KANSAS

REGISTER

State of Kansas

BILL GRAVES Secretary of State

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State of Kansas SOCIAL AND REHABILITATION SERVICES

SOLICITATION FOR FAMILY SUPPORT WORKER CONFERENCE

The Department of SRS-Youth Services is seeking an agent to organize and implement a single statewide Family Support Worker Conference to be held between August 7 and September 15, 1989, in Salina, Hutchinson, Emporia, or Manhattan.

I. The conference is to be a very structured one and one-half day meeting focused on beginning and advanced skills needed by paraprofessionals to provide in-home services to families.

Approximately 120 SRS-Youth Services family support workers will be invited to participate.

The format of the conference will be to have one to two presenters to present in one or two general sessions to all of the participants and to have three to four small group workshops, for a minimum of two hours each, twice during the conference.

A conference steering committee will be appointed by the commissioner of Youth Services to oversee the conference and to work with the Kansas provider organization.

II. The Kansas provider organization will be responsible for the general and specific logistics of the conference and, in particular, will provide the following services:

A. Production and mailing of brochures and/or invitations:

B. Final section of site, contracting with the conference facility and managing all logistical matters concerning the facilities;

C. Provision of conference materials (agenda and packet) to participants;

D. Management of funds to include reimbursement to presenters, as well as funds to be utilized directly by the provider organizations.

E. Collection and batching of all reimbursement forms from participants for lodging and per diem.

III. Fiscal considerations are: \$8,000 is available to organize and implement the conference. Of that amount, \$2,000 is budgeted for presenters and the remaining \$6,000 is available to carry out the function of the Kansas provider organization enumerated in II and any additional activities deemed necessary by the provider.

IV. The respondent must address its experience and ability to carry out the task of managing a conference of this size. The respondent also must demonstrate an ability to handle the amount of funds involved and present a work plan and schedule.

The response should consist of: (1) an attached cover sheet; (2) a budget page; (3) a detailed budget; (4) a statement of organizational capability; (5) a detailed work plan; and (6) a project schedule. Responses must be received within 21 days of this publication.

The final selection of the conference content and dates of the conference will be determined by the conference steering committee.

Questions regarding this notification should be directed to Jan Knoll, SRS-Youth Services, (913) 296-4210.

ROBERT C. BARNUM Commissioner, Youth Services

Doc. No. 007725

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$55. Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY
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Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



Phone: (913) 296-3489

State of Kansas BOARD OF ACCOUNTANCY

NOTICE OF MEETING AND ADMINISTRATIVE HEARING

The Board of Accountancy will conduct a regularly scheduled meeting at 9 a.m. Thursday, April 27, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. Persons interested in agenda items or in attending should contact the board office in Suite 907 of the Landon Building.

Additionally, the board will conduct an administrative hearing at 11 a.m. at the same location for matters involving Dale A. Petrie, CPA.

GLENDA SHERMAN Board Secretary

Doc. No. 007714

State of Kansas DEPARTMENT OF ADMINISTRATION DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT OF NEGOTIATIONS FOR ENGINEERING SERVICES

Notice is hereby given of the commencement of negotiations for the engineering and hydrological study of the Cheyenne Bottoms Wildlife Area in Barton County for the Department of Wildlife and Parks. The work will include two phases.

The initial phase of the engineering study will require a comprehensive review of hydrological elements of Cheyenne Bottoms and the contributing watersheds, including flows, rainfall, storage, discharge and existing control structures within the bottoms. This study will provide a comprehensive review of operational and management alternatives as those alternatives affect area wildlife goals, water resources in and surrounding the basin, wildlife area users, and surrounding landowners. Essential in the hydrologic analysis and for future management will be the development and verification of a comprehensive hydraulic computer model of Cheyenne Bottoms.

The second phase of the project will be defined upon completion of Phase I and when the appropriate agency, public and legislative reviews and input have been made. It is anticipated to include all planning, design and construction activities required to fully implement the findings of the Phase I study.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before May 5.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 007726

State of Kansas

KANSAS INC.

NOTICE OF MEETING

The Kansas Inc. board will meet from 9 a.m. to 1 p.m. Tuesday, April 25, in the Kansas Inc. conference room, Suite 113, Capitol Tower, 400 S.W. 8th, Topeka. The meeting is open to the public.

CHARLES R. WARREN President

Doc. No. 007716

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 "on-call" architectural and engineering services for the Department of Social and Rehabilitation Services. Three architects or architectural firms and three engineers or engineering firms are being sought to proyide services for small capital improvement projects.

Selections will be made for the following groups of institutions. Expressions of interest should indicate which group or groups the applicant is interested in.

Group I Architectural Larned State Hospital Winfield State Hospital and Training Center Youth Center at Beloit

Group II Architectural
Topeka State Hospital
Kansas Neurological
Institute
Youth Center at Topeka
Youth Center at Atchison

Group III Architectural Rainbow Mental Health Facility Osawatomie State Hospital Parsons State Hospital and Training Center Group I Engineering Larned State Hospital Winfield State Hospital and Training Center Youth Center at Beloit

Group II Engineering
Topeka State Hospital
Kansas Neurological
Institute
Youth Center at Topeka
Youth Center at Atchison

Group III Engineering
Rainbow Mental Health
Facility
Osawatomie State Hospital
Parsons State Hospital
and Training Center

Any questions or expressions of interest for the architectural projects should be directed to Gerald R. Carter, AIA, Director of Planning and Design, and any questions or expressions of interest for the engineering projects should be directed to Norman Moody, Chief, Engineering Section, at the Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before May 5.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE OF HEARING

The technical committee of the Kansas Department of Health and Environment will conduct a public hearing on information contained in the preliminary report about the application to register athletic trainers. The hearing is scheduled for 9 a.m. Thursday, May 18, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Persons desiring to provide oral testimony should contact Cathy Rooney at (913) 296-1281. Written comments will be accepted up to the date of the hearing and should be addressed to Cathy Rooney, Bureau of Adult and Child Care, Kansas Department of Health and Environment, 10th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1290

> STANLEY C. GRANT Secretary of Health and Environment

Doc. No. 007719

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the State of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant

Discharge

Mayor and City Council c/o City Clerk

Secondary Wastewater Oak Creek Treatment Facility

1st and Kansas, P.O. Box 163

Ellsworth, KS 67439

Ellsworth County, Kansas

Fed. Permit No. KS-0085693

Kansas Permit No. M-SH07-OO01 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Waterway

Name and Address of Applicant

Waterway

Type of Discharge

Mayor and City Council c/o City Clerk City Hall, P.O. Box 68

Deer Creek via Unnamed Tributary

Secondary Wastewater Treatment Facility

Colony, KS 66015 Anderson County, Kansas

Kansas Permit No. M-NE14-OO01

Fed. Permit No. KS-0116122

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards. K.A.R. 28-16-28(b-f), and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to May 19 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-17/18) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state

regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> STANLEY C. GRANT Secretary of Health and Environment

Doc. No. 007720

State of Kansas KANSAS SUPREME COURT

ORDER PROCLAIMING MAY 1-5, 1989 LAW WEEK IN THE KANSAS JUDICIAL SYSTEM

May 1-5, 1989, is hereby proclaimed to be LAW WEEK throughout the Kansas judicial system and is to be observed by all judges and nonjudicial employees of the Judicial Branch of State Government.

The 105 district courts in Kansas are encouraged to treat LAW WEEK in their respective counties as a special opportunity to recognize that governance of our society by laws is the basis of our personal freedoms and the only assurance that the rights of all our citizens will be protected.

