

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

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State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of June 8 through June 21:

Date	Room	Time	Committee	Agenda
June 8	527-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.
June 11	519-S	10:00 a.m.	Special Committee on Assessment and Taxation	11th: Review of charges. 12th: Reappraisal update.
June 12	519-S	9:00 a.m.		
June 17	527-S	10:00 a.m.	Legislative Educational Planning Committee	Review study proposals.
June 18	527-S	9:00 a.m.		
June 18	529-S	10:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
June 19	529-S	9:00 a.m.		
June 19	123-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda unavailable.

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

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 005466

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Secretary of State
2nd Floor, State Capitol
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Phone: (913) 296-3489

State of Kansas

DEPARTMENT OF HUMAN RESOURCES
PRIVATE INDUSTRY COUNCIL

NOTICE OF MEETING

The Private Industry Council for Service Delivery Area II of the Job Training Partnership Act will meet at 1:30 p.m. Thursday, June 18, at the ESSI Building, 1309 S. Topeka Blvd., Topeka.

CHARLES J. HERNANDEZ, JR.
SDA II PIC Manager

Doc. No. 005465

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1986 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1987 through June 30, 1987 shall be 12.07 percent.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 29th day of May, A.D. 1987.

BILL GRAVES
Secretary of State

Doc. No. 005474

State of Kansas

DEPARTMENT OF HUMAN RESOURCES
DIVISION OF WORKERS' COMPENSATIONNOTICE OF HEARING
ON PROPOSED

ADMINISTRATIVE REGULATIONS

A public hearing will be held at 1:30 p.m. Tuesday, June 23, in the auditorium of the State Historical Society, 120 W. 10th, Topeka, to consider the adoption and amendment of temporary and permanent regulations of the Division of Workers' Compensation.

All interested parties may submit written comments prior to the hearing to the director of the Division of Workers' Compensation, Room 651-S, Landon State Office Building, 900 Jackson, Topeka 66612-1276. All interested parties will be given a reasonable opportunity at the hearing to orally express their views in regard to the adoption of the proposed temporary and permanent regulations. Following the hearing, all oral and written comments submitted by interested parties will be considered by the director as a basis for making any changes to the proposed regulations.

Following is a brief summary of the proposed regulations:

K.A.R. 51-2-5. Special local administrative law judge fees and expense. The changes in this temporary and permanent regulation will increase the fee to be charged by special local administrative law judges in settlements, preliminary hearings, full hearings and the rendition of awards.

K.A.R. 51-7-8. Computation of compensation. The changes in this temporary and permanent regulation set out the method to be used for computing compensation for bi-lateral repetitive use conditions.

K.A.R. 51-9-7. Fees for medical and hospital services. The changes in this temporary and permanent regulation set the standard for charges for medical records and testimony.

K.A.R. 51-15-2. Workers' compensation fund. The changes in this temporary and permanent regulation strike provisions now covered by statute.

K.A.R. 51-24-3. Definitions. This temporary and permanent regulation defines terms used in the regulations dealing with vocational rehabilitation in workers' compensation.

K.A.R. 51-24-4. Qualifications and duties of vendors. This temporary and permanent regulation sets out the conditions under which a person, firm or corporation, which are referred to as vendors, may be considered a vocational rehabilitation agency facility, institution or employer program and sets out a vendor's responsibility for persons performing work on cases referred to the vendor.

K.A.R. 51-24-5. Qualifications for counselor, evaluator and job placement specialist. This temporary and permanent regulation sets out the education, experience and application necessary for a person to perform work in one of these disciplines in cases under the workers' compensation act.

K.A.R. 51-24-6. Qualification of private training facility. This temporary and permanent regulation requires that before a private training facility may be utilized for vocational training in cases under the workers' compensation act they be approved by the vocational rehabilitation administrator.

K.A.R. 51-24-7. Qualification of medical or physical rehabilitation services. This temporary and permanent regulation requires a medical or physical rehabilitation service treating cases under the workers' compensation act to be supervised by a physician specializing in the area of medicine necessary to address the injury or disability.

Copies of the full text of the proposed amendments and regulations and the fiscal impact statements may be obtained by writing to the director of the Division of Workers' Compensation at the address above.

DENNIS R. TAYLOR
Secretary of Human Resources

Doc. No. 005464

State of Kansas
SOCIAL AND REHABILITATION SERVICES
REHABILITATION SERVICES ADVISORY
COMMITTEE

NOTICE OF MEETING

The Rehabilitation Services Advisory Committee will meet at 1 p.m. Thursday, June 11, in the Alcohol and Drug Abuse Services conference room on the second floor of the Biddle Building, 2700 W. 6th, Topeka.

JOAN B. WATSON
 Commissioner

Doc. No. 005462

State of Kansas
DEPARTMENT OF HEALTH
AND ENVIRONMENT
STATE EMERGENCY
RESPONSE COMMISSION

NOTICE OF MEETING

The State Emergency Response Commission will meet at 9 a.m. Thursday, June 25, in the State Defense Building, 2800 S. Topeka Blvd., Topeka. This meeting will be the initial organization meeting for the commission to elect a chairman and hear any other appropriate business. A teleconference sponsored by EPA regarding emergency planning and community right-to-know will follow the commission meeting.

