

# KANSAS REGISTER



State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 6, No. 53

December 31, 1987

Pages 1785-1798

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## State of Kansas

## LEGISLATURE

## INTERIM COMMITTEE SCHEDULE

The following legislative committee meetings have been scheduled during the period remaining from December 31 through the beginning of the 1988 legislative session:

Date	Room	Time	Committee	Agenda
Jan. 7	123-S	10:00 a.m.	Joint Committee on State	Meetings cancelled.
Jan. 8	123-S	9:00 a.m.	Building Construction	
Jan. 4	514-S	10:00 a.m.	Joint Committee on Administrative	Review of rules and regulations— 4th: filed by the State Board of Nursing, Board of Pharmacy; Dental Board, Board of Healing Arts, State Board of Cosmetology, Department of Commerce and Department of Transportation. 5th: (a.m.) filed by the Department of Revenue. (p.m.) filed by the Department of Social and Rehabilitation Services. 6th: (a.m.) filed by the State Corporation Commission, the Department of Health and Environment and the Kansas Parole Board. (p.m.) filed by the Board of Tax Appeals and the Kansas Highway Patrol. Interviews of gubernatorial appointees.
Jan. 5	514-S	8:00 a.m.	Rules and Regulations	
Jan. 6	514-S	8:00 a.m.		
Jan. 7	529-S	10:00 a.m.	Standing Senate Committee	
Jan. 8	529-S	9:00 a.m.	on Confirmations	

WILLIAM R. BACHMAN  
Director of Legislative  
Administrative Services

Doc. No. 006078

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Phone: (913) 296-3489

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES**  
**KANSAS CITIZENS' COMMITTEE ON**  
**ALCOHOL AND OTHER DRUG ABUSE**

**NOTICE OF MEETING**

The Kansas Citizens' Committee on Alcohol and Other Drug Abuse will meet from 8:30 a.m. to 3:30 p.m. Friday, January 8, in the Versailles B Room of the Holidome, 6th and Fairlawn, Topeka.

The agenda includes a review on the upcoming legislative session as it pertains to the alcohol and drug abuse field in Kansas. Also, the long range plan for SRS/Alcohol and Drug Abuse Services will be presented.

ANDREW O'DONOVAN  
 Commissioner of Alcohol and  
 Drug Abuse Services

Doc. No. 006075

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 December 14 through December 28:

**Historic Sites Board of Review**

**J. Eric Engstrom**, 901 Wiley, Wichita 67203. Effective December 17, 1987. Term expires June 30, 1990. Reappointment.

**Sara F. Ullman**, 5921 Lockton Lane, Fairway 66205. Effective December 17, 1987. Term expires June 30, 1990. Succeeds Ellen May Stanley.

**Thomas A. Witty**, 3419 Arrowhead, Topeka 66614. Effective December 17, 1987. Term expires June 30, 1990. Reappointment.

**Kansas Committee for the Humanities**

**June S. Windscheffel**, 1100 S.W. Belle Ave., Topeka 66604. Effective December 15, 1987. Serves at the pleasure of the Governor. Succeeds Jill Sadowsky Docking.

**Committee on State and Unified School Purchases**

**Edward G. Kurtz**, 3414 Summer Lane, Hays 67601. Effective December 14, 1987. Term expires December 13, 1989. Succeeds Frank Meacham.

BILL GRAVES  
 Secretary of State

State of Kansas  
**DEPARTMENT OF COMMERCE**  
**NOTICE OF HEARING ON KANSAS**  
**SMALL CITIES 1988 CDBG PROGRAM**

A public hearing on the proposed final statement of community development objectives and projected use of funds for the Kansas Small Cities Community Development Block Grant (CDBG) Program for 1988 will be held at 9 a.m. Friday, January 8, in Room 519-South, State Capitol, Topeka.

Copies of the proposed final statement may be reviewed during working hours at the KDOC Small Cities CDBG Program offices, Suite 500, 400 W. 8th, Topeka.

Written comments on the proposed final statement will be received for consideration in preparation of the final statement by the Kansas Small Cities CDBG Program at the address above through January 8.

HARLAND PRIDDLE  
 Secretary of Commerce

Doc. No. 006080

State of Kansas  
**COMMISSION ON WILDLIFE AND PARKS**  
**NOTICE OF MEETING**

A meeting of the Kansas Commission on Wildlife and Parks is scheduled for Wednesday, January 13 and Thursday, January 14 in the Angus and Hereford Meeting Room of the Ambassador Inn, East Highway 54, Liberal.