"Access to Justice," as the theme of LAW WEEK, highlights the fundamental right of all our citizens to American law and justice. All Kansans are invited to share with their courts in the observance of LAW WEEK 1989.

The Clerk of the Supreme Court is hereby directed to file this order forthwith and deliver a copy to the Judicial Administrator who shall publish it in the Kansas Register.

BY ORDER OF THE COURT this 11th day of April, 1989.

> ROBERT H. MILLER Chief Justice

STATE HISTORICAL SOCIETY STATE RECORDS BOARD

NOTICE OF MEETING

The Kansas State Records Board will meet at 10 a.m. Thursday, April 27, in the conference room on the fourth floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of noncurrent government records.

In addition, general administrative matters and other

business will be discussed.

EUGENE D. DECKER State Archivist

Doc. No. 007712

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-40

Elections—Precinct Boundaries—Boundary Changes; Offices of Precinct Committeewoman and Committeeman.

Elections—Political Parties—Effect of Precinct Boundary Changes on the Offices of Precinct Committeewoman and Committeeman. Douglas F. Martin, Shawnee County Counselor, Topeka, and Linda P. Jeffrey, First Assistant Shawnee County Counselor, Topeka, April 10, 1989.

Questions concerning vacancies in the offices of precinct committeewoman and committeeman and the effect of precinct boundary changes are discussed. Cited herein: K.S.A. 1988 Supp. 25-26a01; 25-26a02; K.S.A. 25-3801; 25-3802. RLN

Opinion No. 89-41

Cities and Municipalities—Plumbing and Electrical Wiring; Plumbers and Plumbing in Cities and Counties—Competency and Examination; Standards. Senator Ross O. Doyen, 23rd District, Concordia, April 10, 1989.

The adoption of standards for determining the competency of plumbers and electricians in K.S.A. 1988 Supp. 12-1508 and 12-1525, respectively, does not involve the unlawful delegation of legislative authority to a private entity or nongovernmental agency in contravention of Article 2, Section 1 of the Kansas Constitution. Cited herein: K.S.A. 1988 Supp. 12-1508, 12-1525; Kan. Const., Art. II, sec. 1. GE

Opinion No. 89-42

State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings—Discussions Regarding Peer Review and Risk Management Reports.

Public Health—Health Care Providers; Health Care and Peer Review—Peer Review Committee Reports; Confidentiality and the Open Meetings Requirements. C.E. Russell, City Attorney, Wellington, April 10, 1989.

Discussions by the governing body of a public hospital

concerning records and reports mandated to be confidential under the risk management and peer review laws are not required to be discussed in an open meeting. Cited herein: K.S.A. 1988 Supp. 65-4915; 65-4922; 65-4923; 65-4925; 74-8705; 74-8804; 75-37,102; K.S.A. 75-4317; K.S.A. 1988 Supp. 75-4318; 75-4319; K.A.R. 1987 Supp. 28-52-1; 42 C.F.R. § 482.21 RLN

Opinion No. 89-43

Schools—Organization, Powers and Finances of Boards of Education—Interlocal Cooperation Agreements. Representative Don Crumbaker, 121st District, Brewster, April 10, 1989.

K.S.A. 1988 Supp. 72-8230 authorizes interlocal cooperation agreements between two or more school districts but does not appear to contemplate non-school districts being parties to such agreements. However, individual school districts may independently cooperate with non-school district entities through agreements entered into pursuant to alternative authority. Cited herein: K.S.A. 1988 Supp. 12-2904; K.S.A. 72-8201; K.S.A. 1988 Supp. 72-8230. TMN

Opinion No. 89-44

Corporations—Directors and Officers—Financial Interest of Officer or Director in Corporate Transaction; Application to Certain Nonprofit Corporations. Representative Bob Vancrum, 29th District, Overland Park, April 10, 1989.

Not-for-profit corporations that are private foundations are subject to the provisions of K.S.A. 17-6304 and the duty of loyalty/fairness when making loans or charitable contributions. Transactions between a not-for-profit corporation and one or more of its directors are allowed if the directors' interests are disclosed and the directors do not unfairly benefit to the detriment of the corporation. Cited herein: K.S.A. 17-6001; 17-6102; 17-6304; 79-4601. JLM

Opinion No. 89-45

State Departments; Public Officers and Employees—Department of Transportation—Railroad Rehabilitation Loan Guarantee Fund; Limits on Guarantee Under 1989 House Bill No. 2520. Horace B. Edwards, Secretary, Department of Transportation, Topeka, April 11, 1989.

A refinancing loan to the Mid States Port Authority made by a participating financial institution may be guaranteed by the Secretary of Transportation and such refinancing loan is not subject to the 50 percent loss limitation applicable to the original federal government loan for acquisition and rehabilitation. Cited herein: K.S.A. 75-5029, as amended by 1989 House Bill No. 2520; 75-5030; 1989 House Bill No. 2520, New Section 1; and Kan. Const., Art. 11, § 9. GE

ROBERT T. STEPHAN Attorney General

BOARD OF EDUCATION

NOTICE OF HEARING

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, May 9, in Room 121 of the State Education Building, 120 E. 10th, Topeka, on the formula to be utilized in distributing funds to school districts under Chapter 2 of the Elementary and Secondary Education Act of 1965, as amended by P.L. 100-297.

Reauthorization of Chapter 2 in the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297) requires changes in the distribution formula.

For further information contact Warren Bell, Director of State and Federal Programs, Kansas State Department of Education, 120 E. 10th, Topeka 66612, (913) 296-2306.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, on the proposed formula. Individuals or organizations that cannot appear at the hearing may submit to the secretary of the board, at least five days before the hearing, their views regarding the proposed formula. All comments received will be considered by the board. The hearing will be conducted in compliance with public hearing procedures of the board.

DR. LEE DROEGEMUELLER Commissioner of Education

Doc. No. 007738

State of Kansas

BOARD OF EDUCATION

NOTICE OF HEARING

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, May 9, in Room 121 of the State Education Building, 120 E. 10th, Topeka, to consider the proposed changes in the Kansas State Plan for Community Colleges. The changes are to become effective July 1, 1989, following adoption by the board and approval by the Governor.

The revised state plan relates generally to the following: The State Plan for Community Colleges is required by Kansas statute for the purpose of developing state goals for Kansas community colleges. The proposed revised state plan includes current and complete statutes and regulations that relate to Kansas community colleges. The procedures and forms for new course and program approval also are provided, along with the adopted role, scope, and mission statements for comprehensive community colleges. The intent of assembling information concerning community colleges into one document is to assist trustees, administrators, faculty, and other interested groups or individuals in the day-to-day operation of the colleges.

Draft copies of the revised state plan have been distributed to the Community College Advisory Council for review. Input also has been solicited from a task force from the Deans of Continuing Education, the Council of Presidents, and Deans of Instruction.

A copy of the proposed revised plan may be obtained by contacting the secretary of the board at the address above prior to the date of the hearing.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, in regard to the proposed plan. Individuals or organizations that cannot appear at the hearing may submit to the secretary of board, at least five days before the hearing, their views concerning the proposed plan. All comments received will be considered by the board. The hearing will be conducted in compliance with the public hearing procedures of the board.

DR. LEE DROEGEMUELLER
Commissioner of Education

Doc. No. 007739

State of Kansas

BOARD OF EDUCATION

NOTICE OF HEARING

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, May 9, in Room 121 of the State Education Building, 120 E. 10th, Topeka, to consider the Kansas State Plan for Education of Homeless Children and Youth.

The Homeless Education Program is identified as a state-operated program under the Stewart B. McKinney Homeless Assistance Act, P.L. 100-77, and addresses current and anticipated barriers to homeless children and youth receiving a free and appropriate public education.