JACK D. WALKER, M.D.
 Secretary of Health
 and Environment

Doc. No. 005472

State of Kansas
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT
OF NEGOTIATIONS FOR ARCHITECTURAL
AND ENGINEERING SERVICES

Notice is hereby given of the commencement of negotiations for contracts for architectural and engineering services for following projects:

Architectural

- Regional Maintenance Training Center, Fort Riley, National Guard Bureau
- Haworth Hall remodeling, University of Kansas
- Parking structure, University of Kansas
- Warehouse facility, University of Kansas
- Neonatal ICU modifications, KU Medical Center
- Parking structure, KU Medical Center
- Sub-area shop building, Johnson County, Department of Transportation
- Renovate Cedar Cottage, Parsons State Hospital
- Building for maintenance, laundry and storage, State Reception and Diagnostic Center, Topeka

Engineering

- Study of dam erosion, Lake Scott, Scott County, State Park and Resources Authority
- Improve water supply system, University of Kansas
- Bell Memorial Hospital HVAC modifications, KU Medical Center
- Study for electrical system improvements, Kansas State Penitentiary, Lansing
- Correction of dam erosion at Atchison and Douglas state lakes, Kansas Fish and Game Commission

The State Building Advisory Commission will nominate individuals or firms for the above projects at its July meeting. Nominated individuals or firms will be interviewed by negotiating committees at a later date.

To be considered, individuals or firms must be on file with the Division of Architectural Services. Any architect or architectural firm not on file but having a Kansas office staffed by one or more architects licensed by the State Board of Technical Professions may contact Jack Nelson, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, to achieve eligibility. The requirements of a Kansas office do not apply to engineers and engineering firms, but they must be permitted by law to practice and be on file with the division to be eligible. All expressions of interest must be received by June 19. Only eligible individuals or firms will be considered.

Negotiations for ancillary technical services will be conducted for the above projects as required. Such services shall include but shall not be limited to geotechnical and other soil or subsurface investigation and testing services, surveying, adjusting and balancing of HVAC and other mechanical building systems, infrared testing and other consultant services.

The above listed projects are line-item appropriations made by the 1987 Legislature. Other projects requiring professional services may appear from other fund sources. Any additional information or questions regarding the above or other projects should be directed to Jack Nelson at the Division of Architectural Services.

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

Doc. No. 005470

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES**

NOTICE TO BIDDERS

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

MONDAY, JUNE 15, 1987

#25134
University of Kansas Medical Center—EXCHANGE SERVICE DEIONIZER SYSTEMS

#27264
Department of Health and Environment—STD CULTURE SUPPLIES

#27647
State Park and Resources Authority—GRASS SEED

#69413
Department of Social and Rehabilitation Services—COMPUTER PERIPHERALS

#69414
Wichita State University—POLARIMETER

#69449
Kansas Highway Patrol—FIREARMS

#69459
Adjutant General's Department—EXTERIOR PAINTING, Salina

#69460
Department of Social and Rehabilitation Services—WHEELCHAIR POWER BASE AND SEATING SYSTEM, Wichita

#69471
The Kansas Lottery—AUDIO AND VIDEO EQUIPMENT

TUESDAY, JUNE 16, 1987

#69433
Wichita State University—MASS SPECTROMETER

#69437
Kansas Highway Patrol—PHOTOGRAPHIC EQUIPMENT

#69438
Department of Transportation—RECHARGEABLE BATTERIES AND BATTERY CHARGER

#69444
Department of Social and Rehabilitation Services—ELECTRIC WHEELCHAIRS, various locations

WEDNESDAY, JUNE 17, 1987

#A-5630 (Rebid)
Department of Transportation—REROOF (COMPLETE REPLACEMENT) SUB-AREA BUILDING, Alma

#27253
Wichita State University—READY MIX CONCRETE

#27257
Kansas State University—SAND AND READY MIX CONCRETE

#69435
Department of Social and Rehabilitation Services—WHEELCHAIRS, various locations

THURSDAY, JUNE 18, 1987

#27499
University of Kansas Medical Center—MISCELLANEOUS GROCERIES

#69448
Department of Social and Rehabilitation Services—ELECTRONIC COMMUNICATION MACHINES

#69451
Kansas State University—LAB CONVERTERS

#69453
Department of Transportation—AB-3 SPECIAL AGGREGATE, various locations

#69454
Department of Social and Rehabilitation Services—HANDICAPPED VAN MODIFICATIONS, various locations

#69457
Kansas State Industrial Reformatory—FANS

FRIDAY, JUNE 19, 1987

#69452
Department of Administration, Central Motor Pool—VEHICLES

#69464
Department of Transportation—FLAT FACE ROLLERS, various locations

#69465
Department of Health and Environment—AUTO ROTARY FILE

#69467
Osawatomie State Hospital—EXAMINATION TABLE, TRAUMA/TREATMENT TABLE

#69468
University of Kansas Medical Center—RADIOLOGY EQUIPMENT PARTS

WEDNESDAY, JUNE 24, 1987

#27227
Emporia State University—READY MIX CONCRETE

TUESDAY, JUNE 30, 1987

#27180
Kansas Fish and Game Commission—LIABILITY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 005469

State of Kansas

ATTORNEY GENERAL

Opinion No. 87-80

Criminal Procedure—Arrest—Arrest by Law Enforcement Officer from Another Jurisdiction; Uniform Law on Fresh Pursuit. Acting Colonel E. P. Moomau, Kansas Highway Patrol, Topeka, May 18, 1987.