Wednesday's meeting will begin at 1:30 p.m. The agenda includes old business at commission's request of: Age of participants in various hunting seasons, seining minnows on wildlife areas, jackrabbit trapping, and non-residents hunting on controlled shooting areas; other business including status of Milford Education Center and fund raising, Cheyenne Bottoms Plan, CLAP (Community Lake Assistance Program) lake evaluations—reimbursable grant, accidents/violations/harvest review, and deer regulation process recommendation for commission review; and a budget and reorganization update.

The meeting may continue at 8:30 a.m. the next day to conclude any unfinished business.

GERALD W. TOMANEK  
 Commission Chairman

Doc. No. 006077

## State of Kansas

**KANSAS INC.****NOTICE OF MEETING**

The Kansas Inc. board will meet at 9 a.m. Thursday, January 7, in the Kansas Inc. conference room, Suite 113, 400 S.W. 8th, Topeka. The meeting is open to the public.

JERRY LONERGAN  
Research Manager

Doc. No. 006072

## State of Kansas

**DEPARTMENT OF ADMINISTRATION  
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

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

**Monday, January 11, 1988**

#26876

Department of Social and Rehabilitation Services—  
PEST CONTROL SERVICES, Salina

#27474

University of Kansas Medical Center—FEBRUARY  
(1988) MEAT PRODUCTS

#72301

University of Kansas—RACING SHELL

#72312

University of Kansas—CAD WORKSTATION

#72313

University of Kansas—FURNISH ALL LABOR AND  
MATERIALS TO REINSULATE TWO BOILERS

#72314

Kansas State University—RADIOGRAPHIC SYSTEM

#72315

Department of Administration, Buildings and Grounds  
Services—THERMOSTATS

#72316

Department of Corrections—HIGH PRESSURE  
LAMINATE, Lansing

#72324

University of Kansas Medical Center—MAJOR SUR-  
GERY TABLE

**Tuesday, January 12, 1988**

#A-5431

Department of Social and Rehabilitation Services—  
RELOCATION OF MAINTENANCE/REPAIR SHOP  
WITHIN KANSAS INDUSTRIES FOR THE BLIND,  
Kansas City

#27476

Statewide—BAKERY PRODUCTS

#27557

Kansas State University—FEBRUARY (1988) MEAT  
PRODUCTS

#72329

Kansas State University—MICROCOMPUTER

#72333

Department of Transportation—WOOD SIGN POSTS

#72334

Kansas State University—PRINTER

#72347

Kansas State University—INSECTICIDES AND  
HERBICIDES, Hays

#72348

Kansas State University—SOYBEAN MEAL

#72353

Kansas Technical Institute and University of Kansas  
Medical Center—AUTOMOBILES

**Wednesday, January 13, 1988**

#27499

University of Kansas Medical Center—  
MISCELLANEOUS GROCERIES

#72291

Kansas Highway Patrol—BREATH ALCOHOL TEST-  
ING KITS

#72355

Kansas Highway Patrol—AUTOMOBILES

**Thursday, January 14, 1988**

#27755

Kansas State Penitentiary—CHEMISTRY ANALYZER  
REAGENTS

#72363

Rainbow Mental Health Facility—DRAPERY

**Friday, January 15, 1988**

#27524

University of Kansas—FEBRUARY (1988) MEAT  
PRODUCTS

**Monday, January 25, 1988**

#27746

Department of Corrections—INDIVIDUAL DEN-  
TIST'S AND PHYSICIAN'S ASSISTANTS PROFES-  
SIONAL LIABILITY INSURANCE

**Tuesday, February 2, 1988**

#A-4879(a)

Fort Hays State University—SHERIDAN COLISEUM  
RENOVATION—PHASE II

**Monday, February 1, 1988**

#27754

OIL AND GAS LEASE—The Department of Wildlife  
and Parks has available for lease approximately 160 acres  
in Pratt County, Kansas, described as follows: The SE ¼  
Section 27, Township 265, Range 15W and further limited  
to the Kinderhook sand formation.

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 006076

**State of Kansas**  
**DEPARTMENT OF TRANSPORTATION**

**NOTICE TO CONTRACTORS**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.S.T. January 21, 1988, and then publicly opened:

**DISTRICT ONE—Northeast**

**Wyandotte—70-105 K-2970-01—I-70**, through the I-635 interchange, 0.7 mile, overlay. (State Funds)

**DISTRICT TWO—Northcentral**

**Barton/Ellsworth—156-106 K-3404-01—K-156**, from the junction of K-4 northeast to the east city limits of Holyrood, 6.9 miles, overlay. (State Funds)

**Chase—177-9 K-2147-01—K-177**, from the Butler-Chase county line north to FAS 91, 14.4 miles, conventional seal. (State Funds)