Kansas will receive \$50,000 in fiscal year 1990 to continue activities required by the act and to implement the state plan.

A copy of the plan may be obtained by contacting the secretary of the board at the address above prior to the date of the hearing.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, on the plan. Individuals or organizations that cannot appear at the hearing my submit to the secretary of the board, at least five days before the hearing, their views regarding the proposed plan. All comments received will be considered by the board. The hearing will be conducted in compliance with public hearing procedures of the board.

DR. LEE DROEGEMUELLER
Commissioner of Education

GRAIN INSPECTION DEPARTMENT

NOTICE OF MEETING

The Kansas State Grain Inspection Department will conduct its quarterly Grain Advisory Board meeting at 10 a.m. Friday, April 28, in the Evans Grain Company conference room, Salina Board of Trade, Salina. The meeting is open to the public.

T. D. WILSON Director

Doc. No. 007715

State of Kansas

LEGISLATURE

LEGISLATIVE BILLS INTRODUCED

The following numbers and titles of bills and resolutions have been recently introduced in the 1989 Kansas Legislature.

Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N State Capitol, Topeka 66612, (913) 296-4096.

Bills introduced April 6-8: House Bills

HB 2561, by Committee on Taxation: An act concerning vehicle registration fees; amending K.S.A. 1988 Supp. 8-145d and repealing the existing section.

HB 2562, by Committee on Federal and State Affairs: An act amending the Kansas parimutuel racing act; concerning certain unlawful acts; amending K.S.A. 1988 Supp. 38-1502, 38-1602 and 74-8810 and repealing the existing sections.

HB 2563, by Committee on Taxation: An act concerning municipal universities; relating to tax levies for capital improvements; amending K.S.A. 1988 Supp. 13-13a23 and repealing the existing section.

Senate Bills

SB 395, by Committee on Ways and Means: An act concerning older Kansans employment programs; amending K.S.A. 75-5924 and repealing the existing section.

SB 396, by Committee on Ways and Means: An act concerning insurance; providing for subrogation rights under accident, health or sickness insurance policies.

SB 397, by Committee on Ways and Means: An act relating to homestead property tax refunds; amending section 5 of 1989 Senate Bill No. 24 and repealing the existing section.

House Concurrent Resolutions

HCR 5024, by Representative Heinemann: A concurrent resolution relating to the joint rules of the Senate and House of Representatives; amending Joint Rule 4 prescribing deadlines for the introduction and consideration of bills.

HCR 5025, by Representative D. Miller: A proposition to amend article 11 of the constitution of the state of Kansas by adding a new section thereto relating to financing of improvements in the infrastructure facilities of the state and its political subdivisions; and calling a special election for the purpose of submitting such proposition.

HCR 5026, by Representative Braden: A concurrent resolution relating to adjournment of the senate and house of representatives for a period during the 1989 regular session of the legislature.

House Resolutions

HR 6090, by Representative Wisdom: A resolution congratulating the Kansas City, Kansas, American Legion Post 213, Argentine Eagles men's fast-pitch softball team on winning the 1988 National Fast-Pitch Softball tournament.

HR 6091, by Representative Reardon: A resolution congratulating and commending the Bishop Miege High School girls' basketball team and Coach Terry English for winning the 1989 Class 5A State Basketball Championship in Kansas.

HR 6092, by Representative Shallenburger: A resolution honoring Baxter Springs Little League Baseball and the 1988 Little League All

'HR 6093, by Representative Lowther: A resolution congratulating and commending Carolyn Koch on being selected a Kansas Master Teacher

HR 6094, by Representative Gatlin: A resolution congratulating and commending Herndon High School on winning the Odyssey of the Mind State Competition.

HR 6095, by Representative Amos: A resolution honoring Undersheriff Tom Lawrukiewicz on his retirement after 40 years of continuous service with the Johnson County Sheriff's Department.

HR 6096, by Representative Amos: A resolution urging the United States Corps of Army Engineers to consider the economic impact that reduced sand dredging in the Kansas River will have on construction costs in the State of Kansas.

HR 6097, by Representative Lowther: A resolution endorsing the development of the National Teachers Hall of Fame to be located at Emporia State University.

HR 6098, by Representatives Brown and Snowbarger: A resolution proclaiming April 21, 1989, as "Disability Awareness Day" and commending Bill Duff for his participation in Wheels Across America.

HR 6099, by Representative Baker: A resolution congratulating and commending Gary D. Wilkerson on being selected a Kansas Master Teacher for 1989.

HR 6100, by Representative Branson: A resolution congratulating and commending Professor Theodore Kuwana for receiving the C. N. Reilley Award in Electroanalytical Chemistry.

HR 6101, by Representative Blumenthal: A resolution honoring Thomas A. Soetaert for twelve years of public service as Mayor of Shawnee, Kansas.

Senate Concurrent Resolutions

SCR 1624, by Senators Winter and Gaines: A concurrent resolution commending and congratulating the Kansas Geological Survey on its 100th anniversary.

Senate Resolutions

SR 1854, by Senator Vidricksen: A resolution designating Lincoln County, Kansas, as the "Post Rock Capital of Kansas."

SR 1855, by Senator Petty: A resolution congratulating and commending the Stormont Medical Library on its 100th anniversary.

SR 1856, by Senator Burke: A resolution proclaiming April 21, 1989, as "Disability Awareness Day" and commending Bill Duff for his participation in Wheels Across America.

SR 1857, by Senator Ehrlich: A resolution congratulating the United Methodist Church of Claflin, Kansas, on its 100th anniversary.

SR 1858, by Senator Ehrlich: A resolution congratulating the Vine United Methodist Church of Hoisington, Kansas, on its 100th anniversary.

SR 1859, by Senator Martin: A resolution honoring Baxter Springs Little League Baseball and the 1988 Little League All Stars.

SR 1860, by Senator Karr: A resolution endorsing the development of the National Teachers Hall of Fame to be located at Emporia State University.

SR 1861, by Senator F. Kerr: A resolution making specific exceptions to the limitations prescribed by subsection (k) of Joint Rule 4 of the house of representatives and senate.

State of Kansas KANSAS RACING COMMISSION

NOTICE ON HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9 a.m. Friday, May 26, in the training room, second floor, 128 N. Kansas Ave., Topeka, to consider the adoption of proposed permanent and temporary regulations of the Kansas Racing Commission. This 30-day notice is to constitute a public comment period for the purpose of receiving written public comments on these proposed regulations.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the commission office, 128 N. Kansas Ave., Topeka. The

following is a summary of the regulations.

K.A.R. 112-12-2 through K.A.R. 112-12-13 are proposed as temporary regulations and include the requirements for registration of horses to participate in the Kansas Horse Breeding Development Fund, which is a registry of horses and a system by which the owners of Kansas-bred sires and dams of foals registered who win races in Kansas receive stallion and mare awards from the fund. Owners of Kansas-bred horses winning certain races in Kansas may receive purse supplements from the fund. The purpose of this set of regulations is to enhance and encourage the horse breeding industry in Kansas and to provide monies for equine research through institutions of higher education under the State Board of Regents.

The economic impact of this set of regulations affects the horse owners who pay a commission-approved fee to the registry that is part of this program and a second fee to certify their stallions and mares as qualified to participate as breeding stock eligible to receive awards from the fund. The fees are used solely to support the administrative costs of the registry and certification service. The development fund is created from the breakage and unclaimed winning tickets of races conducted at Kansas licensed horse racetracks, estimated nationally at 1.3 percent of the total annual handle, a term meaning the total amount of money handled as parimutuel wagers.