The ability of a Kansas police officer to arrest an individual in another state for a traffic infraction or misdemeanor committed in Kansas depends on the Uniform Law on Fresh Pursuit adopted by the state in which the arrest is to be made. The procedure to be followed pursuant to a lawful arrest also depends largely on the laws of the state in which the arrest is made. In general, Kansas law enforcement officials in fresh pursuit may arrest in Colorado for any crime, whereas they may arrest in Missouri, Nebraska and Oklahoma only on the grounds that the individual is believed to have committed a felony in Kansas. Cited herein: K.S.A. 8-1568; K.S.A. 1986 Supp. 8-2104; 21-3105; K.S.A. 22-2404; K.S.A. 1986 Supp. 22-2713; K.S.A. 22-2714; 22-2715; 22-2728. JLM

Opinion No. 87-81

Public Health—Examination and Registration of Cosmetologists and Beauty Shops—Cosmetology and Onychology Schools.

Public Health—Examination, Registration and Regulation of Barbers—Schools or Colleges of Barbering; Approval by Board. Henri Fournier, Executive Director, Kansas State Board of Cosmetology, Topeka, May 18, 1987.

The cosmetology statutory and regulatory scheme does not prevent a school from extending their training beyond the minimum requirements of 1500 hours and up to the maximum 12-month limit. However, a school cannot extend the licensing requirements established by statute and as such must disclose to the student that the additional training is not mandated by the state for purposes of applying to become a licensed cosmetologist.

While barbers and cosmetologists may have a common field, the professions are nonetheless regulated by two different regulatory bodies and as such have different statutory and regulatory requirements. Thus, a school must designate whether a student is enrolled in cosmetology or barbering in order to comply with the requirements of the pertinent regulatory body. Cited herein: K.S.A. 65-1903(2), 65-1912, K.A.R. 69-4-12. GE

Opinion No. 87-82

Taxation—Collection and Cancellation of Taxes—Voluntary Transfer of Personal Property Before Tax Paid; Collection. Representative Frank Buehler, 113th District, Claflin, May 18, 1987.

K.S.A. 1986 Supp. 79-2020 does not operate retroactively. Prior to the enactment of K.S.A. 1986 Supp. 79-2020, taxes assessed but not paid prior to the transfer of property are the responsibility of the trans-

feror of the property and do not follow the property to the transferee in the form of a lien. Cited herein: K.S.A. 79-1703; K.S.A. 1986 Supp. 79-2020; K.S.A. 79-2109; 79-2210; 79-2111. JLM

Opinion No. 87-83

Bonds and Warrants—Cash-Basis Law—Cash Basis for Municipalities.

Counties and County Officers—Water Supply and Distribution Districts—Public Wholesale Water Supply District Act. Robert L. Eastman, Edna City Attorney, Coffeyville, May 18, 1987.

Pursuant to the provisions of K.S.A. 19-3548, a city and a public wholesale water supply district may enter into a water purchase contract for a term of 40 years and any such contract may include an agreement for the purchase of water not actually received. Such a contract does not violate the cash-basis law (K.S.A. 10-1101 *et seq.*), and the obligation of a city thereunder is payable solely from the revenues produced by the city's water system. Cited herein: K.S.A. 10-1101; 10-1116; 10-1116b; 19-3545; 19-3546; 19-3548. TRH

Opinion No. 87-84

State Boards, Commissions and Authorities—Public Employees Retirement Systems; Kansas Public Employees Retirement System—Management and Investment of Funds; Investments in "Banking Institutions."

Constitution of the State of Kansas—Banks—Whether "State" includes KPERs; Definition of "Banking Institution."

Banks and Banking—Banking Code; Definitions—Definition of "Banking Institution" Under the Kansas Constitution, Art. 13, § 2. Marshall Crowther, Executive Secretary, Kansas Public Employees Retirement System, May 18, 1987.

KPERs is "the state" for purposes of Article 13, § 2 of the Kansas Constitution (1986 Supp.) which provides that "[t]he state shall not be a stockholder in any banking institution." Based on the rules of constitutional construction and analysis of the intent behind the 1980 revision of Article 13, it is our opinion that "banking institution" means banks organized under the banking laws, chapter nine of the Kansas statutes. For reasons stated in this opinion, we conclude that KPERs may hold stock in a savings and loan association or trust company but is prohibited from acquiring such an interest in a bank holding company. Cited herein: K.S.A. 9-514; K.S.A. 1986 Supp. 9-519; 9-520; 9-521; 9-522; 9-525; 9-701; K.S.A. 9-702; 17-2001; 17-5101; 74-4901; 74-4903; 74-4905; 74-4909; K.S.A. 1986 Supp. 75-4201; Kan. Const., Art. 13, §§ 1, 2. RLN

ROBERT T. STEPHAN
Attorney General

Doc. No. 005453

State of Kansas

KANSAS PUBLIC DISCLOSURE COMMISSION

Advisory Opinion No. 87-10

Written May 12, 1987 to Thomas W. Skinner, Director of Motor Vehicles, Department of Revenue, Topeka, KS 66612.

This opinion is in response to your letter of April 21, 1987, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as Director of Motor Vehicles. You advise us that you also owned a substantial interest in Skinner Motor Company of Clay Center which has been placed in a revocable trust. We understand you no longer hold any official position with this business. We note that your wife is the secretary/treasurer of this business.

Based on this factual situation, you ask for guidance to avoid any possible conflict of interest in your new position with the state relative to Skinner Motor Company.

We first note that since your wife is an officer of the business, you still hold a substantial interest in the business under K.S.A. 46-229(d). We, therefore, find it unnecessary in this opinion to determine whether the revocable trust sufficiently divorced you from the business such that your ownership no longer constitutes a substantial interest.

Two sections of the statutes apply to your question. K.S.A. 46-233 states:

“(a) No state officer or employee shall in the capacity as such officer or employee participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to or a participant in the making of such contract and is employed by or has a substantial interest in such person or business. Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business for one year following termination of employment as a state officer or employee.”

