2323,
2341, 2356, 2379, 2393, 2407, 2425, 2442,
2457, 2474, 2491, 2507, 2523, 2539, 2560

Due May 1, 1995:
Cusip 478747-AQ 2574, 2585, 2608, 2621, 2636, 2650, 2663,
2675, 2686, 2698, 2710, 2771, 2817, 2829,
2841, 2852, 2883, 2897, 2910, 2923, 2935

Due May 1, 1996:
Cusip 478747-AR 2958, 2971, 2989, 3006, 3019, 3033, 3048,
3071, 3086, 3101, 3115, 3129, 3144, 3159,
3175, 3191, 3204, 3220, 3263, 3279, 3293,
3312, 3325, 3340, 3354

Due May 1, 1999
(Cusip 478747-AU)

3402	3691	3974	4263	4535	4825
3419	3706	3990	4280	4561	4839
3433	3720	4009	4296	4576	4853
3449	3734	4024	4310	4594	4868
3467	3749	4040	4325	4610	4884
3482	3766	4055	4343	4627	4902
3498	3782	4072	4358	4641	4921
3513	3802	4087	4374	4659	4936
3529	3818	4102	4393	4676	4951
3545	3834	4118	4407	4696	4967
3580	3850	4133	4423	4714	4987
3596	3869	4149	4439	4734	5002
3613	3884	4173	4454	4751	5019
3629	3902	4190	4469	4765	
3645	3919	4212	4484	4780	
3660	3935	4231	4501	4794	
3676	3952	4246	4517	4810	

Due May 1, 2011
(Cusip 478747-AV)

5142	7824	10438	13133	15137	18036
5160	7852	10462	13149	15154	18060
5201	7874	10478	13164	15210	18075
5325	7890	10492	13179	15252	18133
5354	8010	10540	13216	15273	18149
5405	8045	10570	13236	15309	18166
5437	8079	10590	13259	15408	18189
5458	8241	10606	13281	15494	18205
5474	8258	10643	13303	15731	18305
5495	8275	10658	13333	15821	18320
5511	8299	10699	13381	15836	18355
5527	8320	10818	13430	15863	18371
5558	8346	10861	13481	15877	18387
5634	8415	10875	13495	15899	18438
5680	8431	10901	13510	15945	18480
5745	8446	10931	13578	15982	18504
5783	8504	10987	13621	16010	18520
5826	8519	11005	13637	16044	18557
5845	8539	11023	13666	16061	18593
5870	8556	11042	13695	16090	18628
5888	8573	11086	13710	16163	18649
5977	8703	11101	13760	16198	18702
6050	8720	11117	13785	16231	18727
6178	8757	11133	13813	16292	18747
6211	8789	11150	13874	16311	18763
6282	8902	11173	13899	16330	18781
6302	8917	11186	13998	16624	18815

6322	8945	11208	14012	16813	18830
6342	8978	11236	14053	16828	18844
6361	9011	11253	14069	16845	18882
6376	9048	11269	14084	16859	18898
6395	9083	11288	14157	16885	18933
6436	9097	11342	14181	16943	18948
6535	9116	11451	14204	17101	18975
6552	9130	11496	14218	17120	19015
6568	9153	11536	14244	17147	19063
6584	9181	11568	14261	17163	19090
6600	9196	11586	14275	17203	19124
6615	9231	11609	14343	17217	19139
6632	9248	11645	14370	17266	19156
6663	9263	11678	14391	17286	19185
6695	9278	11705	14418	17300	19242
6743	9298	11720	14444	17323	19365
6765	9372	11754	14464	17338	19572
6780	9409	11776	14485	17363	19663
6795	9426	11953	14516	17378	19764
6842	9444	11995	14537	17398	19804
6871	9458	12256	14556	17431	19847
6921	9479	12275	14572	17466	19864
6942	9609	12289	14588	17506	19879
6989	9627	12454	14703	17527	19897
7083	9643	12610	14729	17612	19914
7113	9764	12702	14745	17658	19928
7130	9795	12727	14777	17687	19947
7146	9816	12743	14795	17704	19961
7167	9858	12768	14814	17720	19977
7182	9876	12785	14858	17742	19993
7208	9896	12904	14874	17768	20015
7232	9975	12946	14901	17792	20051
7249	10034	12982	14915	17810	20069
7268	10080	12998	14929	17833	20084
7288	10109	13020	14949	17865	20109
7354	10134	13037	14973	17882	20125
7514	10188	13055	14989	17909	
7545	10256	13071	15003	17924	
7583	10305	13087	15048	17944	
7599	10346	13101	15074	18005	
7805	10423	13117	15100	18021	

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

	Registered Bond Number	Amount Called
Due May 1, 1990: Cusip 478747-AK	R 379	5,000
Due May 1, 1991: Cusip 478747-AL	R 381	5,000
Due May 1, 1993: Cusip 478747-AN	R 24	5,000
Due May 1, 1995: Cusip 478747-AQ	R 278 R 374	35,000 5,000
Due May 1, 1996: Cusip 478747-AR	R 4 R 26 R 140	5,000 5,000 5,000

Due May 1, 1999:
Cusip 478747-AU

R 101	5,000
R 202	5,000
R 377	5,000

Due May 1, 2011:
Cusip 478747-AV

R 42	5,000
R 82	5,000
R 133	10,000
R 162	5,000
R 197	5,000
R 268	10,000
R 303	5,000
R 308	5,000
R 327	5,000
R 330	5,000
R 331	30,000
R 334	5,000
R 335	10,000
R 337	25,000
R 339	35,000
R 340	10,000
R 341	40,000
R 344	5,000
R 348	5,000
R 352	5,000
R 367	1,820,000
R 370	5,000
R 375	15,000
R 384	195,000
R 385	190,000
R 386	190,000
R 389	5,000

Due May 1, 1989:
Cusip 484770-BE 449, 464, 465, 479, 494, 512

Due May 1, 1990:
Cusip 484770-BF 524, 542, 555, 569, 584, 595, 607

Due May 1, 1991:
Cusip 484770-BG 620, 633, 647, 660, 673, 687, 701

Due May 1, 1992:
Cusip 484770-BH 730, 737, 748, 764, 776, 789, 803, 816

Due May 1, 1993:
Cusip 484770-BJ 839, 853, 866, 879, 881, 896, 910, 921, 931

Due May 1, 1994:
Cusip 484770-BK 951, 963, 979, 991, 1006, 1019, 1031, 1044, 1055, 1070

Due May 1, 1995:
Cusip 484770-BM 1088, 1102, 1122, 1136, 1149, 1163, 1177, 1191, 1206, 1219

Due May 1, 1996:
Cusip 484770-BN 1235, 1248, 1259, 1271, 1282, 1295, 1306, 1321, 1334, 1347, 1365, 1377

**Due May 1, 1999
(Cusip 484770-BP)**

1397	1496	1640	1758	1844	1939
1419	1557	1653	1772	1855	1950
1434	1571	1667	1784	1869	1967
1447	1586	1684	1795	1881	
1458	1598	1696	1807	1897	
1472	1611	1719	1820	1911	
1484	1626	1739	1833	1928	

**Due May 1, 2012
(Cusip 484770-BL)**

2071	2982	3885	4888	5837	6744
2087	2997	3904	4907	5863	6761
2105	3012	3918	4927	5879	6782
2125	3058	3935	4951	5895	6801
2143	3093	3949	4969	5912	6818
2162	3107	3963	4996	5926	6841
2181	3122	3979	5014	5951	6856
2224	3159	3995	5029	5985	6869
2242	3177	4014	5047	6003	6884
2263	3194	4031	5069	6018	6901
2281	3211	4045	5091	6036	6920
2300	3227	4064	5107	6053	6940
2316	3243	4079	5126	6068	6958
2335	3262	4094	5181	6089	6973
2353	3278	4111	5196	6103	6989
2381	3296	4127	5214	6121	7003
2398	3312	4143	5229	6135	7021
2415	3328	4158	5246	6149	7038
2435	3342	4174	5261	6165	7053
2450	3359	4189	5276	6181	7067
2464	3374	4205	5294	6196	7084
2479	3389	4231	5310	6213	7109
2502	3402	4250	5324	6229	7132
2519	3417	4266	5340	6247	7149
2535	3435	4285	5358	6264	7164
2548	3454	4306	5373	6280	7181
2573	3470	4325	5390	6296	7202
2590	3486	4343	5407	6317	7220
2604	3504	4361	5426	6334	7236
2619	3521	4377	5442	6350	7251
2637	3536	4405	5463	6370	7268
2652	3551	4419	5479	6388	7288

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 May 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City, Kansas
Trustee

Doc. No. 005177

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

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

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated May 1, 1980, \$2,290,000 principal amount of the bonds are called for redemption May 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 May 1, 1988: 371, 385, 394, 413, 426, 438
Cusip 484770-BD

(continued)

2667	3569	4442	5499	6404	7302
2682	3585	4458	5516	6425	7317
2700	3599	4478	5531	6445	7336
2714	3616	4501	5545	6465	7352
2729	3633	4530	5570	6480	7367
2754	3650	4554	5589	6498	7382
2770	3664	4595	5602	6516	7396
2784	3682	4613	5617	6533	7413
2801	3699	4630	5639	6551	7428
2817	3714	4649	5654	6567	7444
2831	3729	4673	5668	6584	7461
2850	3746	4692	5685	6602	7476
2865	3761	4709	5701	6618	7492
2883	3777	4727	5716	6636	7505
2900	3791	4743	5731	6652	7523
2916	3808	4759	5746	6668	7542
2935	3824	4777	5763	6687	7561
2950	3845	4810	5782	6709	7576
2965	3859	4827	5797	6728	

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

**NOTICE OF REDEMPTION
CITY OF GLASCO, KANSAS
INDUSTRIAL REVENUE BONDS
SERIES 1977
(TRI-RIVER CABLE, INC.)**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 420 of the city of Glasco, Kansas, the First National Bank and Trust Co. of Salina, as trustee and paying agent, will redeem on June 15, 1987 for the city \$35,000 principal amount of the Series 1977 industrial revenue bonds of the city of Glasco (Tri-River Cable, Inc.) at a price equal to the principal amount thereof plus accrued interest thereon to June 15, 1987, plus a premium of 1 percent.

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

Bond Number	Amount	Interest Rate
46-53	\$1,000 Each	7.75%
54-61	\$1,000 Each	7.75%
62-70	\$1,000 Each	8.00%
71-80	\$1,000 Each	8.00%

On June 15, 1987, the bonds described above will be due and payable at the First National Bank and Trust Co., 101 N. Santa Fe, P.O. Box 800, Salina, KS 67402-0800.

Bonds should be surrendered with all unmatured interest coupons attached. After June 15, 1987, interest on the aforesaid bonds will cease to accrue.

First National Bank and Trust Co.
Trustee and Paying Agent

Doc. No. 005169

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

**NOTICE OF REDEMPTION
CITY OF WAKEFIELD, KANSAS
INDUSTRIAL REVENUE BONDS
SERIES 1977
(TRI-RIVER CABLE, INC.)**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 1080 of the city of Wakefield, Kansas, the First National Bank and Trust Co. of Salina, as trustee and paying agent, will redeem on June 1, 1987 for the city \$34,000 principal amount of the Series 1977 industrial revenue bonds of the city of Wakefield (Tri-River Cable, Inc.) at a price equal to the principal amount thereof plus accrued interest thereon to June 1, 1987, plus a premium of 1 percent.

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

Bond Number	Amount	Interest Rate
32-37	\$1,000 Each	7.5 %
38-43	\$1,000 Each	7.75%
44-50	\$1,000 Each	7.75%
51-57	\$1,000 Each	8.0 %
58-65	\$1,000 Each	8.0 %

On June 1, 1987, the bonds described above will be due and payable at the First National Bank and Trust

The serial numbers of the registered bonds to be partially redeemed in the amounts described below:

Due May 1, 1999:
Cusip 484770-BP

Registered Bond Number	Amount Called
R 51	5,000
R 54	10,000
R 104	5,000
R 125	5,000
R 141	5,000

Due May 1, 2012:
Cusip 484770-BL

Registered Bond Number	Amount Called
R 3	5,000
R 23	5,000
R 39	5,000
R 83	5,000
R 102	5,000
R 110	5,000
R 121	5,000
R 130	5,000
R 131	20,000
R 132	25,000
R 133	30,000
R 134	30,000
R 135	15,000
R 136	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 May 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City, Kansas
Trustee

Doc. No. 005176

Co., 101 N. Santa Fe, P.O. Box 800, Salina, KS 67402-0800.

Bonds should be surrendered with all unmatured interest coupons attached. After June 1, 1987, interest on the aforesaid bonds will cease to accrue.

First National Bank and Trust Co.
Trustee and Paying Agent

Doc. No. 005170

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

**NOTICE OF REDEMPTION
INDUSTRIAL REVENUE BONDS
DRYS INC. (SHEPLER'S INC.)
SERIES XLIX, DATED MAY 1, 1974
OF
THE CITY OF WICHITA, KANSAS**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 33-353 of the city of Wichita, Kansas, passed and approved on July 23, 1974, you are hereby notified as the owner of the following described industrial revenue bonds, Series XLIX, dated May 1, 1974, authorized and issued under the aforesaid ordinance, that said city has directed that said bonds be called for redemption and payment on May 1, 1987:

CUSIP Numbers	Bond Numbers	Maturity Date	Interest Rate
967256-LW-6	123-138	5/1/88	6¾%
967256-LX-4	139-155	5/1/89	6¾%
967256-LY-2	156-172	5/1/90	6¾%
967256-LZ-9	173-190	5/1/91	6¾%
967256-MA-3	191-209	5/1/92	6¾%
967256-MB-1	210-229	5/1/93	6¾%
967256-MC-9	230-250	5/1/94	6¾%

The principal amount of the above described bonds shall become due and payable on May 1, 1987, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, with a premium equal to 3 percent of the principal amount of the bonds so called.