**Dickinson/Marion—106 K-3409-01—U.S. 56, K-15 and K-168** in Marion County and K-15 in Dickinson County, 30.6 miles, recycling. (State Funds)

**McPherson/Saline—81B-106 K-3407-01—U.S. 81B** in McPherson and Saline counties, 8.1 miles, overlay. (State Funds)

**DISTRICT THREE—Northwest**

**Norton—36-69 K-3116-01—U.S. 36**, Decatur-Norton county line, 9.3 miles, recycling. (State Funds)

**Norton/Phillips—383-106 K-3403-01—K-383**, from the east junction of U.S. 36 northeast to the junction of U.S. 183, 28.2 miles, recycling. (State Funds)

**Rooks—82 C-2003-01—County road, Palco**, then south, 4.0 miles, surfacing. (Federal Funds)

**Russell—84 K-3402-01—K-18, K-176, U.S. 281 and K-232**, 31.0 miles, conventional seal. (State Funds)

**Thomas—97 C-2245-01—County road, Brewster**, then east and Brewster, then southwest, 5.1 miles, surfacing. (Federal Funds)

**Trego—70-98 M-1488-01—I-70**, from the Trego-Gove county line east to U.S. 283, 14.0 miles, recycling. (State Funds)

**DISTRICT FIVE—Southcentral**

**Barber—160-4 K-3010-01—U.S. 160**, from the Comanche-Barber county line east to the west city limits of Medicine Lodge, 23.2 miles, overlay. (State Funds)

**Barber—160-4 M-1503-01—U.S. 160**, through Barber County at six locations for spot overlay, 2.3 miles, overlay. (State Funds)

**Barton—56-5 K-3005-01—U.S. 56**, from the west city limits of Ellinwood east to the Barton-Rice county line, 6.2 miles, slurry seal. (State Funds)

**Barton—56-5 K-3029-01—U.S. 56**, intersection of 10th and Harrison in Great Bend, intersection improvement. (State Funds)

**Barton—156-5 K-3007-01—K-156**, from the junction of U.S. 56 north to the junction of K-4, 15.3 miles, recycling. (State Funds)

**Comanche—1-17 K-3423-01—K-1**, from the Oklahoma-Kansas state line north to the junction of U.S. 160, 13.4 miles, conventional seal. (State Funds)

**Edwards/Kiowa—183-106 K-3413-01—U.S. 183**, from the junction of U.S. 54 north through Kinsley to the junction of U.S. 56, 25.6 miles, conventional seal. (State Funds)

**Kiowa—54-49 K-3092-01—U.S. 54**, from the junction of U.S. 54 and K-154 east of Mullinville, grading and surfacing. (State Funds)

**Pratt—64-76 K-3006-01—K-64**, from U.S. 281 east and north to the junction of U.S. 54, 3.6 miles, conventional seal. (State Funds)

**Rice—80 K-3411-01—U.S. 56 and K-46** in Rice County, 15.8 miles, recycling. (State Funds)

**Rice—56-80 M-1504-01—U.S. 56**, from 5.0 miles west of the west city limits of Lyons then east, 2.0 miles, overlay. (State Funds)

**Sedgwick—87 U-1006-01—21st and Hillside** in Wichita, intersection improvement. (Federal Funds)

**DISTRICT SIX—Southwest**

**Clark/Meade—106 K-3395-01—U.S. 54** in Meade County and U.S. 160 in Clark County, 20.9 miles, overlay. (State Funds)

**Clark/Meade—106 K-3396-01—U.S. 160** in Clark and Meade counties and U.S. 283 in Clark County, 53.8 miles, conventional seal. (State Funds)

**Ford/Gray—56-106 K-3398-01—U.S. 56**, from the east city limits of Montezuma northeast to the south junction of U.S. 283, 24.9 miles, recycling. (State Funds)

**Hodgeman/Ness—283-68 K-3023-01—U.S. 283**, from the Ness-Hodgeman county line north to the junction of K-96, 13.3 miles, recycling. (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

Doc. No. 006068

(Published in the *Kansas Register*, December 31, 1987.)**NOTICE OF REDEMPTION**

City of Wichita, Kansas  
 Industrial Revenue Bonds  
 Series LV III, 1976  
 (Allen Electric Supply Co., Inc.)  
 Dated: February 1, 1976

Notice is hereby given that pursuant to the optional redemption provisions of Ordinance No. 34-294 adopted March 9, 1976 by the city of Wichita, Kansas, authorizing the above referenced issue of bonds, all outstanding bonds will be called for redemption on February 1, 1988 (the redemption date) at a redemption price of 102 percent of the principal amount thereof together with accrued interest to the redemption date.