K.A.R. 112-11-20 is proposed as a permanent regulation and includes racetrack facility safety standards for grey-hounds. These standards encompass track construction requirements to avoid injury to greyhounds; construction requirements to promote safety in the "ginny pit," or lockout kennel, and cool out areas; construction, lighting, and security construction requirements for kennel buildings; and construction and design requirements for sprint

paths.

The economic impact of this regulation affects the greyhound parimutuel racetrack licensee who must pay the cost of construction and the owners and trainers of greyhounds whose racing animals may be saved from injury or disease through the implementation of this regulation.

> JIMMY D. GRENZ Executive Director

Doc. No. 007746

State of Kansas STATE CONSERVATION COMMISSION

NOTICE OF MEETING

The State Conservation Commission will meet at 8:30 a.m. Monday, May 1, at the Best Western Fort Scott Inn, 1st and State Street, Fort Scott. Copies of the agenda may be obtained by contacting Donna Uphaus, 109 S.W. 9th, Room 300, Topeka 66612, (913) 296-3600.

KENNETH F. KERN Executive Director

Doc. No. 007735

State of Kansas WILDLIFE AND PARKS COMMISSION

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 7 p.m. Wednesday, May 24, in the Duke's Room at the Canterbury Inn, 5805 W. Kellogg, Wichita, to consider the adoption and amendment of an exempt regulation of the commission.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the regulation.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for adopting, amending, or rejecting the proposed regulation.

The following is a brief summary of the proposed ex-

empt regulation:

K.A.R. 23-1-4. Upland birds; open seasons, bag limits, and possession limits. This exempt regulation is being amended to establish an early prairie chicken season, open

areas, and bag limits.

Economic Impact Summary: It is estimated that this change will result in an additional 2,500 non-residents hunting prairie chickens in Kansas, generating \$125,000 in revenue. Furthermore, it is estimated that the early prairie-chicken season will generate \$775,000 to the state's economy in 1989. Certain businesses will benefit from sportsman hunting during the early season. Revenue to the department represents a cost to sportsmen; however, such cost is voluntary for sportsmen.

Copies of the full text of the proposed regulation and the economic impact statement may be obtained by writing to the assistant secretary at the address above.

> GERALD W. TOMANEK Chairman

State of Kansas **DEPARTMENT OF TRANSPORTATION**

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. May 18, 1989, and then publicly opened:

DISTRICT ONE—Northeast

Atchison-73-3 K-3805-01-U.S. 73, 3.3 miles north of the Leavenworth-Atchison county line north 0.9 mile, north of the south city limits of Atchison, 6.0 miles, overlay. (State Funds)

Doniphan-22 C-2646-01-Boeh Lane from U.S. 36 southeast of Wathena, then west, 0.3 mile, grading and

surfacing. (Federal Funds)

Jackson-43 C-0612-01-County road, 9.2 miles west of Mayetta, then west, 0.3 mile, bridge replacement. (Federal Funds)

Johnson-435-46 K-3725-01-I-435, bridge at Midland Drive, north to ramps at Holiday Drive, 2.7 miles, pave-

ment reconstruction. (State Funds)

Johnson-56-46 U-1158-01-Sunset and U.S. 56 in Olathe, intersection improvement. (Federal Funds)

Leavenworth—73-52 K-3167-01—U.S. 73, Linn Street to Pine Street in Leavenworth, 0.3 mile, grading and surfacing. (State Funds)

Pottawatomie-24-75 K-2603-01-U.S. 24, Lost Creek 13 and Deep Creek 15 bridges east of Belvue, bridge

replacement. (Federal Funds)

Riley-81 C-2499-01-Kimball Avenue extension, west of Manhattan, 3.0 mile, grading, surfacing and bridge. (Federal Funds)

Shawnee-75-89 K-2684-02-Junction of U.S. 75 and northwest 46th Street north of Topeka, intersection im-

provement. (State Funds)

Shawnee-89 U-1109-01-East 25th Street at Butcher Creek in Topeka, 0.1 mile, bridge replacement. (Federal

Shawnee-89 U-1151-01-37th and Adams in Topeka, traffic signal. (Federal Funds)

DISTRICT TWO—Northcentral

Dickinson—218-21 X-1357-02—K-218, Missouri Pacific Railroad crossing of K-218 near Herington, grading and surfacing. (Federal Funds)

Republic-79 C-1750-01-County road, 1.6 miles south and 1.8 miles east of Munden, then east, 0.1 mile, bridge

replacement. (Federal Funds)

DISTRICT THREE—Northwest

Graham-33 C-2575-01-County road, 11.5 miles north and 0.1 mile east of Nicodemus, then east, bridge replacement. (Federal Funds)

Wallace-100 C-2648-01-County road, 6.1 miles south and 1.0 mile west of Sharon Springs, then south, 0.3

mile, grading and bridge. (Federal Funds)

DISTRICT FIVE—Southcentral

Cowley-77-18 U-1198-01-U.S. 77 (Summit) and Maple in Arkansas City, traffic signal. (Federal Funds)

Kiowa-49 C-2523-01-County road, 0.5 mile south and 3.5 miles west of Greensburg, then west, 0.2 mile, bridge replacement. (Federal Funds)

Sedgwick-54-87 K-3812-01-U.S. 54, 0.3 mile east of FAS 599 east 3000 feet (westbound lanes only), 0.6 mile,

overlay. (State Funds)

Sedgwick-87 C-2158-01-County road, 0.3 mile west and 1.6 miles north of Valley Center, then north, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT SIX—Southwest

Ford-56-29 U-1201-01-U.S. 56 and Sycamore in Dodge City, traffic signal. (Federal Funds)

Ford-54-29 M-1544-01-U.S. 54, roadside park on the north side of U.S. 54 near Bloom, roadside improvement. (State Funds)

Haskell-56-41 M-1545-01-U.S. 56, roadside park northeast quadrant, junction of U.S. 56 and U.S. 83,

roadside improvement. (State Funds)

Kearny-25-47 K-3459-01-K-25, Amazon Ditch Drive bridge 512, 4.5 miles north of the junction of U.S. 50, culvert. (State Funds)

Seward-54-88 K-3174-01-Junction of U.S. 54 and 2nd Street and Bluebell Road in Liberal, grading and

surfacing. (State Funds)

Seward-54-88' K-3184-01-U.S. 54, from the Oklahoma-Kansas state line northeast to the west city limits of Liberal, 3.6 miles, overlay shoulder. (Federal Funds)

Seward-83-88 K-3336-01-U.S. 83, from the Oklahoma-Kansas state line northwest to the south city limits of Liberal, 2.4 miles, overlay shoulder. (Federal Funds)

Seward-54-88 U-1181-01-U.S. 54, Country Estates Road, Bluebell and 2nd Street in Liberal, traffic signal. (Federal Funds)

Seward-54-88 U-1249-01-U.S. 54, from the Country Estates Road intersection, southwest 950 feet, 0.2 mile, surfacing. (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 bidapproval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be ex-

(continued)

amined 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. 007741

State of Kansas STATE CORPORATION COMMISSION

NOTICE OF MOTOR CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated 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 296-3364.