On May 1, 1987, all bonds will be due and payable at the principal office of the First National Bank in Wichita, Wichita, Kansas. From and after May 1, 1987, interest on the aforesaid bonds will cease to accrue.

Dated April 1, 1987.

FIRST NATIONAL BANK IN WICHITA
WICHITA, KANSAS 67201

Doc. No. 005187

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.D.T., April 16, 1987, and then publicly opened:

DISTRICT ONE—Northeast

Brown—36-7 K-2714-01—U.S. 36, Nemaha-Brown county line east to the east junction of U.S. 36 and U.S. 75, 2.9 miles, pavement reconstruction. (State Funds)

Johnson—7-46 K-3100-01—K-7, beginning 819 feet south of I-35, then north to the junction of U.S. 56, 1.0 mile, pavement patching and overlay. (State Funds)

Johnson—7-46 K-3101-01—K-7, beginning at the intersection of Parker Street in Olathe, then north to the K-10 and K-7 interchange, 3.4 miles, bituminous overlay. (State Funds)

Riley—18-81 K-2804-01—K-18, Kansas River bridge 31 in Manhattan, bridge repair. (State Funds)

Shawnee—89 C-2168-01—County road, 2.0 miles north of Kiro, then north, 0.2 mile, bridge replacement. (Federal Funds)

Wyandotte—670-105 K-2888-03—I-670, bridges and approaches 241, 242 and 250 and approaches for bridges 243 and 244, grading, surfacing and bridge. (Federal Funds)

DISTRICT TWO—Northcentral

Clay—14 C-1862-01—County road, 1.5 miles west and 0.1 mile north of Morganville, then north, 0.2 mile, bridge replacement. (Federal Funds)

Ottawa—72 U-1048-01—Minnesota Avenue at Table Rock Creek tributary in Tescott, bridge replacement. (Federal Funds)

DISTRICT THREE—Northwest

Norton—69 C-2383-01—County road, 3 miles north and 1.3 miles east of Norton, then east, 0.3 mile, bridge. (Federal Funds)

Thomas—97 C-2244-01—County road, Rexford, then south, 5.8 miles, surfacing. (Federal Funds)

DISTRICT FOUR—Southeast

Bourbon—31-6 X-0795-02—Crossing of K-31 and Burlington Northern Railroad in Fulton, grading and surfacing. (Federal Funds)

Cherokee—26-11 K-2810-01—K-26, culvert 507, 3.1 miles north of U.S. 166, culvert. (State Funds)

Cherokee—69-11 K-0173-05—U.S. 69, detour at Little Shawnee Creek bridge 11, 0.3 mile, grading and surfacing. (State Funds)

Crawford—19 C-2178-01—County road, 1.0 mile east of Girard, then east, 0.2 mile, bridge replacement. (Federal Funds)

Labette—50 C-2240-01—County road, 5.5 miles south of Altamont, then west, 0.2 mile, bridge replacement. (Federal Funds)

Labette—59-50 M-1471-01—U.S. 59, approximately 0.1 mile south of Missouri Kansas Texas Railroad

(continued)

bridge 13, south 0.1 mile at Parsons, 0.1 mile, slide repair. (State Funds)

Miami—169-61 M-1467-01—U.S. 169, Berm slope at Missouri Pacific Railroad bridge 34, 0.8 mile north of K-68, slide repair. (State Funds)

DISTRICT FIVE—Southcentral

Cowley—160-18 K-2900-01—U.S. 160, College northeast to Harris Road in Winfield, 0.8 mile, grading and surfacing. (State Funds)

Cowley—15-18 M-1473-01—K-15, bridge 50, 0.6 mile north and bridge 51, 1.8 miles north of U.S. 166, bridge repair. (State Funds)

Sedgwick—87 U-1047-01—Elmwood Drive over Dry Creek in Wichita, bridge replacement. (Federal Funds)

Sedgwick—87 M-1472-01—Parking and drive at KDOT sub-area office and shop building in Wichita, surfacing. (State Funds)

Sedgwick—2-87 M-1474-01—k-2, east of K-2 and Hoover Road intersection in Wichita, then west, 0.7 mile, overlay. (State Funds)

Sedgwick—135-87 M-1475-01—I-135, west slope repair at I-135 and south Hydraulic Street interchange in Wichita, slope repair. (State Funds)

Sedgwick—135-87 M-1477-01—I-135, 0.4 mile north of I-135 and KTA, then north, 3.0 miles, patching. (State Funds)

DISTRICT SIX—Southwest

Meade/Clark/Ford—54-106 M-1476-01—U.S. 54, 5.3 miles east of Meade city limits, northeast 32.0 miles, 6.3 miles, 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 because 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 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

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

SENATE BILL No. 63

AN ACT relating to property taxation; concerning exemptions therefrom for personal property held for display or sale at certain functions; amending K.S.A. 1986 Supp. 79-215 and repealing the existing section.

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

Section 1. K.S.A. 1986 Supp. 79-215 is hereby amended to read as follows: 79-215. (a) The following personal property is exempt from all property or ad valorem taxes levied under the laws of this state:

(1) Personal property held solely for sale or display at, and in connection with, a fair, exposition, trade show, *auktion*, bazaar, flea market or convention, sponsored or operated by, or held in facilities or on property wholly or partially owned or operated by, a governmental entity, a convention or tourism committee created pursuant to K.S.A. 12-1605 or 12-16,101, and amendments thereto, or any other bureau or office of a governmental entity which promotes convention or tourism activities; or

(2) personal property held solely for sale or display at, and in connection with, a fair, exposition, trade show, convention, auction, bazaar or flea market sponsored or operated by a nonprofit association which (A) promotes convention or tourism activities, (B) is formed in whole or in part for the promotion of convention or tourism activities or (C) uses the revenues of such fair, exposition, trade show, convention, auction, bazaar or flea market for charitable, eleemosynary or educational purposes.

(b) The exemption provided by subsection (a) shall apply regardless of whether the person holding the property is sponsoring or operating the activity giving rise to the exemption or is participating in the activity as a seller or exhibitor.

(b) The provisions of K.S.A. 79-213, and amendments thereto, shall not be applicable to property exempted under this section.

(c) Any dispute or grievance arising under this section shall be heard and determined by the board of county commissioners of the county wherein the property subject to the dispute or grievance is located.

(e)(d) The provisions of this section shall apply to all taxable years commencing after December 31, 1985 1986.

Sec. 2. K.S.A. 1986 Supp. 79-215 is hereby repealed.

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

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

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

Passed the HOUSE March 10, 1987.

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

APPROVED March 20, 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 March, 1987.

(SEAL)

BILL GRAVES
Secretary of State.

State of Kansas

DEPARTMENT OF COMMERCE

PERMANENT ADMINISTRATIVE
REGULATIONS

(Effective May 1, 1987)

Article 1.—VENTURE CAPITAL COMPANY
CERTIFICATION

110-1-1. Application process. (a) Application to become a certified Kansas venture capital company shall be made upon the application form furnished by the secretary of the department of economic development on or before January 12, 1987 and the secretary of the department of commerce after January 12, 1987.

(b) The application form shall be signed by an authorized officer, or partner, and shall contain, as a minimum, the following information and evidence:

- (1) the full, legal name of the company;
- (2) the address of the applicant's principal office in the state;
- (3) the names and addresses of the applicant's directors, officers, general partners and managing partners;

(4) a certified copy of the certificate of incorporation and articles of incorporation, or a certified copy of the certificate of formation of a limited partnership, or trust documents, or other evidence that the company is organized and existing under the laws of Kansas;

(5) information and evidence that the applicant's purpose is to encourage and assist in the creation, development, and expansion of Kansas businesses and to provide maximum opportunities for the employment of Kansans;

(6) adequate proof of a minimum level of equity capitalization of \$1,500,000 as required by L. 1986 Chapter 285 Section 6(b) and the level of capitalization the company expects to qualify for tax credits, within the current and immediately succeeding calendar year;

(7) information and evidence that the applicant has disclosed or will disclose to all investors that the state of Kansas is not liable for damages as provided in L. 1986 Chapter 285 Section 11;

(8) a statement that the company will comply with all requirements of L. 1986 Chapter 285 Section 8, including the filing of annual reports; and

(9) the business history of the applicant.

(c) If an application is incomplete, the applicant shall submit the required information upon notification by the department. (Authorized by and implementing L. 1986 Chapter 285 Section 6; effective T-87-27, Oct. 1, 1986; effective May 1, 1987.)

110-1-2. Annual report. (a) To determine program compliance and status for continuing certification, each certified Kansas venture capital company shall report annually to the secretary on forms provided by the department. Information reported shall include as a minimum:

- (1) the name, address, and taxpayer identification number of each taxpayer who has invested in such company and amounts invested by each;

(2) the name and location of each business in which the company has invested and the type and amount of investment. The names of the business owners shall be provided if required to determine qualification for equity or tax credit purposes;

(3) the number of jobs created or preserved in each business; and

(4) a certification that all businesses in which the company has invested are eligible in accordance with L. 1986 Chapter 285 Section 7(d) if required to determine qualification for equity or tax credit purposes.

(b) The cost of the annual review for each Kansas venture capital company shall be \$100. The fee shall be paid by the Kansas venture capital company following submission of the annual report and upon completion of the annual review by the secretary. (Authorized by and implementing L. 1986 Chapter 285 Section 8; effective T-87-27, Oct. 1, 1986; effective May 1, 1987.)

HARLAND E. PRIDDLE
Secretary of Commerce

Doc. No. 005158

State of Kansas

STATE BOARD OF INDIGENTS'
DEFENSE SERVICESPERMANENT ADMINISTRATIVE
REGULATIONS

(Effective May 1, 1987)

Article 3.—APPOINTED ATTORNEYS

105-3-9. Duties of trial counsel following sentencing. (a) In order to protect a convicted defendant's right to appeal, it shall be the duty of each trial counsel to:

(1) file a motion for modification of sentence pursuant to K.S.A. 1985 Supp. 21-4603(3), as amended by L. 1986, Ch. 123, when appropriate;

(2) file a motion for release on appeal bond pursuant to K.S.A. 22-2804, as amended by L. 1986, Ch. 115, when appropriate;

(3) file a notice of appeal in a timely manner, unless a waiver of the right to appeal has been signed by the defendant;

(4) upon filing the notice of appeal, obtain a court order for the trial transcript, and a transcript of any pretrial or posttrial proceedings from which a claim of error may arise;

(5) upon filing the notice of appeal, obtain an order from the district court appointing the state appellate defender as counsel for the appeal; and

(6) submit a draft of the docketing statement required by Supreme Court Rule 2.041 to the appellate defender within 10 days of the filing of the notice of appeal.

(b) Requests for compensation for services set forth in subsection (a) shall be included in the claim filed with the board. (Authorized by K.S.A. 1985 Supp. 22-4507 and 22-4522; implementing K.S.A. 1985 Supp.

(continued)

22-4507 and 22-4522; effective, T-86-33, Oct. 23, 1985; effective May 1, 1986; amended May 1, 1987.)

**Article 7.—INVESTIGATIVE, EXPERT
OR OTHER SERVICES**

105-7-6. Interpreters. Each individual performing services as an interpreter for the defense shall be compensated at a rate not to exceed \$10 per hour unless a higher rate has been approved in advance by the director. No more than one interpreter per defendant may be compensated for services performed at the same stage of the proceeding. (Authorized by K.S.A. 1985 Supp. 22-4507 and 22-4522; implementing K.S.A. 1985 Supp. 22-4507 and 22-4508; effective May 1, 1984; amended May 1, 1987.)

**Article 10.—SYSTEMS FOR PROVIDING
LEGAL DEFENSE SERVICES
FOR INDIGENT PERSONS**

105-10-2. Public defender system for appeals. (a) The state appellate defender office shall provide defense services in the appellate courts of Kansas for all indigent appeals taken from cases described in subsection (b) in all district courts of Kansas.

(b) The court shall appoint the state appellate defender to provide appellate representation to persons determined to be indigent in the following cases:

- (1) all felony appeals;
- (2) appeals from the denial of a motion pursuant to K.S.A. 60-1507;
- (3) appeals from the denial of a petition for a writ of habeas corpus pursuant to K.S.A. 22-2710; and
- (4) appeals pursuant to K.S.A. 1985 Supp. 38-1681(a).

(c) The state appellate defender office may represent a defendant in an appeal on a question reserved by the prosecution pursuant to K.S.A. 22-3602(b)(3), as amended by L. 1986, Ch. 115. (Authorized by K.S.A. 1985 Supp. 22-4501 and 22-4522; implementing K.S.A. 1985 Supp. 22-4505, 22-4506 and 38-1681; effective, T-86-33, Oct. 23, 1985; effective May 1, 1986; amended May 1, 1987.)