The bonds to be called are in bearer form with a par value of \$5,000 each. The bond numbers, interest rate per annum and maturing dates of the bonds are:

Bond Numbers (Inclusive)	Interest Rate Per Annum	Maturity Date
49 to 52	8 <sup>3</sup> / <sub>4</sub> %	2-1-89
53 to 56	8 <sup>3</sup> / <sub>4</sub> %	2-1-90
57 to 60	8 <sup>3</sup> / <sub>4</sub> %	2-1-91

Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds, together with all coupons appurtenant thereto maturing subsequent to the redemption date, at the offices of the Union National Bank of Wichita, 150 N. Main, P.O. Box 637, Wichita, KS 67201. Coupons maturing February 1, 1988 and prior may be detached and presented for payment in the usual manner.

The method of presentation and delivery of the bonds called for redemption is at the option and risk of the holder of each bond. If mail is used, insured registered mail, return receipt requested, is suggested.

Interest on all bonds called for redemption will cease to accrue on and after February 1, 1988.

Under the Interest and Dividend Tax Compliance Act of 1983, paying agents are required to withhold 20 percent of gross payments to bondholders who fail to provide a valid taxpayer identification number on or before the date upon which bonds are presented for payment. Bondholders are additionally subject to a penalty of \$50 for failure to provide such number. To avoid this 20 percent withholding and penalty, please submit, with your securities, a completed Form W-9 certificate providing your taxpayer identification number.

Dated December 31, 1987.

Union National Bank of Wichita  
 Trustee

Doc. No. 006082

(Published in the *Kansas Register*, December 31, 1987.)**NOTICE OF REDEMPTION**

City of Goessel, Kansas  
 Industrial Revenue Bonds  
 Series A, 1973  
 Dated: August 1, 1973

Notice is hereby given that pursuant to the optional redemption provisions of Ordinance No. 41 adopted August 16, 1973 by the city of Goessel, Kansas, authorizing the above referenced issue of bonds, all outstanding bonds will be called for redemption on February 1, 1988 (the redemption date) at a redemption price of 103 percent of the principal amount thereof together with accrued interest to the redemption date.

The bonds to be called are in bearer form with a par value of \$1,000 each. The bond numbers, interest rate per annum and maturing dates of the bonds are:

Bond Numbers (Inclusive)	Interest Rate Per Annum	Maturity Date
180 to 203	7%	8-1-88
204 to 229	7%	8-1-89
230 to 256	7%	8-1-90
257 to 285	7%	8-1-91
286 to 316	7%	8-1-92
317 to 350	7%	8-1-93

Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds, together with all coupons appurtenant thereto maturing subsequent to the redemption date, at the office of the Kansas State Treasurer, Topeka, Kansas.

The method of presentation and delivery of the bonds called for redemption is at the option and risk of the holder of each bond. If mail is used, insured registered mail, return receipt requested is suggested.

Interest on all called bonds will cease to accrue on and after February 1, 1988.

Under the Interest and Dividend Tax Compliance Act of 1983, paying agents are required to withhold 20 percent of gross payments to bondholders who fail to provide a valid taxpayer identification number on or before the date upon which bonds are presented for payment. Bondholders are additionally subject to a penalty of \$50 for failure to provide such number. To avoid this 20 percent withholding and penalty, please submit, with your securities, a completed Form W-9 certificate providing your taxpayer identification number.

Dated December 31, 1987.

Union National Bank of Wichita  
 Trustee

Doc. No. 006074

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION  
 SUPREME COURT DOCKET

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

Monday, January 11, 1988

9:30 a.m.

Case No.	Case Name	Attorney	County
60,945	State of Kansas, Appellant.	Robert T. Stephan, Attorney General Clarence D. Holeman, Assistant District Attorney	Sedgwick
	v.		
60,663	Timothy M. Hutton, Appellee. State of Kansas, Appellee,	Timothy M. Hutton, <i>pro se</i> Robert T. Stephan, Attorney General Clarence D. Holeman, Assistant District Attorney	Sedgwick
	v.		
59,821	Kevin E. Gray, Appellant. State of Kansas, Appellee,	Benjamin C. Wood Robert T. Stephan, Attorney General Clarence D. Holeman, Assistant District Attorney	Sedgwick
	v.		
60,612	Gary L. McDaniel, Appellant. State of Kansas, Appellee,	Charles A. O'Hara Robert T. Stephan, Attorney General Clarence D. Holeman, Assistant District Attorney	Sedgwick
	v.		
60,409	Ricky Ray Redford, Appellant. Gary Poole (Deceased), Appellant,	Stephen M. Joseph Paul V. Dugan	Sedgwick On Petition for Review
	v.		
	Earp Meat Company and Rockwood Insurance Company, Appellees.	Michael T. Harris	
		1:30 p.m.	
61,162	Kansas Gas and Electric Company, Appellee,	Stanley E. Craven Mark A. Vining	Sedgwick
	v.		
60,717	Kansas Commission on Civil Rights, Robert Williams, Appellants. Jackson Trak Group, Inc., by and through its successor corporation, Jackson Jordan, Inc., Appellee,	Arthur W. Solis Wyatt A. Hoch	Sedgwick
	v.		
	Mid States Port Authority, Appellant.	T. L. Green Charles W. Harris Steven J. Rupp Victor D. Ryerson	