K.S.A. 46-286 states:

“(a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.”

Under K.S.A. 46-286 it is our understanding that you no longer hold a position with the motor company. Therefore, this section does not apply.

However, it is our opinion, except in the areas of licensure, inspection or administration or enforcement of any regulation, that under K.S.A. 46-233 when the action between the department and the company might be contractual in nature, that a possible conflict could still exist.

We therefore suggest that should the department have dealings with the company in areas other than in licensure, inspection or administration or enforcement of any regulation, that an additional opinion be re-

quested before any action is taken. Otherwise, we believe you will be fully in compliance with the conflict law.

Advisory Opinion No. 87-11

Written May 12, 1987 to Lois Rich Scibetta, Ph.D., R.N., Executive Administrator, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Room 551, Topeka, KS 66612-1256.

This opinion is in response to your letter of May 4, 1987, in which you request an opinion from the Kansas Public Disclosure Commission concerning the conflict of interest statutes (K.S.A. 46-215 *et seq.*).

We understand you request this opinion in your capacity as executive administrator for the State Board of Nursing. You advise us that concern has been expressed about the propriety of a member of the Nursing Board also serving as an officer of a professional association or organization. We understand that the board does not contract with the professional association or organization nor license or otherwise regulate it, although it does have authority over the association or organization's members. You also indicate that the board has had an unofficial policy that individuals may not serve on the board as an official of such association. You ask our opinion and suggestions concerning this situation.

We have reviewed K.S.A. 46-215 *et seq.* in its entirety and find no provision applicable. Thus, as a matter of law, it is permissible for a member of the board to also serve with a professional association or organization.

Unfortunately, it is outside our jurisdiction to give an opinion on whether the unofficial policy of the board can be implemented by rules and regulations.

Advisory Opinion No. 87-12

Written May 12, 1987 to Frank C. Beyerl, Greenwood County Attorney, 223 N. Main, Eureka, KS 67045.

This opinion is in response to your letter of April 16, 1987, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflict of interest statutes (K.S.A. 75-4301 *et seq.*).

We understand you request this opinion in your capacity as Greenwood County Attorney on behalf of the County Commission. You advise us that a current member of the commission sells real estate and is also an insurance agent. His company currently carries some of the county's insurance. You advise that the county accepts bids for insurance on a yearly basis.

Based on this factual situation you ask for the proper manner for the county to purchase insurance.

K.S.A. 75-4304 is in point. That section states:

“(a) No public officer or employee shall in his or her capacity as such officer or employee, make or participate in the making of a contract with any person or business by which he or she is employed or in whose business he or she has a substantial interest, and no such person or business shall enter into any contract where any public officer or employee, acting in such capacity, is a signatory to or a participant in the making of such contract and is employed by or has a substantial interest in such

(continued)

person or business. A public officer or employee does not make or participate in the making of a contract if he or she abstains from any action in regard to the contract. This section shall not apply to the following: (1) Contracts let after competitive bidding has been advertised for by published notice; and (2) Contracts for property or services for which the price or rate is fixed by law. (b) Any public officer or employee who is convicted of violating this section shall forfeit his or her office or employment."

As may be seen from a review of this section, if the insurance is to be purchased by the county after competitive bid has been advertised for, it is permissible for the commissioner who is an insurance agent to participate in his official capacity on the County Commission and submit a bid. If however, the purchase of insurance is not made pursuant to the bid exception in K.S.A. 75-4304, then the commissioner's business may still submit a bid but he must abstain from any action as a commissioner concerning the purchase of insurance by the county.

In either case, it is important that the commissioner have on file the disclosure of substantial interest statement required of local elected officials.

Advisory Opinion No. 87-13

Written May 12, 1987 to John B. Kemp, 8004 El Monte, Prairie Village, KS 66208.

This opinion is in response to your letter of April 29, 1987, in which you request an opinion from the Kansas Public Disclosure Commission.

We understand you request this opinion in your capacity as a private businessman and former Secretary of Transportation for the state of Kansas. You advise us that you are considering doing private consulting work, some of which could be with businesses that you signed contracts with on behalf of the state in the last two years.

From communications between yourself and our staff, we understand that you intend to incorporate and then serve as an independent contractor doing various types of consulting work. You ask whether it would be permissible to do consulting with businesses which contracted with the Department of Transportation during your service as secretary.

K.S.A. 46-233(a) relates to your question. That section states:

"No state officer or employee shall in the capacity as such officer or employee participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to or a participant in the making of such contract and is employed by or has a substantial interest in such person or business.

Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business for one year following termination of employment as a state officer or employee."

The issue raised in applying this language is the appropriate definition of the word "employment." While it could be argued that a broad definition of that term would include consulting as an independent contractor, it is our opinion since the term is used twice in the same sentence and the second usage

clearly applies to a master/servant setting, and further, since this is a criminal statute which must be strictly construed, that "employment" means those settings where a true employee/employer relationship is established.

Thus, we believe so long as you serve as an independent contractor that it would be permissible for you to do business with entities that contracted with the Department of Transportation during your service as secretary. Additionally, after the one-year grace period you could accept employment with such entities.

Advisory Opinion No. 87-14

Written May 12, 1987 to Sunday Umoren, 3011 Tomahawk, Lawrence, KS 66044.

This opinion is in response to your letter of April 4, 1987, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that our jurisdiction on this matter is limited to the applicability of K.S.A. 46-215 *et seq.* Thus, whether some other common law, statutory system or rule or regulation applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a state employee for the Department of Health and Environment, Bureau of Adult and Child Care. You indicate your specific duties are the inspection of facilities for the mentally retarded and that you have no responsibilities concerning child care facilities.