RONALD E. MILES
Director

Doc. No. 005151

State of Kansas

KANSAS INSURANCE DEPARTMENT

**PERMANENT ADMINISTRATIVE
REGULATIONS**

(Effective May 1, 1987)

Article 1.—GENERAL

40-1-20. Same; subrogation clause prohibited for certain coverages. An insurance company shall not issue contracts of insurance in Kansas containing a "subrogation" clause applicable to coverages providing for reimbursement of medical, surgical, hospital or funeral expenses. (Authorized by K.S.A. 40-103, 60-217(a); implementing K.S.A. 40-216, 40-1110, 40-2201, 40-2203, 40-2204; effective Jan. 1, 1966; amended Jan. 1, 1967; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

40-1-32. Insurance companies; riders or endorsements; change in coverage or benefits; consent of policyholder. Consent of the policyholder is required if an endorsement or rider attached to an insurance contract or policy subsequent to the issuance date of such contract or policy reduces or eliminates coverage or benefits of the contract or policy. (Authorized by K.S.A. 40-103, 40-2404(a); implementing K.S.A. 40-928, 40-1113, 40-2404; effective May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

Article 2.—LIFE INSURANCE

40-2-3. Life insurance policies; premium deposit fund provisions; requirements. Premium deposit fund provisions shall not be included in or attached to life insurance contracts issued in this state unless:

- (a) The provisions allow withdrawal of all or any part of the fund at the request of the policy owner; and
- (b) the withdrawal may be effected not later than the next succeeding policy anniversary date. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-401; effective Jan. 1, 1966; amended May 1, 1986; amended May 1, 1987.)

40-2-12. Replacement of life insurance and annuities. (a) Definitions.

(1) "Agent" means each agent, broker, or other person representing an insurer in the sale of any type of policy.

(2) "Company" or "insurer" means each company, society, association or other financial institution which issues a policy subject to the supervision of the Kansas insurance department.

(3) "Life insurance" means each life insurance policy, annuity, or variable annuity contract, unless specifically exempted in subsection (b).

(4) "Substantial cash values" means each transaction in which an amount exceeding 50 percent of the tabular cash value may be released on one or more of the existing policies.

(5) "Substantial borrowings" means all transactions in which an amount exceeding 50 percent of the tabular cash value may be borrowed on one or more existing policies.

(6) "Securities," as used in this rule, shall not include any insurance or endowment policy, or annuity contract under which an insurance company promises to pay a fixed or variable sum of money either in a lump sum or periodically for life or for some other specified period.

(7) "Replacement" means each transaction in which new life insurance may be purchased from an agent who knows, or reasonably should know that, as a part of the transaction or in consequence of it, a previously existing life insurance has been or is likely to be:

(A) Lapsed or surrendered;

(B) converted into paid-up insurance, continued as extended term insurance or another form of non-forfeiture benefit;

(C) converted to effect a reduction either in the amount of the existing life insurance, or in the period of time the existing life insurance will continue in force;

(D) reissued with a reduction in amount so that substantial cash values are released; or

(E) assigned as collateral for a loan or subjected to substantial borrowing of loan values in single or multiple transactions.

(8) "Sales proposal" means individualized, written sales aids. Sales aids of a general nature, which are maintained in the insurer's advertising compliance file, shall not be considered a sales proposal.

(b) This regulation shall not apply when:

(1) The application for the new life insurance is made to the same insurer that issued the existing life insurance, and a contractual policy change or conversion privilege is being exercised;

(2) The new life insurance is provided under:

(A) A group life insurance policy; or

(B) policies covering employees of an employer, debtors of a creditor, or members of an association, which are distributed on a mass merchandising basis and administered by group-type methods;

(3) The existing life insurance is a non-convertible term policy with five years or less to expire and which cannot be renewed;

(4) The solicitation is made by direct mail and:

(A) All sales material is standard and printed;

(B) the insurance company notifies the existing insurance company within three business days that the proposed insured has answered "yes" to the replacement question in the application; and

(C) concurrent with the notice to the existing company, the insurance company mails to the applicant a copy of the "notice to applicant regarding replacement of life insurance" described in subsection (h); or

(5) The policy is issued in connection with a pension, profit sharing, an individual retirement account, or other benefit plan qualifying for an income tax deduction of premiums.

(c) Each life insurance agent shall:

(1) Obtain a statement signed by the applicant as a part of each life insurance application as to whether this insurance will replace existing life insurance; and

(2) submit to the insurer in connection with each life insurance application a statement as to whether, to

the best of the agent's knowledge, a life insurance replacement is involved in the transaction.

(d) When a replacement is involved, each life insurance agent shall:

(1) Include as part of each application a list of all existing life insurance policies to be replaced;

(2) present to the applicant, when the application is submitted, a copy of each sales proposal used, and a "notice to applicants regarding replacement of life insurance" in a form acceptable to the commissioner. The agent shall leave the forms with the applicant after explaining their content;

(3) submit with the application a copy of each proposal used, and the name of each insurer which issued the insurance being replaced; and

(4) have the applicant acknowledge receipt of the "notice to applicants regarding replacement of life insurance."

(e) Each insurer shall:

(1) Inform its field representatives of the requirements of this regulation;

(2) require with each application a statement signed by the applicant as to whether the insurance will replace existing life insurance; and

(3) require in connection with each application for life insurance a statement signed by the agent as to whether, to the best of the agent's knowledge, a life insurance replacement is involved in the transaction.

(f) When a replacement is involved, the replacing insurer shall:

(1) Require with each application a list prepared by the agent of all existing life insurance policies to be replaced;

(2) obtain a copy of any sales proposal used, proof of the receipt by the applicant of the "notice to applicants regarding replacement of life insurance," and the name of each insurer whose insurance is being replaced;

(3) within three working days, notify each insurer whose insurance is being replaced;

(4) delay, if it is not the existing insurer, policy issuance for 20 days after sending the notification required by subparagraph (3). The replacing insurer may issue its policy immediately when:

(A) Each notice states that the policy or a separate written notice shall state that the applicant has a right to an unconditional refund of all premiums paid, within 20 days after delivery of the policy; and

(B) notice to the existing insurer is sent within three working days of the date its policy is issued;

(5) maintain copies of each sales proposal used, proof of receipt by the applicant of the "notice to applicants regarding replacement," and the applicant's signed statement with respect to replacement, in its home office for at least three years or until the conclusion of the next succeeding regular examination by the insurance department of its state of domicile, whichever is later. Each insurer receiving notice that its existing insurance may be replaced shall maintain a copy of the notice, indexed by insurer, for three years after receipt or until the conclusion of the next regular

(continued)

examination conducted by the insurance department of its state of domicile, whichever is later.

(g) With the exception of the reference to a comparative information form, the forms set forth in exhibits A, B, and C of the national association of insurance commissioners' model life insurance replacement regulation, December 1978 edition, are hereby adopted by reference. Equivalent forms may be adopted with the prior approval of the insurance commissioner. If the forms adopted by reference require modification for replacements involving annuity contracts or contracts sold by direct mail methods, each company shall modify the form and submit the modified form to the insurance commissioner for approval. A copy of the modified forms shall be filed with the insurance commissioner.

(h) If an agent who holds both a life insurance license and a securities license proposes to sell securities to a policyholder which will result in situations set forth in paragraph (7) of subsection (a), the agent shall give written notice to the policyholder before consummating the proposal. Each written notice shall:

(1) Be dated and signed by the licensed agent, and state the agent's address;

(2) state the name and address of the policyholder;

(3) describe the insurance which has been or is to be affected, including the policy number, amount of insurance, plan of insurance, issue age, effective date, and the total premium;

(4) state how the insurance will be affected, the amount of cash value affected and the facts which support replacement; and

(5) list the company or companies involved.

(i) Each dually licensed agent shall keep a file containing a copy of each written notice. The agent shall keep a copy of each notice for three years. The file shall be subject to inspection and review by the insurance department, upon written request.

(j) When any licensed agent solicits life insurance in connection with the sale of securities not prohibited by K.S.A. 40-232, this agent shall, in addition to the requirements of subsections (c) and (d), submit a copy of the notice required by this subsection (i) to the insurer. Each notice shall be attached to and become a part of exhibit A.

(k) Any violation of this rule shall be presumed to constitute a misleading representation for the purpose of inducing or tending to induce an insured to lapse, forfeit or surrender the insured's existing insurance. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404; effective Jan. 1, 1971; amended Jan. 1, 1972; amended, E-72-20, Sept. 1, 1972; amended Jan. 1, 1973; amended Feb. 15, 1977; amended May 1, 1982; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987.)

40-2-14. Life insurance and annuities; deceptive practices; requirements; prohibitions. (a) This regulation shall apply to each solicitation, negotiation, or procurement of life insurance or annuities occurring within this state. This regulation shall apply to each authorized issuer of life insurance or annuity con-

tracts. This regulation shall not apply to invitations to inquire about an insurance product if the invitations do not constitute a solicitation of insurance. The policy summary required by this regulation shall not apply to annuities, variable life insurance, life insurance policies issued in connection with pension and welfare plans subject to the employee retirement income security act of 1974, credit life insurance, or group life insurance.

(b) In selling life insurance or annuities, an agent shall, at the beginning of a solicitation, inform the prospective purchaser that he or she is acting as an insurance agent. Each applicant shall be furnished a policy summary at or before the time of policy delivery. For the purpose of this regulation, a policy summary means a written statement describing the elements of the policy. The summary shall include the following information:

(1) The name and address of the insurance agent or if an agent is not involved, the name, address and telephone number of the person designated to receive inquiries regarding the policy summary;

(2) the full name and home office or administrative office address of the company writing the life insurance or annuity policy;

(3) the generic name of the basic policy or contract and each rider;

(4) amounts, where applicable, for the first five policy years, the tenth and twentieth policy years, and for at least one age from 60 through 65 or at maturity as follows:

(A) The annual premium for the basic policy;

(B) the annual premium for each optional rider;

(C) the guaranteed amount payable upon death, at the beginning of the policy year, for all causes of death other than suicide, or other specifically enumerated exclusions. The guaranteed amount payable under the basic policy and each rider shall be listed separately;

(D) the total guaranteed cash surrender values at the end of the year with values shown separately for the basic policy and each rider;

(E) the cash dividends payable to the end of the year with values shown separately for the basic policy and each rider, except that dividends need not be displayed beyond the twentieth policy year; and

(F) the guaranteed endowment amounts payable under the policy which are not included under guaranteed cash surrender values above;

(5) if a policy summary includes dividend illustrations, a statement that dividends are based on the company's current dividend scale and are not guaranteed;

(6) the effective policy loan annual percentage interest rate, if the policy contains a loan provision. The policy summary shall state whether this rate is applied in advance or in arrears. If the policy loan interest rate is variable, the policy summary shall include the maximum annual percentage rate;

(7) the date on which the policy summary is prepared; and

(8) a statement to the effect that the presentation does not recognize that, because of interest, a dollar in the future has less value than a dollar today, unless the

policy summary includes index figures which recognize the time-value of money. If index figures are included in the policy summary, the applicant shall receive written notification at the time the policy summary is delivered that those figures may be used only for comparing the relative costs of similar policies.

The policy summary shall consist of a separate document. All disclosure information required shall be set out in a manner that will not minimize or render any portion of it obscure. Amounts which remain level for two or more years may be represented by a single number if it clearly indicates what amounts apply to each policy year. Amounts in paragraph (4) of this subsection shall be listed in total. If multiple insureds are covered under one policy or rider, guaranteed death benefits shall be displayed separately for each insured, or for each class of insureds when death benefits do not differ within the class. Zero amounts shall be displayed as zero and shall not be displayed as a blank space.

(c) The following shall be deemed prohibited, unfair or deceptive acts or practices in the selling of insurance:

- (1) Making a misrepresentation or false, deceptive or misleading statement;
- (2) using comparisons or analogies or manipulating amounts and numbers in a way that will mislead the prospective purchaser concerning the cost of the insurance protection coverage;
- (3) referring to an insurance premium as a deposit, an investment, a savings or the use of other phrases of similar import when referring to an insurance premium. This subsection shall not prohibit discussion of the savings values of a life insurance policy having cash values;
- (4) describing the policy dividend as other than a refund or return of part of the aggregate premiums paid to the company, which is not guaranteed and which is dependent on the investment earnings, mortality experience and expense experience of the company; and
- (5) recommending to a prospective purchaser the purchase or replacement of any life insurance policy or annuity contract with reasonable grounds to believe that the recommendation is unsuitable for the applicant on the basis of information furnished by this person, or otherwise obtained.

(d) (1) No annuity shall be advertised or solicited using any language in advertisements or solicitation material of any kind that refers to the annuity as being "risk free," or a similar connotation.

(2) At the time an application is taken for a single premium deferred annuity, the disclosure form prescribed by the commissioner shall be executed by the applicant and the selling agent and attached to the application. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404; effective Jan. 1, 1974; amended May 1, 1981; amended May 1, 1982; amended May 1, 1986; amended May 1, 1987.)

40-2-15. Individual life insurance policies; right to return policy. (a) Each individual life insurance policy

and annuity contract issued for delivery in this state shall contain a notice.

(b) The notice shall be printed on or attached to the first page of the policy. It shall state that the person to whom the policy is issued shall be permitted to return the policy or contract within 10 days of its delivery to the purchaser and to have the premium paid refunded if the purchaser is not satisfied.

(c) Each policy returned to the company or association at its home or branch office or to the agent through whom it was purchased, shall be void. Each party shall be in the same position as if no policy had been issued. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404; effective Feb. 15, 1977; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

40-2-19. Kansas life and health insurance guaranty association act; notice to policyholders; requirements.

(a) The disclaimer required by L. 1986, Ch. 180, Sec. 15(c) shall be printed in bold face type and included on the face page of the summary document required by L. 1986, Ch. 180, Sec. 15(b). The disclaimer shall be entitled, "Disclaimer," and shall contain the following statements:

- (1) the policy or contract, or a portion of it, may not be covered by the Kansas life and health insurance guaranty association;
- (2) even if coverage is available for a portion of the policy, coverage is subject to significant limitations and exclusions and is conditioned upon continued residency in this state;
- (3) the Kansas life and health insurance guaranty association or the Kansas insurance department will respond to any questions regarding the extent of coverage, if any, under the Kansas life and health insurance guaranty fund. The addresses of the association and insurance department shall follow this statement;
- (4) the insurance company and agent are prohibited by law from using the existence of the Kansas life and health insurance guaranty association or its coverage to sell an insurance policy or contract; and
- (5) the policy or contract holder should not rely on coverage from the Kansas life and health insurance guaranty association when selecting an insurance company.