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 May 2, 1989

Application for Certificate of Convenience and Necessity:

Dalworth Trucking) Docket No. 165,273 M)
Company)
9616 Crowley Road)
Fort Worth, TX 76163) MC ID No. 128794

Applicant's Attorney: G. Timothy Armstrong, Jamestown Office Park, 3033 N.W. 63rd, Suite 150, Oklahoma City, OK 73116

(1) Containers, container ends, enclosures and packaging materials; and (2) equipment, materials and supplies used in the manufacture and distribution thereof,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

High Mtn. Express, Inc.) Docket No. 165,275M 65 Stevensville Cutoff Road) Stevensville, MT 59870) MC ID No. 130084

Applicant's Attorney: John Chenoweth, 435 N. 6th, P.O. Box 478, Fredonia, KS 66736

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

Between all points in the state of Kansas.

Application for Certificate of Convenience and Necessity:

James D. Murk, dba
Murk Automotive
603 Lincoln
Concordia, KS 66901

) Docket No. 165,274 M
)
) MC ID No. 133529

Applicant's Attorney: None

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

Between points in Cloud, Republic, Mitchell, Ottawa, Washington, Jewell and Clay counties.

Also,

Between all points and places in the above listed counties and the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Tom Peirce, dba) Docket No. 165,278 M)
Tom's Wrecker Service)
Route 3)
Arkansas City, KS 67005) MC ID No. 133531

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles, auto auction vehicles and trailers,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Doyne F. Rubottom, dba
Rubottom Trucking
2490 S. Meridian
Wichita, KS 67217

Docket No. 165,272 M

) MC ID No. 133528

Applicant's Attorney: None

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

Between points in Reno, Sedgwick, Rice and Ellsworth counties, Kansas, on the one hand, and on the other, all points in Kansas.

Application for Certificate of Convenience and Necessity:

Talkington Trucking, Inc.) Docket No. 165,276 M 511 S. Cottonwood) Strong City, KS 66869) MC ID No. 134002

Applicant's Attorney: Joseph Weiler, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

Salt, road materials (rock, sand, gravel), livestock, building materials, heavy equipment, steel articles, feed and feed ingredients, dry fertilizer,

Between points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

John R. Trabert, Jr., dba) Docket No.	164,389	M
John's Body Shop)		
110 W. Beeson St.)	1 × 31	
Dodge City, KS 67801) MC ID No.	133521	

Applicant's Attorney: None

Wrecked, disabled, replacement and repossessed vehicles maximum 12,000 pounds,

Between all points and places in Scott, Lane, Ness, Finney, Hodgeman, Pawnee, Haskell, Gray, Ford, Edwards, Seward, Meade, Clark, Kiowa and Comanche counties.

Also,

All points and places in Scott, Lane, Ness, Finney, Hodgeman, Pawnee, Haskell, Gray, Ford, Edwards, Seward, Meade, Clark, Kiowa and Comanche counties, on the one hand, and all points and places in the state of Kansas, on the other hand.

Application for Extension of Certificate of Convenience and Necessity:

) Docket No. 127,889 M
4810 High Drive)
Kansas City, MO 64151) MC ID No. 103810

Applicant's Attorney: Joseph Weiler, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

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

Between points and places in Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Clay, Dickinson, Marion, Butler, Cowley, Marshall, Riley, Pottawatomie, Geary, Wabaunsee, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Nemaha, Jackson, Shawnee, Osage, Coffey, Woodson, Wilson, Montgomery, Brown, Doniphan, Atchison, Jefferson, Leavenworth, Douglas, Wyandotte, Johnson, Franklin, Miami, Anderson, Linn, Allen, Bourbon, Neosho, Crawford, Labette and Cherokee counties, on the one hand, and on the other, points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Williams Midwest) Docket No. 165,277 M
Housemovers, Inc.)
1624 Morningside Drive)
Hastings, NB 68901) MC ID No. 133530

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka Blvd., Topeka, KS 66603-3294

Houses and buildings,

Between all points and places in the state of Kansas.

Applications set for May 9, 1989

Application for Extension of Certificate of Convenience and Necessity:

Beaver Express Service,) Docket No. 132,099	M
Inc.)	. :
4214 Oklahoma Ave.)	
Woodward, OK 73801) MC ID No. 100685	ţ,

Applicant's Attorney: W. Robert Alderson, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

General commodities (except con modities in bulk, classes A and B explosives and household goods), Between points and places in Kansas.

Also.

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

(A)(1) Between Wichita, Kansas, and Hardtner, Kansas, serving all intermediate points; from Wichita over K-2 to its intersection with U.S. 281, then over U.S. 281 to Hardtner and return over the same route.

(2) Between Anthony, Kansas, and the Oklahoma-Kansas state line, serving all intermediate points; from Anthony over K-179 to the Oklahoma-Kansas state line, and return over the same route.

(3) Between Wichita, Kansas, and the Oklahoma-Kansas state line, serving all intermediate points; from Wichita, Kansas, over U.S. 81 to the Oklahoma-Kansas state line and return over the same route.

(4) Between Wichita, Kansas, and Udall, Kansas, serving all intermediate points; from Wichita over K-15 to Udall and return over the same route.

(5) Between the intersection of U.S. 81 and K-55 and the intersection of K-55 and U.S. 77, over K-55, serving all intermediate points.

(6) Between Wichita, Kansas, and the Kansas-Oklahoma state line, serving all intermediate points; from Wichita over K-254 to its intersection with U.S. 77, then over U.S. 77 to the Kansas-Oklahoma state line and return over the same route.

(7) Between Caldwell, Kansas, and Arkansas City, Kansas, serving all intermediate points; from Caldwell over U.S. 166 to Arkansas City and return over the same route.

(8) Between El Dorado, Kansas, and the Kansas-Oklahoma state line over I-35 and return over the same route, serving all intermediate points.

(B) Authority is expressly approved to join routes granted in this route and docket to permit through service, to, from and between all points authorized to be served.

Application for Abandonment of Certificate of Convenience and Necessity:

Frontier Resources, Inc. 5510 E. 17th) Docket No.	141,586	M
Hutchinson, KS 67501) MC ID No.	119058	
Applicant's Attorney: None	•		

(continued)

Application for Extension of Certificate of Convenience and Necessity:

Robert E. Ingram, dba) Docket No. 132,102 M Ingram Trucking) East Highway 56) MC ID No. 105190

Applicant's Attorney: Brad Murphree, 400 N. Woodlawn, Suite 1, Wichita, KS 67208

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

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Rick Lundy
Route 1, Box 236
Bertrand, NB 68927

) Docket No. 165,279 M
) MC ID No. 133753

Applicant's Attorney: None

Grain products,

Between all points and places throughout Kansas.

Amended Application for Certificate of Convenience and Necessity:

MCK, Inc., dba) Docket No. 164,372 M Karlin Elevator) Railroad and Oak Streets) Grinnell, KS 67738) MC ID No. 115935

Applicant's Attorney: Ken Eland, P.O. Box 645, Hoxie, KS 67740

Farm products consisting of grain, dry feed, seeds (consisting of, but not limited to, wheat, corn, milo, barley, sunflowers, soybeans and hay), livestock (consisting of, but not limited to, cattle, swine or sheep), rock, sand and dry fertilizer.

Between all points and places in the state of Kansas.

Application for Name Change:

Med Express Corporation) Docket No. 147,063 M 1924 W. 11th) MC ID No. 122286 TO:

Metro Courier Service, Inc.

1539 E. Central Wichita, KS 67214 -

Applicant's Attorney: None

Medical laboratory supplies, biological samples and specimens, dental materials, eyeglass supplies, accounting and audit media, business and medical records, human blood and derivatives and urine specimens.

Between all points and places in Sedgwick County.

Between all points and places in Sedgwick County, on the one hand, and all points and places in the counties of Saline, McPherson, Marion, Chase, Lyon, Reno, Harvey, Butler, Greenwood, Woodson, Kingman, Harper, Sumner, Cowley, Elk, Wilson, Chautauqua and Montgomery, on the other.