You state that a corporation of which you are a member is contemplating the purchase of a child care facility. You ask, should the corporation make the purchase, whether you would be placed in a conflict of interest situation.

K.S.A. 46-286(a) states:

"No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position."

As we understand the factual situation, since you do not participate as a state employee in any manner with child care facilities, it is our opinion that should the corporation purchase a child care facility you would not, solely because of your position with the corporation, be in a conflict of interest situation.

Advisory Opinion No. 87-15

Pursuant to K.S.A. 46-254, the Kansas Public Disclosure Commission takes this opportunity to issue its opinion on the participation of state officers and employees in the decision-making process concerning their own merit salary increases.

Specifically, it has come to our attention that at some Board of Regents institutions faculty members may sit on committees that make merit increase recommendations including recommendations concerning their own salaries.

Pursuant to K.S.A. 46-233, it is our opinion that, as a general rule, it is inappropriate for a state officer or employee to participate in that capacity in the deci-

sion-making process concerning their own merit increases. A state officer or employee may certainly make presentations on their own behalf to such a committee but must abstain from the deliberation and decision-making process on his or her own salary.

LOWELL ABELDT
Chairman

Doc. No. 005424

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF HEARING

The State Corporation Commission has issued an order to show cause to Lester Scheuneman with regard to violations of numerous Kansas statutes and of the general rules and regulations for the conservation of crude oil and natural gas. The matter is set for hearing at 9 a.m. Friday, June 26, in the hearing room of the Conservation Division, 200 Colorado Derby Building, 202 W. 1st, Wichita.

JAMES E. BROWNE
Assistant General Counsel

Doc. No. 005468

State of Kansas
STATE CORPORATION COMMISSION

**NOTICE OF
MOTOR CARRIER HEARINGS**

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

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

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

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

Applications set for June 16, 1987

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

Pro-Chem, Inc.) Docket No. 152,959 M
Box 62)
Great Bend, KS 67530) MC ID No. 114786
TO:
Mesa Transportation, Inc.
2216 Railroad
Great Bend, KS 67530
Applicant's Attorney: John Jandera, 1610 S.W. Topeka
Blvd., Topeka, KS 66612

*Grain, feed, feed ingredients, iron and steel products,
construction machinery and equipment, and oilfield
equipment, materials and supplies,*

Between all points and places in the Kansas counties of Decatur, Norton, Phillips, Smith, Jewell, Republic, Washington, Sheridan, Clay, Graham, Rooks, Osborne, Mitchell, Cloud, Gove, Trego, Ellis, Russell, Lincoln, Ottawa, Dickinson, Lane, Ness, Rush, Barton, Ellsworth, Rice, Saline, McPherson, Marion, Finney, Hodgeman, Pawnee, Stafford, Reno, Harvey, Butler, Gray, Ford, Edwards, Kiowa, Pratt, Kingman, Sedgwick, Meade, Clark, Comanche, Barber, Harper, Sumner and Cowley.

Also,

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

Application for Contract Carrier Permit:

Jerry Cross) Docket 155,578 M
Route 1, Box 107)
Penokee, KS 67659)

Applicant's Attorney: None

Auto parts,

From points in Barton County, Kansas, to points in Marion, McPherson, Lyon and Riley counties, Kansas. Under contract with APS, Inc., of Great Bend, Kansas.

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

Carole Barker,) Docket No. 149,820 M
Orville Barker and)
Stanley Nichols, dba)
C.B.S. Tow Service)
230 Chandler)
Topeka, KS 66607) MC ID No. 124080

Applicant's Attorney: None

*Application for Certificate of Convenience
and Necessity:*

Tim Beck, dba) Docket No. 155,577 M
Beck Transportation)
Route 1, Box 27)
Corning, KS 66417)

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

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

Between points and places on and east of K-14 and Reno County.

Also,

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

(continued)

**Application for Transfer of Contract
Carrier Permit:**

The Permian Corporation,) Docket No. 127,131 M
a Delaware Corporation,)
dba)
Western Oil Transportation)
Co., Inc.)
2500 City West Blvd.)
Houston, TX 77251) MC ID No. 100207
TO:

Permian Operating Limited
Partnership, dba

Permian
Western Oil Transportation
2500 City West Blvd.
Houston, TX 77251

Applicant's Attorney: David Nickel, 621 First National
Bank Building, Wichita, KS 67202

*Petroleum products specifically including all grades
of diesel motor fuel,*

Between points and places in Kansas. Under contract with The Permian Corporation of Houston, Texas.

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

The Permian Corporation,) Docket No. 28,532 M
a Delaware Corporation,)
dba)
Western Oil Transportation)
Co., Inc.)
2500 City West Blvd.)
Houston, TX 77251) MC ID No. 100207
TO:

Permian Operating Limited
Partnership, dba

Permian
Western Oil Transportation
2500 City West Blvd.
Houston, TX 77251

Applicant's Attorney: David Nickel, 621 First National
Bank Building, Wichita, KS 67202

Crude oil,

Between all points and places in Kansas.

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

Between all points and places in the counties of Pawnee, Barton, Edwards, Stafford, Pratt, Barber, Ness, Reno, Rush, Russell, Ellis, Trego, Rooks, Harper, Kiowa, Kingman, Graham, Phillips, Gove, Norton, Osborne, Finney, Ford, Comanche, Meade, Wallace, Greeley, Clark, Hodgeman, Seward, Kearny, Hamilton, Cheyenne, Stanton, Stevens, Decatur, Rice, McPherson, Marion, Harvey, Chase, Morris, Dickinson, Morton, Haskell and Gray.