(b) The notice to policyholders required by L. 1986, Ch. 180, Sec. 15(d) shall be printed in bold face type on a separate one page document not less than eight inches by five inches, with type not less than 10-point. The notice shall be entitled, "Special Notice," and shall contain the following information:

- (1) Company name and address;
- (2) a statement disclosing that all or a portion of the policy or contract is not guaranteed by the insurer or all or a portion of the risk under the policy or contract is borne by the policy or contract holder and is not covered by the Kansas life and health insurance guaranty association; and
- (3) the statements required by subparagraphs (2), (3) and (4) of subsection (a) of this regulation. (Authorized by and implementing L. 1986, Ch. 180, Secs. 15(c) and (d); effective May 1, 1987.)

(continued)

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-22. Accident and health insurance policies; right to return policy. Each individual accident and health policy, except travel accident policies or policies of a similar type, issued for delivery in this state, shall have printed on, or attached to the first page of the policy, a notice stating that the person to whom the policy is issued shall be permitted to return the policy or contract within 10 days of its delivery to the purchaser and to have the premium paid refunded if purchaser dissatisfaction exists. When a policyholder or purchaser, pursuant to the notice, returns the policy to the company or association at its home or branch office or to the agent through whom it was purchased, the policy shall be void from the beginning and the parties shall be in the same position as if no policy or contract had been issued. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404; effective Jan. 1, 1972; amended May 1, 1975; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

40-4-34. Accident and health insurance; coordination of benefits; guidelines. Sections 3, 4 and 5 of the national association of insurance commissioners' coordination of benefits regulation, June, 1985 edition, are hereby adopted by reference subject to the following exceptions:

(a) Section 3(a)(IX) is hereby amended to read as follows: " 'Plan' shall not include group or group-type accident only coverages."

(b) Section 4(d)(II)(A)(i) is hereby amended to read as follows: "Group or group-type insurance, whether insured or uninsured. This includes prepayment, group practice or individual practice coverage."

(c) Section 5 is hereby amended as follows:

(1) Subsections (a)(II)(B) and (b) on pages 632, 633, 634 and 635 of the national association of insurance commissioners proceedings, 1985 volume II are deleted.

(2) Subsection (d)(II)(D)(1) is modified to read as follows: "the Noncomplying Plan reduces its benefits so that the employee, subscriber, or member receives less in benefits than he or she would have received had the Complying Plan paid or provided its benefits as the Secondary Plan and the Noncomplying Plan paid or provided its benefits as the Primary Plan, then the Complying Plan shall advance to or on behalf of the employee, subscriber, or member an amount equal to such difference. However, in no event shall the Complying Plan advance more than the Complying Plan would have paid had it been the Primary Plan less any amount it previously paid."

(3) Subsection (d)(II)(D)(2) on page 635 of the national association of insurance commissioners proceedings, 1985 volume II is deleted.

(4) Subsection (f) on page 636 of the national association of insurance commissioners proceedings, 1985 volume II is deleted. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 1985 Supp. 40-2404; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended May 1, 1985;

amended, T-86-13, May 9, 1985; amended May 1, 1986; amended May 1, 1987.)

Article 5.—CREDIT INSURANCE

40-5-10. Credit insurance; fire and extended coverage; issuance for single indivisible premium; requirements. Fire and extended coverage insurance permitted by Kansas administrative regulation 40-5-6 may be issued for a single indivisible premium subject to the following requirements:

(a) The location of the property insured shall be extended by the policy provisions to insure the property at any location within the continental limits of the United States.

(b) The maximum amount of insurance permitted under such policy shall not exceed \$3,000.

(c) The insurer shall be required to obtain a statement from the insured to the effect that:

(1) no other valid and collectible insurance on the insured property exists;

(2) the purchase of insurance from any insurer or agent was the choice of the insured; and

(3) the purchase of insurance in connection with the credit transaction is entirely voluntary and not a prerequisite to the extension of credit.

(d) The creditor may not refuse or decline the insurance provided by the consumer except for reasonable cause. (Authorized by K.S.A. 40-103, 16a-4-112; implementing K.S.A. 16a-4-301, 16a-4-111; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

Article 7.—AGENTS

40-7-6. Insurance policies and riders; signature of resident agents; requirements. Each insurance policy, and each rider or endorsement attached after the issue date of the policy, which changes premium or coverage, shall be countersigned by a resident or nonresident agent pursuant to K.S.A. 1985 Supp. 40-246. Except as permitted by Kansas administrative regulation 40-7-5, the countersignature shall be affixed subsequent to or concurrent with the issuance of the policy, rider, or endorsement and a record of the policies shall be kept by the agent. This regulation shall apply to policies covering any property or risk located in this state, including fidelity and surety bonds and accident and health policies issued by all companies. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-246; effective Jan. 1, 1966; amended Jan. 1, 1968; amended May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1986; amended May 1, 1987.)

40-7-7. Agents; procedure for obtaining licenses and company certification. (a) Licenses.

(1) Each individual desiring to become licensed shall complete and submit an application and evidence of graduation from an accredited four year high school or its equivalent. A copy of the high school or college diploma of the applicant, certified by school authorities, or a certificate of completion of the general education development test (GED) by the applicant shall be acceptable evidence.

(2) The examination fee prescribed by Kansas administrative regulation 40-7-21 shall accompany the application and other required material.

(3) When the applicant has met all requirements for an agent license as prescribed by statute and these rules and regulations, except the passing of a written examination, the applicant shall be notified by the commissioner that the applicant may appear for examination.

(4) If the applicant has not been licensed and certified as a resident agent in this state during the two years immediately preceding the date of the application, the applicant shall pass a written examination covering each class or subclass of insurance that the applicant intends to write.

(b) Certification.

(1) The company certification shall be completed to show the company name, name and address of the agent to be certified, the code number of the desired certification, the application date, and the address of the insurance company office submitting the certification.

(2) Certification shall be issued only upon request from the company itself and shall be accompanied by proper certification fees.

(3) The certification shall be personally signed by an authorized representative of the insurance company.

(c) A full certification fee shall be charged for any certification issued.

(d) The company certification of a nonresident agent shall be accompanied by a certification from the chief insurance regulatory official of the applicant's state of domicile indicating that the applicant is duly licensed as an insurance agent in this state for the classes of insurance to be transacted in Kansas. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-240, 40-241, 40-252; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1970; amended, E-70-28, July 1, 1970; amended Jan. 1, 1971; amended, E-71-24, July 1, 1971; amended Jan. 1, 1972; amended Feb. 15, 1977; amended, E-79-25, Oct. 19, 1978; amended May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987.)

40-7-10. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-215, 40-241j, 40-241i; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1970; amended, E-79-25, Oct. 19, 1978; amended May 1, 1979; amended May 1, 1981; amended May 1, 1986; revoked May 1, 1987.)

40-7-13. Agents; scope, subclassification; type and conduct of examinations; reexamination. (a) The licensing examination for each agent shall test the applicant's knowledge in the following areas:

(1) The laws of Kansas, including:

(A) pertinent provisions of the statutes of Kansas; and

(B) rules and regulations of the insurance department;

(2) General insurance, including:

(A) duties and responsibilities of a licensed agent; and

(B) basic insurance knowledge;

(3) The specific classes or subclasses of insurance for which application is made.

(b) For examination purposes, the subclassifications of each class of insurance shall be as follows:

Class	Subclass
(1) Life insurance, including health and accident coverage.	(A) life insurance (B) accident, health and hospitalization insurance
(2) Fire and allied lines	(A) general fire lines, including "homeowners" and "farm-owners" policies (B) automobile physical damage coverage (C) any other subclass designated by the commissioner of insurance
(3) Casualty and allied lines	(A) accident, health and hospitalization lines (B) automobile insurance (both liability and physical damage) (C) general casualty lines (D) fidelity, forgery and surety bonds (E) title insurance (F) any other subclass designated by the commissioner of insurance

(4) Any agent required to be examined who will write multi-peril policies shall be qualified by examination for each subclass included under the policy.

(c) Persons failing to score at least 70 percent on any part of any examination shall have failed that part of the examination and shall not be qualified for a license for that part or for the subclass in that part. Notification of the result of each examination shall be provided to the applicant only.

(d) Examinations shall be conducted as follows:

(1) Each applicant shall be given an advance notice which establishes the time and place of the examination. An applicant shall not appear for an examination before being notified of eligibility to do so by the department.

(2) The applicant's licensing material shall remain effective until 60 days from the date of notification of eligibility or 60 days from the applicant's last appearance for examination, whichever is later.

(3) Each applicant shall be scheduled for reexamination on sections previously failed at the next scheduled examination date. The next scheduled examination shall be no less than 14 days from the date of the previous examination. (Authorized by K.S.A. 40-103, 40-241; implementing K.S.A. 40-241; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1969; amended Jan. 1, 1970; amended, E-70-28, July 1, 1970; amended Jan. 1, 1971; amended, E-71-24, July 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1973; amended Jan. 1, 1974; amended, E-78-24, Sept. 7, 1977; amended May 1, 1978; amended May 1, 1979; amended May 1, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987.)

40-7-19. Agents; individual records; fees. (a) Each person, company or organization requesting any of the following documents or services shall pay the fee prescribed:

(1) Verification of license record—\$2.50

(2) Duplicate license—\$6.50

(continued)

- (3) Certification of home state—\$3.50
- (4) Clearance letter—\$4.50
- (5) Duplicate cancellation form—\$7.50
- (6) Re-grading of agent's examination (No change in result.)—\$5.50

(b) The fees established by this regulation shall be applied on a per item or per time basis and shall not be refunded for any reason. (Authorized by K.S.A. 40-103, 40-241k; implementing K.S.A. 1985 Supp. 40-241k; effective May 1, 1984; amended May 1, 1986; amended May 1, 1987.)

40-7-20. Agents; minimum education requirements; acceptable courses; requirements for course approval. (a) All agents licensed in this state as life or health insurance agents shall, within five years of initial licensure, provide evidence to the commissioner that they have completed two educational courses approved by the commissioner totaling at least 40 classroom hours or the equivalent.

(b) The following courses are approved by the commissioner and the credit hours for these courses are as follows:

(1) Each part of the life underwriter training council life course curriculum shall equal 25 hours credit.

(2) Each part of the life underwriter training council health course curriculum shall equal 15 hours credit.

(3) Each part of the life office management association curriculum shall equal 25 hours credit.

(4) Each part of the American college CLU or ChFC curriculum shall equal 25 hours credit.

(5) Each semester credit hour of life or health insurance courses taught by an accredited college, university, or community college shall equal 7 hours credit.

(6) Parts INS 21, INS 23, AAI 81, or AAI 82 of the insurance institute of America's certificate of insurance program shall equal 15 hours credit.

(7) Part one or two of the American institute for property and liability underwriters CPCU diploma curriculum shall equal 25 hours credit.

(8) Each part of the college for financial planning CFP diploma curriculum shall equal 25 hours credit.

(9) The life and health institute course of the society of certified insurance counselors curriculum shall equal 20 hours credit.

(10) The personal lines institute course of the society of certified insurance counselors curriculum shall equal 15 hours credit.

(c) Programs in addition to those set forth in subsection (b), shall receive such credit hour equivalent as determined by the commissioner if the program:

(1) is a formal life or health insurance course or program of instruction designed to improve product knowledge and ability to service the needs of the insuring public;

(2) consists of instruction developed or conducted by an admitted insurer, insurance education institution approved by the commissioner, recognized agents' association or insurance trade association; and

(3) is a course for which the sponsoring organization will issue evidence of successful completion and maintain records of such completion for a minimum of seven years.

(d) Organizations that desire to have courses approved shall submit their request for individual course approval to the commissioner. This request shall include:

(1) Name of sponsoring organization;

(2) course title and copy of course material if requested by the commissioner of insurance;

(3) name and background of instructor;

(4) an explanation of the method of teaching or presentation, specifying the time frame for the program;

(5) the number of classroom contact hours or the equivalent;

(6) an explanation of the criteria used in determining satisfactory course completion;

(7) a copy of certification of completion to be signed by the instructor and chief operating officer; and

(8) if applicable, the number of credit hours currently approved in all states. (Authorized by and implementing L. 1986, Ch. 170, Sec. 1; effective, T-88-1, Jan. 5, 1987; effective May 1, 1987.)

40-7-21. Agents; examination fee; amount. An examination fee of \$25 shall be paid by each person for the purposes described in L. 1986, Ch. 171, Sec. 1. (Authorized by and implementing L. 1986, Ch. 171, Sec. 1; effective, T-88-1, Jan. 5, 1987; effective May 1, 1987.)

Article 8.—EXCESS COVERAGE

40-8-6. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-246d, 40-246b, 40-246e; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1986; revoked May 1, 1987.)

40-8-7. Excess lines insurance; agents; submission of affidavit required. (a) The excess lines agent who actually places business with a non-admitted insurer shall file the affidavit and annual statement reporting forms prescribed by the commissioner. Other excess lines agents shall file only the affidavit form prescribed by the commissioner. Forms shall be filed with the department, on or before March 1st of each year, for the contracts effected during the preceding calendar year.

(b) The excess lines agent shall include the following information with the affidavit:

(1) A complete account of the gross premiums upon all policies written on risks placed on and after July 1, 1982; and

(2) A tax remittance in the amount of four percent of the gross premiums included in the account developed pursuant to subparagraph (A).