(continued)

Tuesday, January 12, 1988

9:30 a.m.

Case No.	Case Name	Attorney	County
60,943	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Peggy Carr, Assistant District Attorney	Wyandotte
	v.		
60,794	Timmy L. Vanderpool, Appellant. State of Kansas, Appellant,	James F. Foster Robert T. Stephan, Attorney General Gerald E. Wells, Assistant District Attorney	Douglas
	v.		
60,877	Robert Hagen, Appellee. Jacob Anderson, Appellant,	Patricia H. Jenkins Catherine A. Donnelly Michael E. Callen Nick Swischer	Wyandotte
	v.		
61,056	Randy Scheffler, <i>et al.</i> , Appellees. Bertha Draskowich, Appellee, City of Kansas City, Kansas, Appellant.	Bruce Keplinger James E. Switzer Merle E. Parks Maurice J. Ryan	Wyandotte
		1:30 p.m.	
60,886	Gregory E. Meyers, Appellant, v. Jon A. Grubach and State of Kansas, Appellees.	Dan L. Smith Nancy J. Ulrich, Assistant Attorney General	Wyandotte
60,726	Riley State Bank of Riley, Appellee, v. James Spillman and Beverly Spillman, dba Old Town Coin & Gun Shop, Appellants.	Charles K. Ball Thomas L. Theis Michael E. Riling Beverly Spillman, <i>pro se</i>	Riley
60,667	Williams Telecommunications Company, Appellee, v. Larry C. Gragg and Phyllis J. Gragg, <i>et al.</i> , Appellants, and St. Lawrence Catholic Center, <i>et al.</i> , Appellants, v. Williams Pipeline Company, <i>et al.</i> , Appellees.	James D. Waugh Larry E. Gregg John R. Hamilton Herbert A. Marshall	Shawnee



Wednesday, January 13, 1988

9:30 a.m.

Case No.	Case Name	Attorney	County
60,739	State of Kansas, Appellee,	Robert T. Stephan, Attorney General	Saline
	v.		
	Joseph Mark Mills, Appellant.	Mickey Mosier, County Attorney	
60,443	Richard L. Chrisman, Appellant,	Benjamin C. Wood	Miami
	v.		
	Phillips Industries, Inc., aka Ruskin- Paola, <i>et al.</i> , Appellee.	James R. Shetlar	
60,580	State of Kansas, Appellee,	Dana M. Harris	
	v.		
	Loren Kirk Pierce, Appellant.	Robert T. Stephan, Attorney General	Saline
		Mickey W. Mosier, County Attorney	
60,593	Kelly McKee, a Minor, <i>et al.</i> , Appellants,	Benjamin C. Wood Steven R. Zinn	Linn
	v.		
	The City of Pleasanton, Kansas, <i>et al.</i> , Appellees.	Lloyd Burke Bronston Dan L. Smith	
		James T. McIntyre Mark Beam-Ward Robert A. Babcock George A. Lowe	

1:30 p.m.

59,959	David W. Harrier, Appellant,	C. Bruce Works	Shawnee
	v.		
	Joseph Gendel, M.D., Appellee.	Thomas Theis	On Petition for Review
60,086 (Consolidated with 60,681)	Janet K. Bair, now Janet K. Rost, Appellee,	Glenn H. Griffeth	Shawnee
	v.		
	Glenn O. Bair, Appellant.	Robert E. Keeshan	

Thursday, January 14, 1988

9:30 a.m.

Case No.	Case Name	Attorney	County
61,137	Larry Leaming, Appellant,	Evan Nightingale	Grant
	v.		
	Unified School District 214 and Dr. Timothy Rundus, Appellees.	Douglas Campbell Jerry M. Ward	
61,008	Federal Deposit Insurance Corporation, Appellee,	Daniel C. Walter Dee F. Marsh Edward Whitney Drake	Decatur
	v.		
	G. R. Addleman, <i>et al.</i> , Appellants.	Stan Morgan Caleb Boone	
59,979	State of Kansas, Appellee,	Robert T. Stephan, Attorney General	Gray
	v.		
	Timothy P. Strayer, Appellant.	Curtis E. Campbell, County Attorney	
61,207	GEM Creations, Ltd., Appellant,	James L. Pinkerton Rex Henoeh	Johnson
	v.		
	Red Roof Inns, Inc. Appellee.	Kent Sullivan	

(continued)

1:30 p.m.