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

Garold D. Moon, dba) Docket No. 147,566 M
Moon Truck Line)
314 Clark)
Clay Center, KS 67432) MC ID No. 122303
Applicant's Attorney: None

Applications set for June 18, 1987—

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

Holton Transport, Inc.) Docket No. 22,721 M
P.O. Box 230)
Holton, KS 66436) MC ID No. 100098

Applicant's Attorney: Don Hults, P.O. Box 225, Lawrence National Bank Building, Lawrence, KS 66044

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

Between all points and places in Kansas.

**Application for Name Change of Certificate of
Convenience and Necessity**

DPD, Inc.) Docket No. 139,733 M
3600 N.W. 82nd Ave.)
Miami, FL 33166) MC ID No. 108354
TO:

Ryder Distribution Resources, Inc.
3600 N.W. 82nd Ave.
Miami, FL 33166

Applicant's Attorney: John Richeson, 2nd and Main,
P.O. Box 7, Ottawa, KS 66067

*Rubber and rubber products, materials, equipment
and supplies used in the manufacture thereof,*

Between the plant site and facilities of Goodyear Tire and Rubber, located at or near Topeka, Kansas, on the one hand, and on the other, points in Kansas.

**Application for Extension of Certificate of
Convenience and Necessity to re-describe
the authority:**

Ryder Distribution) Docket No. 139,733 M
Resources, Inc.)
3600 N.W. 82nd Ave.)
Miami, FL 33166) MC ID No. 108354

Applicant's Attorney: John Richeson, 2nd and Main,
P.O. Box 7, Ottawa, KS 66067

*Rubber and rubber products, materials, equipment
and supplies used in the manufacture thereof,*

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

**Application for Name Change of Contract
Carrier Permit:**

DPD, Inc.) Docket No. 115,137 M
 3600 N.W. 82nd Ave.)
 Miami, FL 33166) MC ID No. 108354
 TO:
 Ryder Distribution Resources, Inc.
 3600 N.W. 82nd Ave.
 Miami, FL 33166

Applicant's Attorney: John Richeson, 2nd and Main,
 P.O. Box 7, Ottawa, KS 66067

Automobile parts,

From facilities of Chrysler Corporation Service and Parts Division, at or near Kansas City, Kansas, to points in Kansas, under contract with Chrysler Corporation, Service and Parts Division, of Highland Park, Michigan.

Iron and steel articles,

From Riley County, Kansas, to all points and places in the state of Kansas. Under contract with Steel and Pipe Supply Company of Manhattan, Kansas.

**Application for Amendment of Contract
Carrier Permit to re-describe the authority:**

Ryder Distribution) Docket No. 115,137 M
 Resources, Inc.)
 3600 N.W. 82nd Ave.)
 Miami, FL 33166) MC ID No. 108354

Applicant's Attorney: John Richeson, 2nd and Main,
 P.O. Box 7, Ottawa, KS 66067

Automobile parts,

Between points in Wyandotte County, Kansas, on the one hand, and on the other, points in Kansas. Under contract with Chrysler Corporation, Service and Parts Division, of Highland Park, Michigan.

Iron and steel articles,

From Riley County, Kansas, to all points and places in the state of Kansas. Under contract with Steel and Pipe Supply Co. of Manhattan, Kansas.

ALFONZO A. MAXWELL
 Administrator
 Transportation Division

Doc. No. 005467

(Published in the KANSAS REGISTER, June 4, 1987.)

**AMENDED
NOTICE OF BOND SALE**
 (First published in the *Kansas Register*,
 May 28, 1987.)
\$1,800,000
Unified School District 244
Coffey County, Kansas
General Obligation Bonds
Series 1987

Sealed Bids

Sealed bids for the purchase of \$1,800,000 principal amount of general obligation bonds, Series 1987, of Unified School District 244, Coffey County, Kansas, hereinafter described, will be received by the undersigned, clerk of Unified School District 244, Coffey County, Kansas, on behalf of the district at the office of the Board of Education, 200 S. 6th, Burlington, Kansas, until 7:30 p.m. C.D.T. on Monday, June 8, 1987. All bids will be publicly opened and read at said time and place and will be acted upon by the district immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 1987, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1989	\$875,000
1990	925,000

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

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

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

(continued)

Redemption of Bonds Prior to Maturity

The Series 1987 bonds shall mature without option of redemption, prior to maturity.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax-exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 1.5 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the district during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the district on the basis of such bid. Each bid shall also specify the average annual net interest rate to the district on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

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

Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance the acquisition, construction, furnishing and equipping of a recreational and sports facility together with all things necessary and incidental thereto. The bonds will be general obligations of the district payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the district.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 was signed into law by the President of the United States on October 22, 1986. The provisions of the code regarding obligations of state and local units of government are generally effective for obligations such as the bonds issued

after August 31, 1986. Certain of these provisions impose requirements on the district which must be met subsequent to the issuance of the bonds by the district and, as a result, the district will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The district's failure to comply with such requirements could adversely effect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the district's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. In accordance with such requirements, the district intends to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said

opinion will also state that in the opinion of bond counsel, assuming continued compliance by the district with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation.