(A) "Gross premium" means the amount charged to the insured for the insurance procured. When an audit or gross receipts contract requires a deposit premium, the amount collected during the calendar year either as a deposit or partial payment shall be reported on the affidavit and annual statement reporting forms as gross premium for that calendar year. Gross premium shall not include the tax due on the premium nor shall that tax be charged to the insured unless specifically identified and provided for in the policy.

(B) When a policy is renewed or an adjustment,

addition, or reduction is made on a risk previously placed, the appropriate adjusting entry shall be made on the annual statement reporting form.

(c) The commissioner shall collect double the amount of excess premium tax required by K.S.A. 1985 Supp. 40-246c if the excess lines agent fails to submit a statement and pay the premium tax as required by subsections (a) and (b) of this regulation. This subsection shall not apply:

(1) If the required statement and excess premium tax payment is submitted by mail on or before the 1st day of March of each year;

(2) if the required statement and the excess premium tax payment is received by the commissioner before the 1st day of January of each year and the statement and premium include all transactions of the excess coverage licensee during the year;

(3) if the required statement and excess premium tax payment is not received by the commissioner because no transactions contemplated by the statute occurred during the preceding year. (Authorized by K.S.A. 40-103; implementing K.S.A. 1985 Supp. 40-246b, 40-246c; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1970; amended Jan. 1, 1971; amended, E-76-29, June 19, 1975; amended May 1, 1976; amended May 1, 1979; amended, T-83-22, Aug. 11, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987.)

40-8-11. Excess line agents; records required. The record required to be maintained by each excess lines agent pursuant to K.S.A. 1985 Supp. 40-246b shall include the following:

(a) A duplicate copy of the combined affidavit-annual statement;

(b) the exact amount of each kind of insurance permitted under this act which has been procured for each assured;

(c) the home address of the insurer and the kind or kinds of insurance effected;

(d) the address of the insured, and a brief description of the property insured;

(e) the insurance cancelled or added, and its premiums; and

(f) a duplicate of the policy with each rider, endorsement, and attachment.

(g) Evidence that the information and consent of the insured required by K.S.A. 1985 Supp. 40-246b was provided and obtained. (Authorized by K.S.A. 40-103; implementing K.S.A. 1985 Supp. 40-246b, 40-246c; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1970; amended, T-83-22, Aug. 11, 1982; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987.)

Article 9.—ADVERTISING

40-9-100. Accident and sickness insurance; advertising. The national association of insurance commissioners' rules governing advertisements of accident and sickness insurance with interpretive guidelines, June 1974 edition, are hereby adopted by reference subject to the following exceptions:

(a) The preamble and sections 1 and 18 are not adopted.

(b) Section 12 is hereby amended by adding a new subsection C reading as follows: An advertisement which is seen or heard in this state shall not directly or indirectly create the impression that the policy being advertised is approved for issuance in the state, unless that is the fact. If the policy is not approved for issuance in this state, that fact shall be disclosed in the advertisement by a statement reading, "This policy is not available in Kansas."

(c) Section 15 A (2) is completed by insertion of "6" in the space requiring specification of a number of months. (Authorized by K.S.A. 40-2404a; implementing K.S.A. 40-2404(1); effective May 1, 1982; amended May 1, 1987.)

40-9-118. Life insurance; advertising. The national association of insurance commissioners' rules governing the advertising of life insurance, June 1976 edition, are hereby adopted by reference subject to the following exceptions:

(a) Sections I and X are not adopted.

(b) Section V, 13(d) is completed by insertion of "6" in the space requiring specification of a number of months. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404(1); effective Feb. 15, 1977; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

40-9-119 to 40-9-125. (Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404(1); effective Feb. 15, 1977; amended May 1, 1986; revoked May 1, 1987.)

Article 10.—FIREFIGHTER'S RELIEF

40-10-14. Same; purchase of bonds; requirements. Each bond purchased with firefighter's relief funds shall be shown on the financial statement at the initial purchase price. Bonds shall not be carried at market or maturity value. When the bonds mature or are sold, each change in the value from the initial purchase price shall be reflected in the financial statement. (Authorized by K.S.A. 40-103, 40-1707(g); implementing K.S.A. 40-1706; effective Jan. 1, 1966; amended May 1, 1986; amended May 1, 1987.)

Article 12.—SALE OF STOCK

40-12-5. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1966; amended May 1, 1980; amended May 1, 1986; revoked May 1, 1987.)

40-12-9. Impounding of stock sale proceeds; when required; impound agent; certificates of no lien. (a) A permit issued to a domestic stock insurer prior to a certificate of authority shall require 100 percent of all stock sale proceeds to be impounded until release upon written order of the commissioner. This requirement shall not apply if the applicant can demonstrate to the commissioner's satisfaction that an impounding of funds is not necessary to guarantee full return of stock purchase moneys in the event a certifi-

(continued)

cate of authority is not issued. If the applicant does not qualify for a certificate of authority within two years, subscription money shall be returned in full to all subscribers without deduction of expenses. Extensions beyond two years shall not be granted without the consent of all subscribers.

(b) Application for a permit which will entail impoundment of stock sale proceeds shall name a duly authorized bank or trust company within the state which has consented to act as impound agent.

(c) Before an order is made releasing stock sale proceeds from impoundment, written assurance shall be requested from the bank or trust company serving as impound agent that it has no lien, general, special, bankers, or otherwise, against the funds, and knows of no claims asserted against the funds. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1986; amended May 1, 1987.)

40-12-10. Promotional stock. Stock issued for consideration of the promotion of a domestic stock insurer shall be prohibited. The prohibition does not preclude, for promoters, officers or employees, a stock option plan which meets the standards set forth in Kansas administrative regulation 40-12-12(a). (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1981; amended May 1, 1986; amended May 1, 1987.)

40-12-11. Sales to promoters. In the event of a public offering, a security of a domestic insurer shall not be authorized for promoters at less than the net offering price. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1986; amended May 1, 1987.)

40-12-12. Options to promoters, officers or employees. (a) Issuance of an option of stock of a domestic insurer to promoters, officers or employees shall be authorized only when it is satisfactorily demonstrated that the promoters, officers or employees have rendered a genuine service of value to the company for which they have not otherwise been fully compensated.

(b) The issuance shall be permitted if:

(1) The total number of shares subject to the option shall not exceed 10 percent of the number of authorized shares initially sold and issued for cash.

(2) The exercise price stated in the option to be issued by a domestic insurer is not less than the net price at which shares are sold to public investors at the time the option is granted, plus an increase of 10 percent for each year thereafter elapsing during the life of the option.

(3) The option shall be non-transferable except upon death of the optionee or by operation of law.

(4) The option terms shall not be exercisable more than five years after the date of issue.

(c) The intention to issue an option and the approximate extent shall be fully disclosed in the prospectus or offering circular.

(d) An option shall be a form of promotional expense and shall be justified by a showing of the nature of the service rendered or other consideration justifying the grant of the option. The aggregate of all organizational expenses and promotional expenses, including the value of the option as determined by the board of directors and subject to review by the commissioner, shall be subject to a permissible maximum of 12½ percent of the total amount actually paid for the issuer's capital stock. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1981; amended May 1, 1986; amended May 1, 1987.)

40-12-13. Officers, directors, and employee stock purchase plans. Stock option plans in a domestic insurer shall conform to the following specifications:

(a) Stock options shall be provided for by a fair and reasonable plan which has been submitted to and approved by the board of directors and stockholders after the company has been in operation for at least one full year.

(b) The granting of the stock option shall bear a reasonable incentive relationship to the continual employment of the optionee.

(c) The stock option shall be for a stated number of shares, to be paid for in cash.

(d) If the stock is widely traded, the options shall be for the full market value at the time the options are granted. If the stock is not widely traded, the options shall be for a price fixed by the company's board of directors and approved by the commissioner.

(e) The stock option shall fully set forth employment qualifications, conditions for complete exercise of the options, conditions under which cessation of employment shall terminate the option, and the effect of death, resignation, or other similar events.

(f) The stock option shall contain an anti-dilution or proration clause. The clause shall provide that the number of shares allocated to the plan and the number of shares carried by each individual option, and price per share, shall automatically be proportionately adjusted for each increase or decrease in the number of issued and outstanding shares of the corporation. This shall be accomplished without a corresponding increase or decrease in the corporation's paid-in capital.

(g) Only the optionee, or a court appointed guardian, shall exercise the option during the optionee's lifetime. For a specified time after death, only the heirs, administrator or executor shall exercise the option.

(h) The period of time in which an option may be exercised after death shall be no longer than five years.

(i) The total number of shares set aside at any one time for this purpose shall not be inequitably proportioned to the number of shares issued and outstanding. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1986; amended May 1, 1987.)

40-12-14. Purchasing of shares through options. A stock purchase plan or option in a domestic insurer shall provide that the optionee shall sign a stipulation

when the option is exercised that the purchase of the shares shall be for investment and not for resale. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1986; amended May 1, 1987.)

40-12-16. Agents' production stock option plans. In order to be authorized, each agent's stock option plan in a domestic insurer shall:

(a) Be clear and unambiguous in its term and as simple as the subject matter permits;

(b) provide that the plan shall be submitted to and approved by the company's directors and stockholders before it becomes effective;

(c) provide that no securities shall be issued without a prior permit of the commissioner authorizing the issue. The company shall promptly and diligently endeavor to process the necessary authorization contemplated by the plan;

(d) provide that business written shall serve as a basis for earning options only after the business shall have been in force and effect for two policy years and premiums for the same period shall have been fully paid in cash. A policy that shall terminate by a death claim prior to expiration of the persistency period shall be regarded as having run the full two years;

(e) govern the earning of conditional rights to options and the grant of options by a conservative formula based on one of the following:

(1) Annual premiums written and paid on policies issued during a given calendar quarter;

(2) commissions earned per calendar quarter; or,

(3) another reliable criterion of production of business, per calendar quarter, having intensive value to the company;

(f) provide for notifying each participating agent within 30 days after the close of each calendar quarter of the number of shares to which conditional rights have been earned by virtue of production for the calendar quarter, according to the stated formula. Notification shall constitute evidence of the conditional rights to receive options for an appropriate number of shares after expiration of the persistency period and subject to all other conditions precedent. The notification form shall not be used without prior approval in writing by the commissioner;

(g) provide for the issuance of an option with reasonable promptness after expiration of the persistency period according to the formula chosen in subparagraph (e); and subject to fulfillment of all other conditions outlined in this section;

(h) specify that an option to be granted shall be exercisable for not longer than 180 days after issuance, after which they shall become null and void;

(i) specify that an option granted shall be nonassignable and nontransferable;

(j) limit the maximum number of shares optionable at any given time to a number equivalent to 10 percent of the company's then issued and outstanding or authorized shares;

(k) provide that options shall not be granted to any agent on the basis of personal or controlled business;

(l) provide in effect that agents appointed by the

same company shall not transact insurance on each other or on each other's families for the purpose of avoiding the foregoing provision;

(m) provide that no agent shall be required to purchase any insurance personally, or that no agent's immediate family shall be required to participate;

(n) state that the price for issuance of the shares of stock shall be determined by the company's board of directors and approved by the commissioner;

(o) provide that rights to options for shares earned by an agent's production in accordance with the production formula shall abate pro rata at conclusion of the persistency period or prior to issuance of the actual options in any case where issuance of options would exceed the amount authorized by permit of the commissioner; and

(p) specify that after due notice to the persons concerned the commissioner may modify or terminate any or all of the following:

(1) The plan when continuation of the plan is inequitable;

(2) rights to options when issuance of options upon maturity is or shall be inequitable; and

(3) outstanding, issued but unexercised, options when issuance of shares is or shall be inequitable. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1981; amended May 1, 1986; amended May 1, 1987.)

40-12-17. Limitation of options. If the total number of shares of a domestic insurer are, at any one time, subject to outstanding unexercised option rights which exceed or will exceed 20 percent of the number of the then-issued and outstanding shares, it shall be presumed that an unfair, unjust and inequitable situation exists. The number of outstanding unexercised option rights shall include promotional options, employee incentive options, and agents production options. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1986; amended May 1, 1987.)

40-12-18. Options to attorneys-at-law, actuaries, and underwriters. An option in a domestic insurer to an attorney at law, or an actuary employed on a consulting basis, and to an underwriter under agents' production stock option plans shall be prohibited. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1986; amended May 1, 1987.)

40-12-19. Directors' resolution as to fairness of price; commissioner's approval. (a) Each application for authorization to issue options in a domestic insurer shall be supported by a certified copy of a resolution of the applicant's board of directors containing its findings, as follows:

(1) In the case of an applicant who demonstrates to the commissioner's reasonable satisfaction that:

(A) its shares have, through substantial trading in a free market, achieved a recognizable value in the market place;

(continued)

(B) the market price reported is a bona fide market price;

(C) in the opinion of its board of directors, the market price represents the fair value of the shares; and

(D) the issuance at the proposed price will be equitable to the company, to its present and future stockholders, and to other optionees.

(2) In the case of an applicant which is either newly organized, or, if not newly organized, whose shares have not yet achieved a recognized value in the market place as described in paragraph (1) of this regulation, that:

(A) the value of the shares as stated represents, the fair value of the same; and

(B) that the option price sought to be authorized is an equitable price with respect to the company, its present and future stockholders, and the optionees.

(b) An application for authorization to issue options shall be approved by the commissioner if the price is equitable with respect to the company, its present and future stockholders, and other optionees, and the proposed plan complies with the other provisions of Kansas law and regulations. (Authorized by K.S.A. 40-103, 40-205; implementing K.S.A. 40-205; effective Jan. 1, 1968; amended May 1, 1980; amended May 1, 1981; amended May 1, 1986; amended May 1, 1987.)