Application for Certificate of Convenience and Necessity:

Charles J. Poore, dba) Docket No. 165,280 M Poore Farms) Route 2) McDonald, KS 67745) MC ID No. 131394 Applicant's Attorney: None

Wheat, corn, beans, milo (sorghum),

To and from the following county seats and the territory in that county, to-wit: St. Francis, Cheyenne County; Atwood, Rawlins County; Oberlin, Decatur County; Norton, Norton County; Goodland, Sherman County; Colby, Thomas County; Hoxie, Sheridan County; Hill City, Graham County; Sharon Springs, Wallace County; Oakley, Logan County; Gove, Gove County; Wakeeney, Trego County; Tribune, Greeley County; Leoti, Wichita County; Scott City, Scott County; Dighton, Lane County; Ness City, Ness County; Syracuse, Hamilton County, Lakin, Kearny County; Garden City, Finney County; Jetmore. Hodgeman County; Cimarron, Gray County; Dodge City, Ford County; Johnson, Stanton County; Ulysses, Grant County; Sublette, Haskell County; Elkhart, Morton County; Hugoton, Stevens County; Liberal, Seward County; Meade, Meade County; and Salina, Saline County.

From and to the following county seats and the territory in that county to-wit: St. Francis, Cheyenne County; Atwood, Rawlins County; Oberlin, Decatur County; Norton, Norton County; Goodland, Sherman County; Colby, Thomas County: Hoxie, Sheridan County: Hill City, Graham County; Sharon Springs, Wallace County; Oakley, Logan County; Gove, Gove County; Wakeeney, Trego County; Tribune, Greeley County; Leoti, Wichita County; Scott City, Scott County; Dighton, Lane County; Ness City, Ness County; Syracuse, Hamilton County; Lakin, Kearny County; Garden City, Finney County; Jetmore, Hodgeman County; Cimarron, Gray County; Dodge City, Ford County; Johnson, Stanton County; Ulysses, Grant County; Sublette, Haskell County; Elkhart, Morton County; Hugoton, Stevens County; Liberal, Seward County; Meade, Meade County; and Salina, Saline County.

ALFONZO A. MAXWELL Administrator Transportation Division

NOTICE OF REDEMPTION
to the holders of
Seward County, Kansas
Single Family Mortgage
Revenue Bonds
1979 Series A
Due December 1, 2004

Notice is hereby given that, pursuant to Section 3.01 of the Indenture dated as of September 1, 1979, \$340,000 principal amount of bonds are called for redemption from the bonds maturing December 1, 2004, at par on June 1, 1989.

Coupon bonds of \$5,000 denominations, called in full bearing CUSIP No. 818452AW4:

876	957	1014	1061	1110	1153	1213	1243	1335
896	967	1017	1073	1122	1175	1215	1250	1357
913	971	1021	1077	1135	1182	1217	1254	
929	975	1022	1089	1141	1185	1227	1261	
930	981	1038	1000	1146	1190	1231	1265	
935	992	1047	1103	1147	1195	1235	1268	
938	995	1052	1105	1148	1196	1237	1286	7 - C - C -
944	996	1053	1107	1149	1207	1239	1334	
0.1.1	990	1000	1101	1110	1201	1200	1001	٠.

In addition to the coupon bonds listed above, the following fully registered bonds are called:

Bond No.	Bond Amount	CUSIP Number	Bond Called
R106	\$35,000	818452AW4	\$5,000
R107	\$10,000	818452AW4	\$5,000

Bonds with the June 1, 1989, coupons and all subsequent coupons attached should be presented to one of the offices of the paying agents:

Continental Bank, N.A. Corporate Trust Operations 30 N. LaSalle St., 16th Floor Chicago, IL 60697

Kansas State Bank & Trust Company Trust Department 123 N. Market Wichita, KS 62702

Interest on the bonds called for redemption will cease to accrue on June 1, 1989.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payment of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 20, 1989.

By: Continental Bank, N.A.
(Formerly Continental Illinois
National Bank and Trust Company
of Chicago), as Trustee
for Seward County, Kansas

(Published in the Kansas Register, April 20, 1989.)

NOTICE OF REDEMPTION to the holders of Seward County, Kansas Single Family Mortgage Revenue Bonds 1980 Series A, Due December 1, 1989, December 1, 2010, and December 1, 2011

Notice is hereby given that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1980, \$210,000 principal amount of bonds are called for redemption at par on June 1, 1989.

Coupon bonds of \$5,000 denominations, called in full bearing CUSIP No. 818452 and suffix:

D.T.T.O.	000	410	FOO	670	054	OOF	1156	1 427
BH6	263	419	528	673	857	900	1190	1457
128	277	439	535	691	902	1073	1177	1496
BJ2	284	448	560	708	924	1079	1280	1561
151	377	468	563	750	928	1087	1310	1587
194	400	520	634	798	949	1142	1330	14 /45

Bonds with the June 1, 1989, coupons and all subsequent coupons attached should be presented to one of the offices of the paying agents:

Continental Bank, N.A. Corporate Trust Operations 30 N. LaSalle St., 16th Floor Chicago, IL 60697

Security National Bank of Kansas City Attn: Bond Operations One Security Plaza P.O. Box 1250 Kansas City, KS 66112

Interest on the bonds called for redemption will cease to accrue on June 1, 1989.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payment of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 20, 1989.

By: Continental Bank, N.A.
(Formerly Continental Illinois
National Bank and Trust Company
of Chicago),
as Trustee
for Seward County, Kansas

Doc. No. 007729

NOTICE OF REDEMPTION Saline County, Kansas Single Family Mortgage Revenue Bonds 1980 Series A

Serial Bonds Due December 1, 1989-1996 Term Bonds Due December 1, 2010

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 15, 1980, \$290,000 principal amount of the bonds, as listed below, are called for redemption on June 1, 1989, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the coupon bonds at \$5,000 each to be redeemed in full, bearing CUSIP No. 795165 and Suffix:

AJ8	1115	1595
316	1118	1613
AL3	1159	3030
459	1302	3054
ARO	1337	3124
824	1370	3230 ·
AW9	1494	3254
1062	1528	3255
1103	1581	3301

The serial numbers of the registered bonds to be redeemed in whole or in part and the principal amounts to be redeemed bearing CUSIP No. 795165AW9 are as follows:

Bond Number	Bond Amount	Amount Called
R86	\$ 50,000	\$10,000
R165	50,000	5,000
R169	65,000	5,000
R170	65,000	5,000
R172	60,000	5,000
R176	85,000	5,000
R177	65,000	20,000
R178	60,000	10,000
R180	55,000	5,000
R181	75,000	15,000
R182	65,000	10,000
R183	70,000	5,000
R193	70,000	5,000
R195	40,000	10,000
R197	65,000	5,000
R198	65,000	5,000
R199	65,000	5,000
R203	65,000	15,000
R207	65,000	5,000
R208	65,000	10,000
R210	220,000	15,000

On June 1, 1989, all bonds designated for redemption will become due and payable upon presentation thereof to the office of the paying agent.

Registered bonds and coupon bonds with the June 1, 1989, coupon and all subsequent coupons attached should be presented to the office of the paying agent:

Continental Bank, N.A. Attention: Corporate Trust Operations 30 N. LaSalle St., 16th Floor Chicago, IL 60697

Each holder whose bond has been redeemed in part will receive a new bond for the unredeemed portion. Interest on the bonds or portions of bonds called for redemption will cease to accrue on June 1, 1989.