Delivery and Payment

The district will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered on or prior to July 15, 1987, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in immediately available funds, immediately subject to use by the district. The denominations of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the district and bond registrar not later than 4 p.m. C.D.T. on July 1, 1987. In the absence of such information, the district will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the district by 4 p.m. C.D.T. on July 1, 1987 a certificate acceptable to the district's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of 2 percent of the bid (\$36,000) payable to the order of the district to secure the district from any loss resulting from the failure of the bidder to comply with the terms of his bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if his bid is not accepted. If a bid is accepted, said check shall be held by the district until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the district. If a bid is accepted but the district shall fail to deliver the bonds to the bidder in accordance with the terms and condi-

tions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the district as and for liquidated damages.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the district.

Bid Forms

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

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned district clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at Unified School District 244, Administrative Office, 200 S. 6th, Burlington, Kansas, and must be received by the undersigned prior to 7:30 p.m. C.D.T. on Monday, June 8, 1987.

Official Statement

Upon the sale of the bonds, the district will adopt an official statement in substantially the form as the preliminary official statement, subject to minor amendments and supplementation. Copies of the district's preliminary official statement relating to the bonds may be obtained from the district clerk or the district's financial adviser, Ranson & Company, Inc., Suite 610, 120 S. Market, Wichita, KS 67202. Upon request, a reasonable number of copies of the official statement will be made available to the successful bidder without charge. Additional copies may be obtained at the expense of such bidder.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the district (including motor vehicle valuation and motor vehicle dealers' inventory valuation) for the year 1986 is \$453,817,977. The total general obligation bonded indebtedness of the district, at the date hereof, including this proposed issue of bonds, is \$3,780,000.

Additional copies of this notice of bond sale or further information may be received from the district.

Dated May 11, 1987.

UNIFIED SCHOOL DISTRICT 244
Carol Lewis, District Clerk
200 S. 6th
Burlington, KS 66839

Doc. No. 005473

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET**

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

Monday, June 8, 1987

9:30 a.m.

Case No.	Case Name	Attorneys	County
59,989	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Geary N. Gorup, Assistant District Attorney	Sedgwick
	v. Rickey J. Ripper, Appellant.	Benjamin C. Wood	
57,682	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Geary N. Gorup, Assistant District Attorney	Sedgwick
	v. Roderick G. Hamilton, Appellant.	Charles A. O'Hara	
59,882	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Geary N. Gorup, Assistant District Attorney	Sedgwick
	v. Fredrick C. Parrott, Appellant.	Benjamin C. Wood	
59,960	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Geary N. Gorup, Assistant District Attorney	Sedgwick
	v. Caroll D. Reimer, Appellant.	Benjamin C. Wood	
59,704	In the Matter of the Estate of Icy M. Maxwell, Deceased.	William L. Fry Edgar William Dwire Harry Robbins, Jr. Richard T. Foster Robert Minter C. Robert Bell	Sedgwick
1:30 p.m.			
59,064	Jack R. Hunt, Appellant,	John Terry Moore	Sedgwick
	v. Grey Dresie, <i>et al.</i> , Appellees.	Darrell D. Kellogg	On Petition for Review
59,850	Robert Smelko III, <i>et al.</i> , Appellees,	Arden J. Bradshaw Charles A. Hill Nicholas S. Daily	Sedgwick
	v. E. Holmes Brinton, M.D., <i>et al.</i> , Appellants.	Leonard Frischer	

Tuesday, June 9, 1987

9:30 a.m.

Case No.	Case Name	Attorneys	County
59,303	Valley View State Bank, a Corporation, Appellee, v. Calvin L. Caulfield, <i>et al.</i> , Appellants, and Capitol Federal Savings and Loan Association.	J. Stewart McWilliams John A. Holtmann John Anderson III	Johnson On Petition for Review
59,913	Volt Delta Resources, Inc., a Nevada Corporation, <i>et al.</i> , Appellants, v. William J. Devine, <i>et al.</i> , Appellees.	Michael C. Manning Carol F. Fowler	Johnson
58,351	State of Kansas, Appellee, v. Robert Eugene Jones, dba Johnson County Motors, Inc., Appellant.	Robert T. Stephan, Attorney General Richard Guinn, Assistant District Attorney John Ivan	Johnson On Petition for Review
59,024	Elmer Anderson, <i>et al.</i> , Appellees, v. A & M Oil, Inc., <i>et al.</i> , Appellees, Edward C. Hageman, <i>et al.</i> , and William W. Young, <i>et al.</i> , Appellants.	Robert A. Thompson Allen Shelton Edward C. Hageman	Rooks

1:30 p.m.

59,788	State of Kansas, Appellee, v. Frederick J. Martin, Appellant.	Robert T. Stephan, Attorney General Wesley K. Griffin, Assistant District Attorney Frederick J. Martin, <i>pro se</i>	Wyandotte
59,923	Adoria Boydston, <i>et al.</i> , Appellants, v. Board of Regents for the State of Kansas, <i>et al.</i> , Appellees.	Michael L. Hodges Janet M. Simpson	Wyandotte
59,475	Wayne Hestand and Romana Hestand, Appellees, v. George Taylor and Wanda Taylor, Appellants.	Stanley R. McAfee Elizabeth A. Carson	Wyandotte

Wednesday, June 10, 1987

9:30 a.m.

Case No.	Case Name	Attorneys	County
60,084	State of Kansas, Appellee, v. Scott Michael Holmes, Appellant.	Robert T. Stephan, Attorney General Timothy Chambers, County Attorney Benjamin C. Wood	Reno
59,803	W. S. Dickey Clay Manufacturing Company, Appellant, v. The State Corporation Commission, State of Kansas, <i>et al.</i> , Appellees.	Stuart W. Conrad Gregory J. Bien Robert L. Bezek, Jr. John K. Rosenberg	Crawford

(continued)

60,026	John Greenlee, Appellant, v. The Board of County Commissioners of Clay County, Kansas, Appellee.	Tim W. Ryan John D. Conderman John F. Bosch	Clay
59,714	James R. Holley, aka Bob Holley, Appellee, v. Allen Drilling Company, Inc., Appellant.	Michael Holland William H. Seiler, Jr. Lee Turner	Barton

1:30 p.m.