60,477 Helen V. Goss, Appellant,  
v.  
Richard L. Reid, et al., Appellees.

William H. Pickett  
Catherine A. Donnelly  
Donald L. Hochanadel  
Johnson

60,957 Roland Kjar, et al., Appellees,  
v.  
Richard L. Gowin, et al., and  
American Family Mutual Insurance  
Company, Appellants.

Michael Grier  
James M. Warden  
Richard T. Merker  
Lloyd-Burke Bronston  
Richard D. Ralls  
Johnson

Friday, January 15, 1988  
9:30 a.m.

Case No. Case Name  
60,842 State of Kansas, Appellant,

Attorney County  
Robert T. Stephan, Attorney  
General  
C. William Ossmann, Assistant  
District Attorney  
Shawnee

v.  
60,843 Claire Buckelew, Appellee.  
State of Kansas, Appellant,

Ronald E. Wurtz  
Robert T. Stephan, Attorney  
General  
C. William Ossmann, Assistant  
District Attorney  
Shawnee

v.  
60,965 John P. Buckelew, Appellee.  
MLY Liquidating Corporation,  
Appellant,

Ronald E. Wurtz  
Roger D. Stanton  
John M. Edgar  
Lynd K. Mische  
Charles W. German  
Daniel D. Crabtree  
Robert F. Wrobel  
Tax Appeal

v.  
Kansas Department of Revenue,  
Appellee.

David Prager III  
David C. Cunningham

LEWIS C. CARTER  
Clerk of the Appellate Courts

Dec. No. 006073

## State of Kansas

**UNIVERSITY OF KANSAS****NOTICE TO BIDDERS**

Sealed bids for the item listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Thursday, January 14, 1988

#88 0464

Kinetic Microplate Reader with software package compatible with Zenith Z-159 Microcomputer with hard disk and TTL monochrome monitor.

GENE PUCKETT, C.P.M.  
Director of Purchasing

Doc. No. 006079

## State of Kansas

**KANSAS RACING COMMISSION****NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 11 a.m. Friday, January 15, in the Racing Commission's training room, second floor, 128 N. Kansas Ave., Topeka, to consider the adoption of proposed temporary regulations of the Kansas Racing Commission.

A copy of the full text of the regulations and the fiscal impact statement may be reviewed or obtained at the commission's office. The following is a summary of the regulations:

K.A.R. 112-3-1 through K.A.R. 112-3-14: These are new regulations implementing L. 1987, Chapter 112, the Kansas parimutuel racing act. The regulations define the form, procedure and content of applications to be filed by organization applicants, facility owner applicants and facility manager applicants to conduct horse races or dog races, or both, and parimutuel wagering or to construct or own or manage a racetrack facility.

The following are also new regulations implementing L. 1987, Chapter 112:

K.A.R. 112-3-15 requires an annual certified financial audit of an organization licensee. K.A.R. 112-3-16 states the commission may draft modified license application forms for fair associations, the state of Kansas or political subdivisions thereof. K.A.R. 112-3-17 states the commission may require additional information of any license applicant.

K.A.R. 112-3-18 requires approval of the commission if control of a facility owner or facility manager licensee is to be conveyed. K.A.R. 112-3-19 states an individual or entity identified in the regulations or found to be material to the racing program shall submit to a background investigation.

K.A.R. 112-3-20 identifies those individuals who may be required by the commission to submit to tests for controlled substances. K.A.R. 112-3-21 states the regu-

lations of the Kansas Racing Commission shall be effective upon approval by the State Rules and Regulations Board.

JIMMY D. GRENZ  
Executive Director

Doc. No. 006081

## State of Kansas

**STATE CORPORATION COMMISSION  
MINED-LAND CONSERVATION AND  
RECLAMATION BOARD****REQUEST FOR QUALIFICATIONS FOR  
ENGINEERING AND TECHNICAL SERVICES**

The Mined-Land Conservation and Reclamation Board, pursuant to K.S.A. 75-430a and 75-5803, is establishing a list of prequalified firms for engineering and technical services. Firms are invited to submit qualifications for engineering and technical services as required in connection with the Mined-Land Conservation and Reclamation Act, K.S.A. 49-401 *et seq.*, which includes the state's administration and enforcement program for current coal mining operations and the state's abandoned mined-land program.