Under the provisions of the Interest and Dividend Tax

Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

Dated April 20, 1989.

By: Continental Bank, N.A. (formerly Continental Illinois National Bank and Trust Company of Chicago) Trustee for Saline County, Kansas

Doc. No. 007730

State of Kansas KANSAS INSURANCE DEPARTMENT

PERMANENT ADMINISTRATIVE REGULATIONS

Article 4.—ACCIDENT AND HEALTH INSURANCE

40-4-35. Medicare supplement policies; minimum standards; requirements. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the national association of insurance commissioners' model regulation for minimum standards for medicare supplement insurance, September 1988 edition, are hereby adopted by reference, subject to the following additions or exceptions:

(a) Section 3 is hereby amended to read as follows: "C. This regulation shall not apply to:

(1) Medicare supplement policies issued to employees or members as additions to franchise plans in existence on the effective date of this regulation;

(2) a policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, for employees or former employees, or a combination thereof, or for members or former members, or a combination thereof, of the labor organizations; and

(3) individual policies or contracts issued pursuant to a conversion privilege under a policy of contract of group or individual insurance when such group or individual policy or contract includes provisions which are inconsistent with the requirements of this regulation."

(b) Section 3 is hereby amended by the addition of subsection D, which reads: "This regulation shall supersede any other Kansas administrative regulation to the extent the regulation or any provision of it is inconsistent with or contrary to this regulation."

(c) Section 4 is hereby amended to read as follows: "For purposes of this regulation:

(A) "Applicant" means:

(1) in the case of an individual medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits; and (2) in the case of a group medicare supplement policy or subscriber contract, the proposed certificate holder.

(B) "Certificate" means any certificate issued under a group medicare supplement policy which has been delivered or issued for delivery in this state.

- (C) "Medicare supplement policy" means a group or individual policy of accident and sickness insurance or a subscriber contract of hospital and medical services which is advertised, marketed or designed primarily as a supplement to reimbursements under medicare for the hospital, medical and surgical expenses of persons eligible for medicare by reason of age.
- (D) "Medicare" means the "Health Insurance for the Aged Act," Title XVIII of the social security amendments of 1965, as then constituted or later amended.
- (d) Section 5(A)(2) is hereby amended to read as follows: "Such definition may provide that injuries shall not include injuries for which benefits are provided under any workers' compensation, employer's liability or similar law, or motor vehicle no-fault plan, unless prohibited by law."
- (e) The proviso in section 6(A) is hereby amended to read as follows: "Medicare supplement policies, when issued, shall not contain limitations or exclusions of the type enumerated in subsections (1) through (10) above that are more restrictive than those of medicare, or with respect to group policies, limitations or exclusions that are prohibited by K.S.A. 40-2,105 and any amendments thereto. Medicare supplement policies may exclude coverage for any expense to the extent of any benefit available to the insured under medicare."
- (f) Section 7(A)(3) is hereby amended to read as follows: "Each medicare supplement policy shall provide that benefits designed to cover cost sharing amounts under medicare will be changed automatically to coincide with any changes in the applicable medicare deductible amount and co-payment percentage factors. Subject to any applicable statutory requirements, premium modification on medicare supplement policies to correspond with these changes shall be permitted."
- (g) Section 7(B)(1) is hereby amended to read as follows: "Minimum Benefit Standards. Each medicare supplement policy shall provide coverage for all of the medicare part A inpatient hospital deductible amount."

(h) Section 9(B) is hereby amended to read as follows: "At least 60 percent of the aggregate amount of premiums earned in the case of individual policies."

- (i) Section 12(C)(3) is hereby amended by the addition of the following: "(9) The amount of premium for this policy. The premiums for the policy or certificate shall be shown separately from the premiums for each optional benefit provided by the contract. (10) The name and address of the insurance agent, or employee of the insurer who assumes responsibility for completing the outline."
- (j) Section 10 is hereby amended to read as follows: "Every insurer providing group medicare supplement insurance benefits to a resident of this state shall file a copy of any certificate at least 30 days prior to its use in this state in accordance with the filing requirements and procedures applicable to group medicare supplement policies issued in this state."
 - (k) Section 11 is hereby amended to read as follows:
- (1) "No entity shall provide compensation to its agents or other producers and no agent or producer shall receive

compensation greater than the renewal compensation payable by replacing insurer on renewal policies if an existing policy is replaced unless the new policy benefits, premium charges, renewal and cancellation provisions or contractual services are clearly and substantially more beneficial to the insured than the benefits under the replaced policy."

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(2) "No entity shall provide compensation to its agents or other producers and no agent or producer shall receive compensation greater than the renewal compensation payable by the new insurer on renewal policies if a new medicare supplement policy is sold to or purchased by an insured but an existing individual medicare supplement policy or policies remain in effect."

(3) "Any entity that has developed and implemented policy applications and procedures sufficient to comply with subsection (1) and (2) shall not be held responsible for the failure of its agents or other producers to follow the prescribed processing requirements other than requiring the agents or producer to return the amount of any overpayments.

No agent or other producer who has followed the processing requirements established for the purpose of complying with this section shall be held responsible for receipt of any payment that is not in compliance with subsection (1) or (2) other than the return of any overpayment."

- (1) Section 12(A)(5) is hereby amended to read as follows: "Medicare supplement policies or certificates shall have a notice prominently printed on the first page of the policy or certificate or attached thereto stating in substance that the policyholder or certificateholder shall have the right to return the policy or certificate within 30 days of its delivery and to have the premium refunded if, after examination of the policy or certificate, the insured person is not satisfied for any reason. Any refund made pursuant to this section shall be paid directly to the applicant by the insurer in a timely manner. Such notice shall be printed in not less than 10 point type and shall be printed in bold face type or in some other manner that distinguishes it from the point otherwise appearing in the policy."
- (m) Section 13 is hereby amended by the addition of the following: "E. If a medicare supplement policy or certificate of insurance issued for delivery in this state replaces or is issued in addition to an existing medicare supplement policy, regardless of the company issuing the policy, the insurer issuing the new policy, in applying any preexisting conditions provisions, waiting periods, elimination periods, and probationary periods, shall make available by rider or otherwise, coverage which provides credit for the satisfaction or partial satisfaction of the same or smaller provisions under a previously existing plan. (Authorized by K.S.A. 40-103, 40-2221; implementing K.S.A. 40-2221; effective May 1, 1982; amended May 1, 1984; amended May 1, 1986; effective T-40-12-16-88, Dec. 16, 1988; amended T-40-3-31-89, March 31, 1989; amended June 5, 1989.)

FLETCHER BELL Commissioner of Insurance

NOTICE OF BOND SALE \$1,500,000 General Obligation School Bonds

General Obligation School Bonds Series 1989

> of Unified School District 343 Jefferson County, Kansas

Unified School District 343, Jefferson County, Kansas, will receive sealed bids addressed to Ruth Leslie, District Clerk, at the District Administration Office, P.O. Box 29, Perry, KS 66073, (913) 597-5138, until 12:30 p.m. on Thursday, May 4, 1989, for the purchase of \$1,500,000 General Obligation School Bonds, Series 1989, of the school district, at which time and place such bids will be publicly opened and read. No oral or auction bids will be considered.

Terms of the Bonds

The bonds will be dated June 1, 1989, and will mature serially on September 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing on the same maturity date. Interest will be payable March 1, 1990, and thereafter semiannually on March 1 and September 1 (the interest payment dates).

The principal of the bonds will be payable at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date (the record dates). The fees of the bond registrar for registration and transfer of the bonds will be paid by the school district.