58,974	State of Kansas, Appellee, v. James C. Hunter, Appellant.	Robert T. Stephan, Attorney General Perry Murray, County Attorney Robert J. Lewis, Jr.	Thomas
59,977	Wendy L. Blake, a minor, <i>et al.</i> , Appellants, v. Pepsi-Cola Bottling Company of Lyons, Inc., <i>et al.</i> , Appellees.	Ken M. Peterson Jana J. Deines Lee Turner Kenneth E. Peirce J. Thomas Marten Jerry G. Elliott Arthur S. Chalmers	Rice

Thursday, June 11, 1987

9:30 a.m.

Case No.	Case Name	Attorneys	County
60,466	State of Kansas, Appellant, v. Jerry A. Adee, Appellee.	Robert T. Stephan, Attorney General John McNish, County Attorney Robert Pottroff	Dickinson
60,159	State of Kansas, Appellant, v. North Central Kansas Production Credit Association, Appellee.	Gerald R. Kuckelman, Assistant Attorney General Don Noah	Republic
60,081	State of Kansas, Appellee, v. Roger M. Smith, Appellant.	Robert T. Stephan, Attorney General Rodney H. Symmonds, County Attorney Neil Roach	Lyon
59,675	In the Matter of the Estate of Nona E. Morton, Deceased.	Walker A. Hendrix Richard O. Skoog Thomas H. Sachse Sam H. Sheldon	Franklin On Petition for Review
59,442	The City of Salina, Kansas (The First National Bank & Trust Company of Salina, Salina, Kansas), Appellant, v. Star B, Inc., <i>et al.</i> , Appellees.	Aubrey G. Linville John Royce Philip R. Shaffer	Saline On Petition for Review

Friday, June 12, 1987

9:30 a.m.

Case No.	Case Name	Attorneys	County
60,024	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Dave Debenham, Assistant District Attorney	Shawnee
	v. Claude L. Sullivan, aka Clyde L. Sullivan, Appellant.	Benjamin C. Wood	
60,075	In the Interest of A. W., a Child Under the Age of Eighteen.	John House Amy McGowan, Assistant District Attorney Larry Hendricks Carol Wilson Jones, <i>pro se</i>	Shawnee
59,963	In the Matter of Harold V. Matney, Jr., Respondent.	Bruce Miller Harold V. Matney, Jr., <i>pro se</i> Donald Hoffman	Original
60,555	In the Matter of Daniel L. Swagerty, Respondent.	Bruce Miller Daniel L. Swagerty, <i>pro se</i> John J. Ambrosio	Original
60,625	In the Matter of Douglas A. Price, Respondent.	Bruce Miller Douglas A. Price, <i>pro se</i>	Original

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 005463

State of Kansas
OFFICE OF JUDICIAL ADMINISTRATION
PUBLIC NOTICE

The Supreme Court will meet in special session at 1:30 p.m. Friday, June 12, to honor the late Justice William Jennings Wertz, who died March 10 in Hutchinson. He was 90.

Justice Wertz was a Supreme Court Justice from 1950 until he retired in 1965.

The June 12 memorial will be presided over by Dale Pohl, President-Elect of the Kansas Bar Association. Memorial remarks are to be made by Robert J. Gilliland and retired Chief Justice Harold R. Fatzer.

Justice Wertz was a Sedgwick County attorney from 1927 until 1931 and served in the Kansas Senate from

1940 until 1942 when he resigned shortly after the Pearl Harbor attack to enlist in the Army. He served on the Judge Advocate General's staff and had advanced to the rank of lieutenant colonel when he was discharged. He remained in the Army Reserve and retired at the rank of colonel.

He was appointed a Judge in the 2nd Division of Sedgwick County District Court in 1947 by Governor Frank Carlson and then was appointed to the Supreme Court by Governor Carlson in 1950.

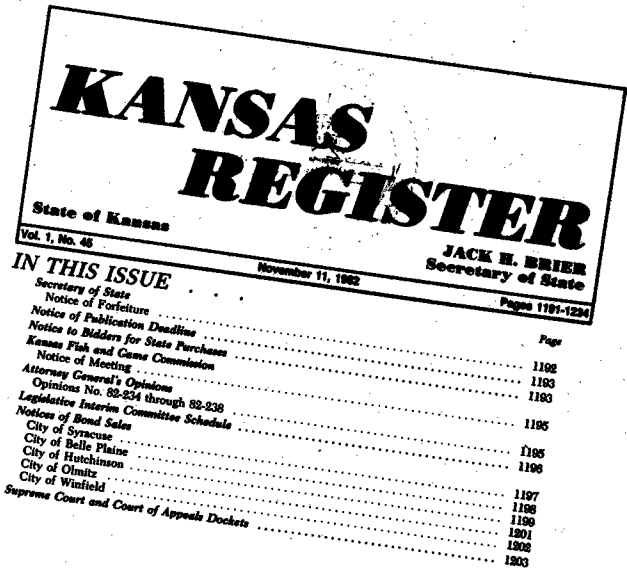
The public is invited to attend his memorial proceedings.

RON KEEFOVER
Education-Information Officer

Doc. No. 005475

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