Article 13.—INSIDER STOCK TRADING

40-13-1. Definition of certain terms. (a) "Insurer" means any domestic insurance company with an equity security subject to the terms of K.S.A. 40-264, 40-265, 40-266, 40-267, 40-268, 40-269, and not exempt by the provisions of K.S.A. 40-270.

(b) "Director" means those persons named as directors in the articles of incorporation for the first year, or those persons elected as directors by the stockholders.

(c) "Officer" means the president, vice-president, treasurer, secretary, controller, actuary or any other person who performs at the election or appointment by the board of directors of the corporation.

(d) Securities "held of record":

(1) Securities shall be deemed to be "held of record" by each person who is identified as the owner of the securities on a record of security holders maintained by or on behalf of the insurer, subject to the following:

(A) In each case where the records of security holders have not been maintained in accordance with accepted practice, each additional person who would be identified as an owner on such records if they had been maintained in accordance with accepted practice shall be included as a holder of record.

(B) Securities identified as held of record by a corporation, a partnership, a trust whether or not the trustees are named, or other organization shall be considered to be held by one person.

(C) Securities identified as held of record by one or more persons as trustees, executors, guardians, custodians or in other fiduciary capacities with respect to a single trust, estate or account shall be considered to be held of record by one person.

(D) Securities held by two or more persons as co-owners shall be considered to be held by one person.

(E) Each outstanding unregistered or bearer certificate shall be considered to be held of record by a separate person, except to the extent the insurer can establish that if the securities were registered they would be held of record under the provisions of this rule by a lesser number of persons.

(F) Securities registered in substantially similar names where the insurer has reason to believe, because of the address or other indications, that the names represent the same person, may be included as held of record by one person.

(2) Notwithstanding subsection (1) of this paragraph:

(A) Securities held with the knowledge of the insurer that they are subject to a voting trust, deposit agreement, or similar arrangement shall be of interest in the securities. The insurer may rely in good faith on information received in response to its request from a nonaffiliate of the certificates or evidence of interest.

(B) If the insurer knows or has reason to know that the method of holding securities of record is used primarily to circumvent the provisions of a statute or these regulations, the beneficial owners of the securities shall be deemed the record owners.

(e) "Class" means all securities of an insurer which are of similar character and the holders of which enjoy similar rights and privileges. (Authorized by K.S.A. 40-103, 40-271; implementing K.S.A. 40-264; through 40-271; effective Jan. 1, 1967; amended May 1, 1980; amended May 1, 1981; amended May 1, 1986; amended May 1, 1987.)

40-13-2. (Authorized by K.S.A. 40-103, 40-271; implementing K.S.A. 40-265; effective Jan. 1, 1967; amended May 1, 1986; revoked May 1, 1987.)

40-13-5. Ownership of more than 10 percent of an equity security. (a) In determining whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of any equity security for the purpose of K.S.A. 40-264, the class shall be deemed to consist of the total number of shares of the class outstanding, but shall not include any securities of the class held by or for the account of the insurer or a subsidiary of the insurer.

(b) The class of voting trust certificates or certificates of deposit shall consist of the number of shares of voting trust certificates or certificates of deposit issuable out of the total amount of outstanding shares of the class which may be deposited under the voting trust agreement or deposit agreement in question, whether or not all of the outstanding securities have been so deposited.

(c) A person acting in good faith may rely on the information contained in the latest annual statement filed with the commissioner concerning the number of shares outstanding in a class or, in the case of voting trust certificates or certificates of deposit, the number issuable.

(d) In determining whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of security for the purpose of

K.S.A. 40-264, a person shall be deemed to be the beneficial owner of securities of the class in which the person has the right to acquire securities through the exercise of presently exercisable options, warrants or rights, or through the conversion of presently convertible securities.

(e) The securities subject to the options, warrants, rights or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by the person described in paragraphs (a), (b) and (c), but shall not be deemed outstanding for the purpose of computing the percentage of the class owned by any other person. This paragraph shall not be construed to relieve a person of any duty to comply with K.S.A. 40-264 with respect to equity securities consisting of options, warrants, rights or convertible securities which are otherwise subject, as a class, to K.S.A. 40-264. (Authorized by K.S.A. 40-103, 40-271; implementing K.S.A. 40-264; effective Jan. 1, 1967; amended Jan. 1, 1970; amended May 1, 1986; amended May 1, 1987.)

40-13-7. Exemptions from K.S.A. 40-264 and 40-265. (a) During the period of 12 months following their appointment and qualification, securities held by the following persons shall be exempt from K.S.A. 40-264 and 40-265.

(1) An executor or administrator of the estate of the decedent;

(2) a guardian or conservator; and

(3) a receiver, trustee in bankruptcy, assignee for the benefit of creditors, conservator, liquidating agent, and other similar persons duly authorized by law to administer the estate or assets of other persons.

(b) After the 12 month period following their appointment or qualification, the foregoing persons shall be required to file reports with respect to the securities held by the estates which they administer under K.S.A. 40-264, and shall be liable for profits realized from trading in securities pursuant to K.S.A. 40-265 of the code when the estate being administered is a beneficial owner of more than 10 percent of any class of equity security of an insurer subject to the code.

(c) Securities reacquired by or for the account of an insurer and held by it or for its account shall be exempt from K.S.A. 40-264 and 40-265 during the time they are held by the insurer. (Authorized by K.S.A. 40-103, 40-271; implementing K.S.A. 40-264, 40-265; effective Jan. 1, 1967; amended Jan. 1, 1970; amended May 1, 1986; amended May 1, 1987.)

40-13-12. Exemption from K.S.A. 40-265 of transactions which will not be reported under K.S.A. 40-264. Any transactions exempt from the requirements of K.S.A. 40-264 shall be exempt from K.S.A. 40-265. (Authorized by K.S.A. 40-103, 40-271; implementing K.S.A. 40-264, 40-265; effective Jan. 1, 1967; amended May 1, 1986; amended May 1, 1987.)

Article 14.—INSURANCE PREMIUM FINANCE COMPANIES

40-14-8. (Authorized by K.S.A. 40-103, 40-2608;

implementing K.S.A. 40-2609; effective Jan. 1, 1969; amended May 1, 1986; revoked May 1, 1987.)

40-14-9. Same; disclosure of annual percentage rate. (a) Each premium finance company shall include in its premium finance agreement a provision to disclose the annual percentage rate pursuant to Kansas administrative regulation 75-6-26.

(b) The total service charges included for a premium finance agreement and the total interest charged on the agreement shall be added together when computing the annual percentage rate of the disclosure. (Authorized by K.S.A. 40-103, 40-2608; implementing K.S.A. 40-2609, 16a-3-206; effective, E-69-20, Sep. 1, 1969; effective Jan. 1, 1970; amended May 1, 1979; amended May 1, 1986; amended May 1, 1987.)

Article 15.—VARIABLE ANNUITIES OR SEPARATE ACCOUNTS

40-15-4. Same; filing of contracts. The filing requirements applicable to variable contracts shall be the filing requirements for individual and group life insurance contract form filings under K.S.A. 40-216, 40-420, 40-421 and 40-434. (Authorized by K.S.A. 40-103, 40-436; implementing K.S.A. 40-436; effective Jan. 1, 1969; amended May 1, 1986; amended May 1, 1987.)

40-15-6. Same; required reports. (a) Each company issuing an individual variable contract providing benefits in variable amounts shall mail to the contractholder at least once a year following the first contract year, at the last address known to the company, a statement or statements reporting the investments held in the separate account. In the case of contracts under which payments have not begun, the statement shall report as of a date not more than four months previous to the date of mailing.

(b) In both instances, the report shall contain:

(1) The number of accumulation units credited to the contracts and the dollar value of a unit; or

(2) the value of the contractholder's account.

(c) The company shall submit annually to the commissioner of insurance a statement of the business of its separate account or accounts in such form as may be prescribed by the national association of insurance commissioners. (Authorized by K.S.A. 40-103, 40-436; implementing K.S.A. 40-436; effective Jan. 1, 1969; amended May 1, 1986; amended May 1, 1987.)

FLETCHER BELL
Insurance Commissioner

Doc. No. 005119

State of Kansas

BOARD OF REGENTS

TEMPORARY ADMINISTRATIVE
REGULATIONSArticle 14.—VOCATIONAL EDUCATION
SCHOLARSHIP PROGRAM

88-14-1. Definitions. Terms used herein are defined as follows:

(a) "Vocational education scholarship" means the award of a financial grant-in-aid by this state under L. 1986, Ch. 355 to a vocational education scholar.

(b) "Vocational education scholar" means a person who:

(1) is a resident of Kansas;

(2) has graduated from a high school accredited by the state board of education or has received general educational development credentials issued by the state board of education;

(3) is enrolled in or has been accepted for admission to a vocational education program operated by a designated educational institution; and

(4) has qualified on the basis of a competitive examination of ability and aptitude for the award of a vocational education scholarship, or has previously so qualified and remains qualified on the basis of satisfactory performance for the renewal of the award of a vocational education scholarship.

(c) "Vocational education program" means a vocational education program operated at the postsecondary level by a designated educational institution.

(d) "Designated educational institution" means an educational institution which:

(1) qualifies as an eligible institution for the federal guaranteed-loan program under the higher education act of 1965 (P.L. 89-329) as amended; and

(2) the main campus or principal place of operation of which is located in Kansas.

(e) "Program term" means one half the duration of the period of time required for completion of a vocational education program when such period of time encompasses more than one school year.

(f) "School year" means the period of time beginning on July 1 in each calendar year and ending on June 30 in the succeeding calendar year.

(g) "Board of regents" or "board" means the state board of regents provided for in the constitution of this state. (Authorized by and implementing L. 1986, Ch. 355; effective T-88-4, Jan. 23, 1987.)

88-14-2. Applicant eligibility. To be eligible for a vocational education scholarship offer, a person shall demonstrate to the executive director of the board that the person:

(a) has fulfilled the requirements set forth in K.A.R. 88-14-1(b);

(b) is an undergraduate who has never received a baccalaureate degree;

(c) is or will be enrolled full time in an eligible vocational education program; and

(d) has submitted an application for receipt of scholarship stipends, or if eligible for a second term

has submitted an application for a renewal award. (Authorized by and implementing L. 1986, Ch. 355; effective, T-88-4, Jan. 23, 1987.)

88-14-3. Competitive examination. (a) Any person desiring designation as a vocational education scholar shall register for and complete the Differential Aptitude Test.

(b) The Differential Aptitude Test shall be administered twice annually by the board on the first Saturday in November and March.

(c) Each registrant is required to pay a fee of not more than \$5 for the administration of the examination.

(d) Detailed information pertaining to registration for the competitive examination, test sites and the exact amount of required fee shall be available at all eligible institutions. (Authorized by and implementing L. 1986, Ch. 355; effective T-88-4, Jan. 23, 1987.)

88-14-4. Applications. (a) Written information and application materials for the vocational scholarship program shall be made available by the board to all eligible institutions.

(b) Applications for scholarship stipends shall be submitted to the board no later than the 15th of May preceding the school year for which the scholarship is sought. (Authorized by and implementing L. 1986, Ch. 355; effective T-88-4, Jan. 23, 1987.)

88-14-5. Institutional certification. Upon the enrollment of each grantee, each institution with an eligible vocational education program shall certify to the board that:

(a) the grantee is a full-time undergraduate student enrolled in an eligible vocational education program;

(b) if also receiving a state scholarship, the amount awarded under both the vocational scholarship and the state scholarship programs does not exceed the total of tuition and required fees for the vocational education program in which the student is enrolled; and

(c) if receiving a renewal award, the grantee has performed satisfactorily according to the institution's academic policy. (Authorized by and implementing L. 1986, Ch. 355; effective T-88-4, Jan. 23, 1987.)

88-14-6. Scholar selection. (a) One hundred scholars will be selected each year on the basis of greatest ability and aptitude as demonstrated on the Differential Aptitude Test.

(b) The board will designate vocational education scholars on or before May 1 of each year.

(c) Qualified applicants will be notified of their awards on or before July 1. (Authorized by and implementing L. 1986, Ch. 355; effective T-88-4, Jan. 23, 1987.)

TED D. AYRES
General Counsel

Doc. No. 005142

State of Kansas
DEPARTMENT OF ADMINISTRATION
TEMPORARY ADMINISTRATIVE
REGULATIONS

Article 14.—LAYOFF PROCEDURES
AND ALTERNATIVES TO LAYOFF

1-14-11. Furlough leave without pay. (a) Whenever an agency head desires to deviate from the standard workday or standard workweek as provided in K.A.R. 1-9-1 in order to implement a furlough plan, such action shall be taken in accordance with this regulation.

(b) In accordance with subsection (c) of this regulation, whenever an appointing authority deems it necessary by reason of shortage of funds, the appointing authority may furlough without pay all employees in the classified service in designated classes, organizational units, geographical areas, or any combination thereof. "Furlough" shall be defined as leave without pay for a preset number of hours each pay period covered by the furlough plan. Under a furlough, an employee's social security and retirement contributions shall be reduced in proportion to the reduction in the employee's gross pay, but all other benefits, including the accrual of annual and sick leave, will continue; notwithstanding other regulations to the contrary. Such a furlough shall not affect the employee's continuous service, length of service, pay increase anniversary date or eligibility for authorized holiday compensation.

(c) Not less than twenty calendar days prior to the date a furlough is to be implemented, the appointing authority shall submit a furlough plan to the director specifying:

- (1) the purpose of the furlough;
 - (2) the classes, organizational units, geographical areas, or combinations thereof to be affected;
 - (3) the criteria used to select the classes, organizational units, geographical areas, or combinations thereof to be included in the furlough;
 - (4) the duration of the furlough;
 - (5) the amount of hours by which the standard workday or workweek will be reduced;
 - (6) the estimated cost savings generated by the furlough; and
 - (7) any other information requested by the director.
- (d) Furloughs shall begin and end in the same fiscal year, except as otherwise approved by the director.