Examples of work to be performed include, but are not restricted to, the preparation of environmental assessment statements in compliance with the National Environmental Policy Act, actual design and construction work related to abandoned mined-land reclamation projects, aerial photography related to the preparation of topographic maps, cross-sections and related work and review of surface coal mining permits and permit applications to determine completeness and technical compliance with the act and rules and regulations promulgated thereunder.

To be considered, interested firms must submit completed Kansas Form ASD-El, "Statement of Qualifications and Performance Data," to Ron Fox, Executive Director, Mined-Land Conservation and Reclamation Board, 107 W. 11th, P.O. Box 1418, Pittsburg 66762, and Judith McConnell, Executive Director, State Corporation Commission, 4th Floor, Docking State Office Building, Topeka 66612, by the close of business January 29. Requests for submission forms or telephone inquiries may be directed to Ron Fox at (316) 231-8540.

This is not a request for proposals. As actual projects arrive, proposals from at least three prequalified firms will be requested. Minority business enterprises are encouraged to respond to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin.

The board will negotiate contracts on the basis of the services required at a just and reasonable fee, in accordance with state law.

RON FOX  
Executive Director

Doc. No. 006071

## State of Kansas

**ATTORNEY GENERAL****Opinion No. 87-180**

**Intoxicating Liquors and Beverages—Cereal Malt Beverages—Retailers' Licenses; Qualifications.** Charles A. Peckham, Rawlins County Attorney, Atwood, December 16, 1987.

Violations of the cereal malt beverage act are violations of the intoxicating liquor laws for purposes of issuing a license for retail sale of cereal malt beverages. Cited herein: K.S.A. 41-102, as amended by L. 1987, ch. 182, § 2; 41-311, as amended by L. 1987, ch. 182, § 22; 41-330; 41-2703, as amended by L. 1987, ch. 182, § 99; 41-2708, as amended by L. 1987, ch. 182, § 104. JLM

**Opinion No. 87-181**

**State Departments; Public Officers and Employees—Public Officers and Employees; Public Employer-Employee Relations—Application of Act to Judiciary and Legislature.** Dennis R. Taylor, Secretary of Human Resources, Department of Human Resources, December 21, 1987.

Based upon the rules of statutory construction and the history and circumstances surrounding the enactment of K.S.A. 75-4321 *et seq.*, it is our opinion that the public employer-employee relations act does not apply to court personnel, but legislative employees are included within the scope of the act's provisions. Cited herein: K.S.A. 20-162; K.S.A. 1986 Supp. 20-342; 20-345; 20-358; K.S.A. 20-359; K.S.A. 1986 Supp. 20-361; K.S.A. 46-1213; 75-2935; 75-4321; 75-4322. JLM

**Opinion No. 87-182**

**Banks and Banking—Banking Code; Powers—Corporate Boundaries Limitation.** Representative Rick Bowden, 93rd District, Goddard, December 21, 1987.

State chartered banking institutions may operate branch facilities only within the limitations of K.S.A. 1986 Supp. 9-1111, as amended. These limitations are not affected by an interpretation of federal law which allows federally chartered banks to branch in the same manner as state chartered savings associations. Cited herein: K.S.A. 1986 Supp. 9-1111, as amended by L. 1987, ch. 53, sec. 1; 12 U.S.C. § 36 (1982). MWS

**Opinion No. 87-183**

**Roads and Bridges—General Provisions; Acquisition of Real Property for Highway, Road or Street Purposes—Direct Payment to Seller for Certain Lands or Interests Therein; Use of seismographic equipment on county roads.** Robert Arnold, County Counselor, Wichita, December 21, 1987.

When a county obtains an easement to create a county road thereby facilitating public travel, the extent of county interest in and authority over the land is defined by the purpose and character of the easement. When the county possesses an easement granted for a

specific purpose and use, the county has no authority to grant permission for other uses outside the scope of the easement. Use of seismographic equipment to promote another public purpose that does not advance the purpose of public travel is beyond the scope of the use for which the easement was granted. Cited herein: K.S.A. 68-182. TMN