(e) Furlough plans recommended for approval by the director shall be submitted to the secretary of administration for the secretary's consideration and approval. Upon request of the appointing authority, the director or the secretary's initiative, the secretary of administration may modify, approve as modified, or may reject any furlough plan.

(f) After approval of a furlough plan by the secretary of administration, the appointing authority shall notify employees by posting the plan on the official bulletin boards in the agency at least 10 calendar days prior to the furlough plan implementation date.

(g) In no case shall this regulation be used as a disciplinary action against an employee. (Authorized by K.S.A. 75-5529; implementing K.S.A. 75-5505; effective T-88-5, Feb. 11, 1987.)

H. EDWARD FLENTJE
 Secretary of Administration

Doc. No. 005143

State of Kansas
SOCIAL AND REHABILITATION SERVICES
TEMPORARY ADMINISTRATIVE
REGULATIONS

Article 4.—PUBLIC ASSISTANCE
PROGRAM

30-4-101. Standards for persons in own home, other family home, specialized living, commercial board and room, or commercial room-only living arrangements. A monetary standard addresses the costs of day to day expenses and certain special expenditures. (a) Basic standard. The basic standards are set forth below. The basic standards include \$5.00 per person as an energy supplement.

PERSONS IN PLAN			
1	2	3	4
\$118.00	\$189.00	\$253.00	\$307.00

For each additional person, add \$48.00.

(b) Shelter standard. A standard has been established for shelter based on location in the state. The county shelter standards are set forth below.

Standard.	Group I \$76.00	Group II \$86.00	
Allen	Anderson	Logan	
Barber	Atchison	Lyon	
Bourbon	Barton	Marshall	
Chase	Brown	McPherson	
Chautauqua	Cheyenne	Miami	
Cherokee	Clark	Mitchell	
Comanche	Clay	Morris	
Cowley	Cloud	Nemaha	
Crawford	Coffey	Ness	
Edwards	Decatur	Norton	
Elk	Dickinson	Osborne	
Finney	Doniphan	Ottawa	
Greenwood	Ellis	Phillips	
Harper	Ellsworth	Pottawatomie	
Labette	Ford	Rawlins	
Marion	Geary	Republic	
Meade	Gove	Rice	
Montgomery	Graham	Rooks	
Neosho	Grant	Rush	
Pratt	Greeley	Russell	
Reno	Hamilton	Saline	
Stafford	Haskell	Scott	
Stanton	Hodgeman	Sheridan	
Sumner	Jackson	Smith	
Wilson	Jewell	Stevens	
Woodson	Kearny	Thomas	
	Kingman	Trego	
	Lane	Wabaunsee	
	Lincoln	Wallace	
	Linn	Washington	
		Wichita	
Standard.	Group III \$97.00	Group IV \$109.00	Group V \$135.00
	Franklin	Butler	Harvey
	Gray	Douglas	Johnson
	Kiowa	Jefferson	

(continued)

Morton	Leavenworth
Pawnee	Osage
Seward	Riley
Sherman	Sedgwick
	Shawnee
	Wyandotte

the protected income level for persons in independent living.

PERSONS IN INDEPENDENT LIVING
(Per Month)

1	2	3	4
\$341.00	\$433.00	\$460.00	\$470.00

The effective date of this regulation shall be February 1, 1987. The provisions of this regulation shall expire on May 1, 1987. (Authorized by K.S.A. 1985 Supp. 39-708c; implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by L. 1986, Ch. 137, Sec. 23; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-85-19, July 1, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987.)

The protected income level for additional persons shall be the sum of the basic standard for a like public assistance family plus the maximum state shelter standard.

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

(b) Institutional living arrangements. For persons residing in institutional settings, the protected income level shall be \$25.00 except as noted in paragraph (2) of subsection (a).

30-6-103. Determined eligibles; protected income levels. (a) Independent living.

(c) Specialized living arrangements. The protected income level for persons residing in approved, specialized living arrangements, including adult family homes, home- and community-based congregate care facilities, and child care facilities, shall be as established by the secretary. The effective date of this regulation shall be February 1, 1987. The provisions of this regulation shall expire on May 1, 1987. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c, 39-709, as amended by L. 1986, Ch. 137, Sec. 23; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-36, Dec. 21, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987.)

(1) The protected income level for persons in independent living arrangements shall be based on the total number of persons in the assistance plan and the legally responsible persons in the family group who are not included in the plan.

(2) The protected income levels for independent living shall also be used when an applicant or recipient:

- (A) Enters a medicaid-approved facility;
- (B) is absent from the home for medical care for a period not to exceed three months to allow for maintaining their independent living arrangements; or
- (C) is in the home- and community-based services program.

ROBERT C. HARDER
Secretary of Social and Rehabilitation Services

(3) The following table shall be used to determine

Doc. No. 005144

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.; Jack L. Burr, District Judge, assigned;
and John W. Brookens, District Judge Retired, assigned.

Tuesday, March 31, 1987
9:00 a.m.

Case No.	Case Name	Attorney	County
59,305	In the Matter of P.A.D., a Child in Need of Care and In the Matter of B.J.T., a Child in Need of Care.	Frank E. Kohl, County Attorney	Leavenworth
59,306		Patrick Cahill, Assistant County Attorney Michael Willcott, Gdn. A/L William E. Pray Roger Horsky	

59,896	Robert S. Drennon, Appellant, v. Richard D. Wilcox, Appellee.	Mark R. Schmid Larry Chipman	Wyandotte
59,842	Eldon Kee, Jr., Appellant, v. Ewing Lofton, <i>et al.</i> , Appellee.	Joseph B. Bott William L. Roberts Steven K. Woodring Don W. Riley	Sedgwick
10:30 a.m.			
59,432	In the Matter of the Estate of Joyce Elizabeth Vinyard, Deceased.	Orlin L. Wagner James L. Hargrove Doyle Eugene White, Jr.	Butler
59,736	Talmage State Bank, Appellee, v. Delbert Hough, Appellant.	George W. Yarnevich J. Stan Sexton	Saline
60,009	State of Kansas, Appellee, v. Richard D. Milton, Appellant.	Don Doyle, Assistant District Attorney Attorney General Michael Redmon	Wyandotte
1:15 p.m.			
59,351	In the Matter of the Mental Treatment of Wilma Carol Purvis.	Timothy J. Chambers Joseph McCarville III	Reno
59,594	Robert Hachiya and Cheri Livingston, Appellants, v. U.S.D. 307, Appellee.	David M. Schauner Robert Adrian	Saline
59,653	Federal Land Bank of Wichita, Appellant, v. Herbert W. Ahrens and Edith M. Ahrens, <i>et al.</i> , Appellees.	John C. Herman Lloyd Bloomer	Osborne
2:45 p.m.			
59,657	Paul D. Michaelis, Appellant, v. Hannelore Michaelis, Appellee.	R. Edgar Johnson Mark Edwards Peter Charles Rombold	Geary
(59,220) (59,221)	State of Kansas, Appellee, v. William W. Harding, Appellant.	Terry R. Gross, County Attorney Attorney General Benjamin C. Wood	Pawnee
59,610	Gloria M. Crutchfield, Appellant, v. Sharon Hilliard, dba Designs & Flowers by Sharon, Appellee.	Myrlen L. Bell Michael K. Johnston	Barber

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

Tuesday, March 31, 1987
9:00 a.m.

Case No.	Case Name	Attorney	County
59,014	State of Kansas, Appellee, v. Melvin F. Smith, Appellant.	Michael Ireland, County Attorney Attorney General J. Richard Lake	Jackson

(continued)

58,532	Kansas City Bank & Trust, Appellee, v. Mont Chalet, <i>et al.</i> , Appellants.	L. Franklin Taylor James L. Eisenbrandt James F. B. Daniels Virginia Ratzlaff Frank Kohl James L. Burgess	Leavenworth
59,910	William R. Woods, Appellant, v. State of Kansas, Appellee.	Benjamin C. Wood Steven R. Zinn Nick Tomasic, District Attorney Attorney General	Wyandotte
10:30 a.m.			
59,853	Humana Hospital of Overland Park, Mike and Claire Sullivan, Appellees, v. Harris Optical Shoppes, Appellant.	Ron Bodinson Stanley R. McAfee Gordon D. Gee	Johnson
59,799	Scott Anderson, <i>et al.</i> , Appellants, v. Thomas E. Ruzicka, <i>et al.</i> , Appellees.	Bryan E. Nelson John J. Jurcyk Lee McMaster Keith Martin Dennis J. Reynolds	Johnson
59,548	In the Matter of the Guardianship and Conserv. of Lawrence J. O'Reilly.	Clifford L. Malone Charles S. Arthur III	Saline
1:15 p.m.			
59,581	In re Marriage of Wanda Gail Agnew and Leonard Jerome Agnew.	Gary H. Jarchow Dennis J. Molamphy	Sedgwick
59,414	Gerald W. Lightner, Appellant, v. Centennial Life Insurance Co., <i>et al.</i> , Appellees.	Jerome J. Weber Lelyn J. Braun James Bartle	Finney
59,626	State of Kansas, Appellee, v. Lynn Thiele, Appellant.	Terry Rogers, County Attorney Attorney General Harold T. McCubbin	Decatur
2:45 p.m.			
59,790	GMG, Inc., aka Dodge House Inc., and Holidome Co., Appellees, v. Cas. Reciprocal Exch., Appellant.	David J. Rebein Terry J. Malone	Ford
59,417	In the Matter of the Estate of Flora Picking, Deceased.	Dan D. Boyer John Dieter Doug Thompson	Dickinson
59,344	Anke-Maria N. Wells, Appellant, v. U.S.D. 341, Appellee.	David M. Schauner David M. Cooper John A. Bausch	Jefferson

Kansas Court of Appeals
 Supreme Courtroom, 3rd Floor, Judicial Center
 301 W. 10th, Topeka, Kansas
 Before Parks, P.J.; Rees and Davis, JJ.

Tuesday, March 31, 1987
 9:00 a.m.

Case No.	Case Name	Attorney	County
59,859	In the Matter of P.S.	Edward Belan, Assistant District Attorney Attorney General R. Wayne Lampson	Wyandotte
59,891	Elk State Bank, v. Isabel Mellies, Dwaine Mellies, Commodity Credit Corp., Appellants, Federal Land Bank, Appellee.	Dwaine Mellies, <i>pro se</i> Kurt J. Shernuk, Assistant U.S. Attorney David L. Stutzman John D. Conderman	Clay
60,245	State of Kansas, Appellant, v. James E. Swanson, Appellee.	Gregory Barker, Special Prosecutor Attorney General Michael Hepperly	Geary
10:30 a.m.			
59,733	Fisher Lumber Co., Inc., Appellee, v. Willie N. Williams, <i>et al.</i> , Appellant.	David M. Arnold David J. Wood	Sedgwick
59,709	Lucy Fern Bush and Vivian Bush, Appellees, v. Kimberly K. Millard, Appellant.	Ron Lyon	Sedgwick
59,748	Burton D. Cox, Sr., D.O., Appellee, v. Pete Bohm, Appellant.	Craig A. Kreiser Daniel D. Metz Dennis R. Davidson	Osborne
1:15 p.m.			
59,687	State of Kansas, Appellee, v. Brett A. Herpich, Appellant.	Keith D. Hoffman, County Attorney Attorney General Robert C. Johnson	Dickinson
59,578	Farmers State Bank of Winona, Appellee, v. Schielke Farms, Inc., <i>et al.</i> , Appellants.	John Gatz Jo Lynne Justus Dan Turner	Thomas
60,046	In the Matter of the Estate of Lina Ann Ridens, Deceased.	William B. Elliott Gary R. Hathaway	Grant
2:45 p.m.			
58,590	Larry Edmiston, Appellant, v. T. John Hayden, First National Bank of Holcomb, <i>et al.</i> , Appellees.	E. Edward Brown Harold K. Greenleaf. Patrick White Jack Dalton William L. Fry Charles E. Owen II Gerard D. Eftink	Finney

(continued)

59,607	Lawrence Boyer, Trustee, Appellant, v. Richard A. Benjes, Appellee.	Lawrence Boyer, <i>pro se</i> McDonald, Tinker, Skaer, Quinn & Herrington	Reno
59,877	State of Kansas, Appellee, v. George Waldschmidt, Appellant.	Paul Oller, Assistant County Attorney Attorney General Gene Anderson	Trego

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

**Before Briscoe, P.J.; Barry A. Bennington, District Judge, assigned;
and Paul E. Miller, District Judge, assigned.**

**Monday, April 13, 1987
9:00 a.m.**

Case No.	Case Name	Attorney	County
59,918	Elmer E. Lynde and Ethelyn Lynde, Appellees, v. Kent L. Francis, <i>et al.</i> , Appellants, v. William S. Hesse, <i>et al.</i>	Myron L. Listrom Lawrence P. Ireland	Shawnee
59,678	In re Appl. of Ronald L. Gold for Custodian and Accounting.	Ronald L. Gold, <i>pro se</i> C. Maxwell Logan	Johnson
10:30 a.m.			
59,720	Lois Gibbs, Appellant, v. New York Life Insurance Co., Appellee.	Micheline Z. Burger Jeanne Gorman Rau	Johnson
58,845	Ernon L. Shippers and Barbara Shippers, Appellees, v. Michael W. Hooper and Cheryl Hooper, Appellants.	Marvin G. Stottlemire Park McGee	Leavenworth
59,947	John M. Gieschen, D.C., Appellee, v. Connecticut General Life Insurance Co., Appellant.	Judith E. DuChateau Kay L. Stanley Donald J. Horttor Charles T. Engel	Johnson
1:15 p.m.			
59,830	The Coleman Company, Appellant, v. Graham-Michaelis Corp., Appellee.	Gary K. Jones Donald C. Tinker	Sedgwick
59,640	Tom Sage, Appellee, v. Richard Sage, Appellant.	Thomas A. DeVore M. Doug Bell	Montgomery
2:45 p.m.			
59,209	Esther M. Chandler, Appellant, v. Richard M. Ferguson, H.L. Bumgardner, Clint Renollet Const. Co., and Donald L. Hartley, Appellees.	Patricia A. Gilman Hal Meltzer Craig Kennedy James R. Gilhausen David G. Crockett Bradley W. Denison	Sedgwick

60,178 Kay Lawton, Appellant, Kay Lawton, *pro se* Shawnee
 v.
 Hillhaven Corp. FDDB Medicenter, James P. Nordstrom
 Appellee.

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

Before Abbott, C.J.; Parks and Brazil, JJ.

Monday, April 13, 1987
 9:00 a.m.

Case No.	Case Name	Attorney	County
59,544	Roberta Whisonant, Appellee, v. City of Kansas City, Appellant.	John H. Fields J. Dexter Burdette	Wyandotte
60,012	Leland H. Greenfield, Appellant, v. K. T. Segler, Appellee.	Michael E. Riling William B. Barker	Douglas
10:30 a.m.			
59,622	Linda S. Strole, Appellant, v. U.S.D. 434, Appellee.	David M. Schauner Fred W. Rausch, Jr.	Osage
59,855	Janet K. Quigley, Appellant, v. Reno Const. Co., and Overland Trucking Co. and Granite State Insurance Co., Appellees.	Bryan E. Nelson Gerald T. Elliott Joseph E. Ebbert	Johnson
59,059	In the Matter of the Marriage of Peggy Ann Kephart and Marcus Owen Kephart.	Keith D. Richey Donald E. Lambdin	Sedgwick
1:15 p.m.			
59,795	Mid-Kansas Federal Savings and Loan Association, Appellee, v. Robert E. Pitts, Barbara Pitts and Manufacturing Hanover Financial Services of Kansas, Appellants.	Dennis M. Feeney Gerald J. Domitrovic Larry G. Karns Douglas S. Pringle	Butler
59,836	State Bank of Santanta, Appellee, v. J. C. Cantrell, <i>et al</i> , Appellants.	Kathleen M. Boelte Kim R. Schroeder	Haskell
2:45 p.m.			
60,270	Fred J. Ayesch, <i>et al.</i> , Appellants, v. City of Wichita, Appellee.	Royce E. Wallace Douglas J. Moshier	Sedgwick
59,616	Herbert D. Bruce, Appellant, v. Jeff Bannon, Jeff Bannon Auct. and Realty Inc., Jeff Lang and Kansas Inv. Corp., Appellees.	Robert T. Cornwell James B. McKay, Jr. Jack Focht Christine Tamburini	Butler

(continued)

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

Monday, April 13, 1987
9:00 a.m.

Case No.	Case Name	Attorney	County
59,848	Frederick R. Baer, by Robert and Janice L. Baer, Appellant, v. Jacob C. Fleenor and Mary Jane Fleenor, Appellees.	Robert J. Perry Floyd Gehrt	Shawnee
59,649	Greg McKenzie, Appellee, v. Jery Collins, dba Co-Art Prod., Appellant.	John R. Hooge James L. Postma John W. Nitcher	Douglas
59,493	Mike Chavez and Dolores Chavez, Appellants, v. Joseph Saper, Appellee.	Keith Martin Richard T. Merker	Johnson
10:30 a.m.			
59,706	Jacob Burghart and Ernestine Burghart, Appellants, v. Toni L. Shenk; Gerald Brosius; Richard L. Meyer; dba Brosius and Meyer, Appellees.	William Scott Morris Anne L. Baker	Shawnee
59,557	Golda Guise, Appellant, v. Falleys Inc., Appellees.	Dennis D. Webb Robert Adrian	Saline
1:15 p.m.			
59,563	First Bank of WaKeeney, v. Eric Moden, Appellant, and Stanley and Sheryl Hillman and Federal Land Bank, Appellees.	Samuel D. Brownback David J. Harding William Jeter	Trego
59,796	Gilbert Banks, Appellee, v. Wilson Thurston, Carl Grigsby and Lonnie Scott, Appellants.	Philip Bernhart Morris D. Hildreth	Montgomery
2:45 p.m.			
59,883	In the Matter of the Estate of Maud M. McCloskey, Deceased.	Michael Gibbens, <i>pro se</i> Floyd Sorrick	Washington
59,492	State of Kansas, Appellee, v. Duane L. Gallentine, Appellant.	Ed Randels, Assistant County Attorney David R. Gilman James F. Vano	Miami

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

Before Abbott, C.J.; Rees and Briscoe, JJ.

Friday, April 24, 1987
9:00 a.m.

Case No.	Case Name	Attorney	County
59,488	State of Kansas, Appellee, v. Mallonee M. Lee, Appellant.	Dennis Moore, District Attorney Attorney General Benjamin C. Wood Melissa Sheridan	Johnson
59,491	In the Matter of the Marriage of Ann P. Lambright and Robert Lambright.	Carolee Sauder Leek R. Wayne Lampson Dennis P. Colombo	Johnson
(59,532) (59,904)	State of Kansas, Appellee, v. Danny Bon Williams, Appellant.	Robert A. Fox, Assistant County Attorney Attorney General Benjamin C. Wood	Reno
10:30 a.m.			
59,786	William T. Moores and George G. Everhart, <i>et al.</i> , Appellees, v. George M. Osgood, M.D., Appellant.	Elizabeth A. Kaplan Frederick H. Riesmeyer II G. M. Osgood, <i>pro se</i>	Johnson
60,136	In the Matter of Ordinance No. 1351 of the City of Herington.	Stan Martin Carl Anderson	Dickinson
59,668	Marc A. Wendt, Appellee, v. Woodward-Clyde Consultants and Farmers Insurance Group, Appellants, and Workers' Compensation Fund.	Ronald Lyon Christopher Randall	Sedgwick
1:15 p.m.			
59,766	In the Matter of the Marriage of Patricia J. Fischer and Robert P. Fischer.	Don W. Forker, Jr. D. Stewart Oswald	Reno
59,572	State of Colorado, County of Cheyenne, David R. Wilms, Appellants, v. Karol Kay Wilms, Appellee.	Deborah Wilkinson, Assistant County Attorney Attorney General Brock McPherson	Barton
59,812	Duane Popp and Cheryl Popp, Appellees, v. Koch Oil Co., <i>et al.</i> , Appellants.	John H. Lungren Robert L. Bates Don C. Foss John Horner Terry Malone Robert Peter Joseph Speelman Jerry Griffith Hannelore Kitts	Barton
2:45 p.m.			
60,209	Federal Land Bank, Appellee, v. C. David Jensen, Virginia J. L. Jensen, David J. Jensen and Citizens State Bank, Appellants.	Paul R. Shepherd Doug Thompson Harold T. McCubbin	Gove

(continued)

60,174	State of Kansas, Appellee, v. Frederick J. Frazier, Appellant.	William Klapper, Assistant District Attorney Attorney General Paul M. Dent	Wyandotte
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**Kansas Court of Appeals
Supreme Courtroom, 3rd Floor, Judicial Center
301 W. 10th, Topeka, Kansas
Before Meyer, P.J.; Parks and Davis, JJ.**

**Friday, April 24, 1987
9:00 a.m.**

Case No.	Case Name	Attorney	County
59,866	State of Kansas, Appellee, v. Aaron Patillo, Appellant.	David R. Heger, County Attorney Attorney General Jessica Kunen	Miami
60,090	Wayne F. McNorton and Bonnie J. McNorton, Appellants, v. Columbian National Bank, Appellee.	Lawrence L. Tenopir Joseph L. Huerter Edwin P. Carpenter	Shawnee
60,135	David Blockman, Appellant, v. Kansas City Power and Light, <i>et al.</i> , Appellees.	James P. Nordstrom Kenneth E. Holm Dennis L. Horner Rodney L. Turner William Heberger	Wyandotte
10:30 a.m.			
59,630	Southwest National Bank, Appellee, v. Sedgwick County Comm., Appellants, and Arkansas Valley State Bank.	Jeffrey L. Willis Michael R. Meacham Kenneth Gale	Sedgwick
59,555	Mark J. Klein, Adm., Est. of John R. Holton, Deceased, <i>et al.</i> , Appellants, v. Kimberly R. Cheshire, Appellee.	Lawrence L. Ferree John P. Connor Richard T. Merker	Johnson
59,756	Barbara Ann Redin, <i>et al.</i> , Appellants, v. Val-Agri Corp., Appellee.	Marlys A. Marshall Kevin McMaster	Sedgwick
1:15 p.m.			
59,604	State of Kansas, Appellee, v. John Mulligan, Appellant.	Ty Kaufman, County Attorney Attorney General Benjamin C. Wood Roseanne Piatt	McPherson
59,920	Marjorie Myers, Appellant, v. John L. Gray, <i>et al.</i> , Appellees.	David F. Holmes Norman R. Kelly	Reno
60,077 S.C.	Sharon Simmons, Appellee, v. Windsor Estates and Ideal Mutual Insurance Co., and Kansas Workers' Compensation Fund, Appellants.	Norman R. Kelly C. Stanley Nelson Jeffrey E. King	Saline

2:45 p.m.

59,559	State of Kansas, Appellee, v. Wallace Eugene Adams, Appellant.	John Eyer, County Attorney Attorney General Benjamin Wood Steven Zinn	Washington
59,685	State of Kansas, Appellee, v. Ronald L. Pauly, Appellant.	Dennis W. Moore, District Attorney Rebecca Brock, Assistant District Attorney Attorney General Benjamin Wood Steven Zinn	Johnson
59,932	State of Kansas, Appellee, v. Richard Eugene Hansen, Appellant.	Gene Olander, District Attorney Attorney General Benjamin Wood Steven Zinn	Shawnee

Kansas Court of Appeals
Hearing Room Two, 3rd Floor, Judicial Center
301 W. 10th, Topeka, Kansas
Before Brazil, P.J.; Montie R. Deer, District Judge, assigned;
and Melvin M. Gradert, District Judge, assigned.

Friday, April 24, 1987
9:00 a.m.

Case No.	Case Name	Attorney	County
59,627	Henry Griffin, Appellee, v. Simmons USA and Self-Insurers Service, Inc., Appellants, and Workers' Compensation Fund.	Patrick E. White Lynn Hursh Robert L. Kennedy	Wyandotte
59,683	J. M. Jack, Appellant, v. M. L. Holle, Appellee.	R. Owen Watchous Joe L. Norton	Johnson
59,399	In the Matter of the Marriage of Charles E. Gause and Claudie R. Shrake.	John Vratil James R. Orr	Johnson
10:30 a.m.			
59,502	Robert W. Christians, Appellee, v. Fort Hays Memorial Gardens, <i>et al.</i> , Appellants.	Don Staab Steven C. Alberg Harold V. Matney	Ellis
59,638	Virgil Wilhelm and Peggy Wilhelm, Appellees, v. Timken State Bank, Appellant.	Ivan D. Krug Greg L. Bauer	Rush
60,059	Doreen Grace Stormont, Appellant, v. William Donald Stormont, Appellee.	Kurt A. Harper Herbert K. Dodd	Butler

(continued)

1:15 p.m.

59,880	State of Kansas, Appellee,	Jerome A. Gorman, Assistant District Attorney Attorney General	Wyandotte
	v. Charles L. Freeman III, Appellant.	Ralph J. DeZago Jessica R. Kunen	
59,416	Marvin Roberts, Appellant,	Edward J. Hund	Ford
	v. Satti S. Reddy, M.D., F.A.C.S. P.A., <i>et al.</i> , Appellees.	B. G. Larson	
60,106	State of Kansas, Appellee,	D. Paul Theroff, Assistant District Attorney Attorney General	Wyandotte
	v. Ramon F. Dantzler, Appellant.	John J. McNally	

2:45 p.m.

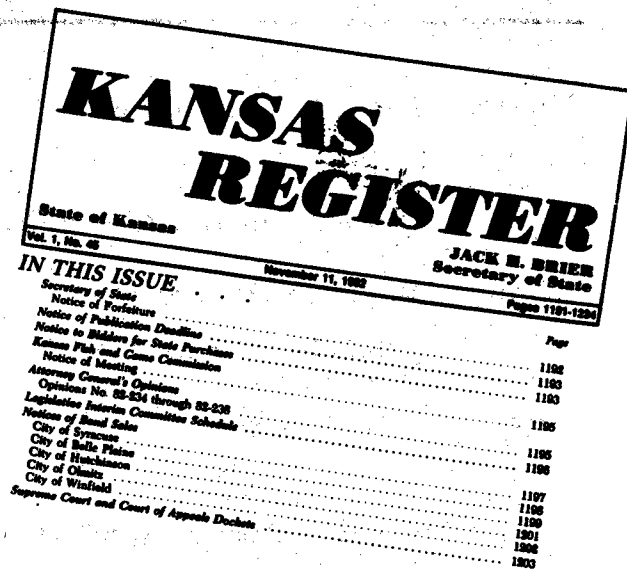
59,422	In the Matter of the Suspension of the License of Robert M. McKune to Operate a Vehicle.	Michael S. Holland	Russell
		Brian Cox	
60,056	Randy L. Detharage, Appellee,	Mark E. Kolich	Wyandotte
	v. T.G. & Y., Appellant.	James E. Phelan	

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