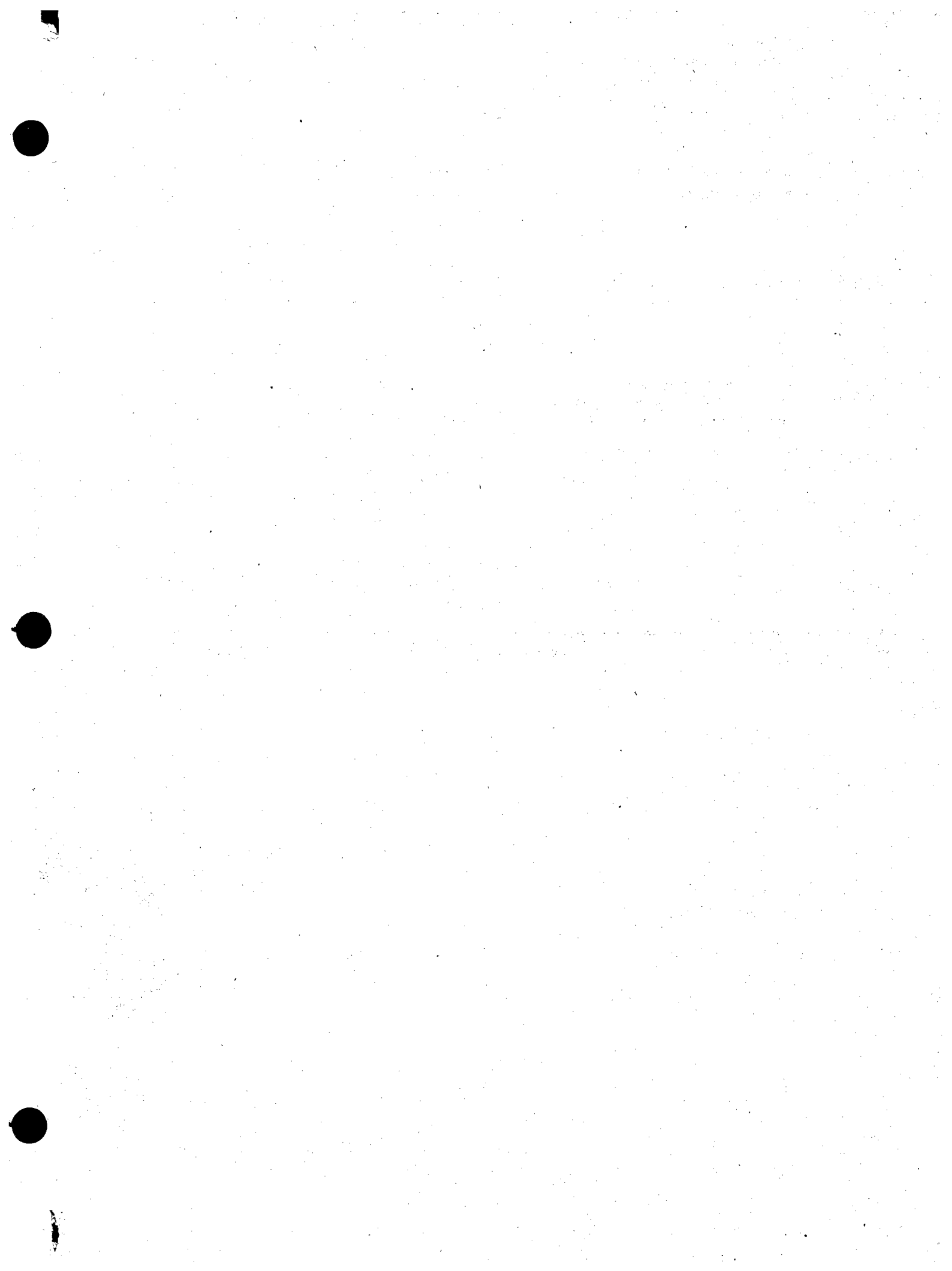
**Opinion No. 87-184**

**State Boards, Commissions and Authorities—Certification of Psychologists—Registration of Masters Level Psychologists; Limitation of Practice.** Mary Ann Gabel, Executive Secretary, Behavioral Science Regulatory Board, Topeka, Kansas, December 21, 1987.

Persons who may supervise registered masters level psychologists (RMLPs) must meet two requirements: (1) They must be licensed to provide mental health services and (2) their licensure must allow them to diagnose and treat psychological disorders. It is our opinion that licensed psychologists meet these requirements, but social workers and psychiatrists do not. Cited herein: K.S.A. 65-2802; 65-2803; 65-2869; 65-2872; K.S.A. 1986 Supp. 74-5302; 74-5310; K.S.A. 74-5311; 74-5340; 74-5344, as amended by L. 1987, ch. 306, § 12; 75-5347; K.S.A. 1986 Supp. 75-5353; K.A.R. 102-1-1; K.A.R. 1986 Supp. 102-1-12; K.A.R. 102-2-1a; K.A.R. 102-2-8, as amended May 1, 1987. RLN

ROBERT T. STEPHAN  
Attorney General

Doc. No. 006083



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