The bonds will become due on the stated maturity dates as follows:

	Maturity Date
Principal Amount	September 1:
\$ 40,000	1990
40,000	1991
45,000	1992
50,000	1993
50,000	1994
55,000	1995
60,000	1996
65,000	· 1997
70,000	1998
75,000	1999
80,000	2000
85,000	2001
90,000	2002
95,000	2003
105,000	2004
110,000	2005
120,000	2006
130,000	2007
135,000	2008

Bonds maturing on September 1, 1997, and thereafter,

will be subject to redemption prior to maturity at the option of the school district, as a whole or in part, in inverse order of maturity (selection of bonds for partial redemption of bonds of the same maturity to be by such method as the bond registrar shall deem fair and appropriate) on September 1, 1996, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed plus accrued interest to the redemption date. If the school district elects to redeem and pay any of the bonds prior to maturity, the school district shall give written notice of its intention to redeem and pay the bonds on a specified date, such bonds being described by number, principal amount and maturity, which notice shall be given at least 30 days prior to the redemption date by: (a) United States certified mail addressed to the paying agent and to the registered owner of each bond called, and (b) publication of the notice once in the official newspaper of the state of Kansas. Whenever a bond is called for redemption and payment as aforesaid, interest on that bond shall cease from and after the date for which call is made, providing funds are available for its payment.

Conditions of Bids

Bids for the bonds that specify the rate or rates of interest at which the bidder will pay not less than par and accrued interest for the bonds will be received. The same rate will apply to all bonds of the same maturity. Each interest rate specified will be a multiple of 1/8th or 1/20th of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed 2½ percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the index of treasury bonds published in the weekly Credit Markets in New York, New York, on May 1, 1989, plus 2 percent. Bids of less than par and accrued interest and bids for less than the entire issue of bonds will not be considered.

As further conditions of the bid: (a) the number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than May 24, 1989; (b) at least one week prior to the delivery of the bonds, the successful bidder shall furnish to the district the reoffering prices to the public; and (c) a certificate stating that a substantial amount of the bonds has been sold to the public (excluding bondhouses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at such reoffering prices must be executed by the successful bidder and furnished to the school district at the time of closing.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by the school district, and will be addressed to Ruth Leslie, district clerk at the district office at the address set forth above, and will be marked "Bond Bid." Each bid will specify the total interest cost to the school district and the average annual net interest rate on the basis of such bid. The net interest cost to the school district will be determined by subtracting the amount of the premium, if any, from the total interest cost and will be stated as a dollar amount in the bid. The school district will be

entitled to rely on such dollar amount as stated in the bid as the basis for determining the lowest net interest cost bid. If there is any discrepancy between the net interest cost and the average annual interest rate specified, the specified net interest cost will govern and the rates specified in the bid will be adjusted accordingly.

Each bid must be accompanied by a certified or cashier's check in the amount of \$30,000, made payable to Treasurer, Unified School District 343, Jefferson County, Kansas. In the event a bidder whose bid is accepted fails to carry out the contract to purchase the bonds, said deposit will be forfeited to the school district. The checks of unsuccessful bidders will be returned promptly.

Basis of Award

The school district reserves the right to reject any and all of the bids, and to waive any irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the school district.

Delivery of the Bonds

Delivery of the bonds will be made to the successful bidder on or before June 8, 1989, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the school district. Delivery elsewhere will be made at the expense of the purchaser. The purchase price, including accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 11 a.m. C.D.T. on the day of delivery. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity.

Approval of Bonds/Tax Exemption

The bonds will be sold subject to the unqualified approving opinion of Cosgrove, Webb & Oman, bond counsel, of Topeka, Kansas, a copy of whose opinion will be printed on the reverse side of each bond. Manually signed originals of the opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of the opinion of bond counsel and the expense of printing the bonds will be paid by the school district. Bond counsel's legal opinion will contain a statement to the effect that the bonds will constitute general obligations of the school district, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district.

The opinion will state that, assuming continuing compliance by the school district with the provisions contained in the bond resolution, the interest on the bonds is, under existing law: (a) excludable from gross income for federal income tax purposes, and (b) not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, provided that for the purpose of computing alternative minimum taxes imposed on corporations, bond interest is taken into account

in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31. 1989). The opinion set forth in clause (a) above is subject to the compliance by the district with all requirements of the Internal Revenue Code of 1986, as amended, which must be satisfied subsequent to the issuance of the bonds in order that interest thereon be excluded from gross income for federal income tax purposes; failure to comply with those requirements could cause the interest on the bonds to be included in federal gross income retroactive to the date of issuance of the bonds. The district has covenanted to comply with all such requirements. The opinion will state that the bonds are exempt from intangible personal property taxes levied by Kansas counties. cities and townships, and the interest on the bonds is excluded from the computation of Kansas adjusted gross income. No further opinion concerning the tax consequences, other than the above, is or will be given.

Related Federal Tax Matters

Prospective bond purchasers are advised that: (a) except as stated above. Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or hold the bonds; (b) with respect to insurance companies subject to the tax imposed by Section 831 of the code, Section 832 of the code reduces the deduction for loss reserves by a percentage of the sum of certain items which include interest on the bonds; (c) for taxable years beginning before January 1, 1992, interest on the bonds earned by some corporations might be subject to the environmental tax imposed by Section 59A of the code; (d) interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to the tax imposed by Section 884 of the code; (e) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits if greater than 25 percent of the gross receipts of the Subchapter S corporation is passive investment income; and (f) Section 86 of the code requires recipients of certain Social Security and railroad retirement benefits to take receipts or accruals of interest on the bonds into account in determining gross income. Bondholders should consult their tax advisors with respect to the above.

Qualified Tax-Exempt Obligations

The school district will covenant to take such actions as are necessary to designate the bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions within the meaning of Section 265(b)(5) of the code, a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds.

Assessed Valuation and Bonded Indebtedness

The assessed valuation of taxable tangible property within the school district for the year 1988 is as follows:

Assessed valuation of taxable tangible property	\$14,218,287
Taxable value of motor vehicles	\$ 1,494,373
Equalized assessed tangible valuation for compu-	
tation of bonded debt limitations	\$15,712,660
	(continued)

The total outstanding general obligation bonded indebtedness of the school district upon the issuance of and including the bonds described herein will be \$1,535,000.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds. All expenses in relation to printing of CUSIP numbers on the bonds and the expenses charged by the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the school district.

Preliminary Official Statement and Official Statement

The school district has prepared a preliminary official statement, copies of which may be obtained from the school district's financial advisor. Upon the sale of the bonds, the school district will furnish the successful bidder with a reasonable number of copies of the final official statement without additional cost, upon request.

Official Information

Further information and additional copies of this notice of bond sale and the official bid form may be obtained from John C. McArthur, Beecroft, Cole & Company, Inc., One Townsite Plaza, 6th and Kansas Ave., Topeka, KS 66603, (913) 234-5671, the school district's financial advisor.

Dated this 20th day of April, 1989.

Unified School District 343
Jefferson County, Kansas
By Ruth Leslie, Clerk
Board of Education

Doc. No. 007717

(Published in the Kansas Register, April 20, 1989.)

NOTICE OF BOND SALE \$1,155,000 General Obligation Bonds Series 1989 of the

City of Edwardsville, Kansas (general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned city clerk of the city of Edwardsville, Kansas, on behalf of the governing body at the City Hall, 690 S. 4th, Edwardsville, KS 66113, until 11 a.m. C.D.T. on May 2, 1989, for the purchase of \$1,155,000 principal amount of General Obligation Bonds, Series 1989, of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at its meeting to be held at 7:30 p.m. on the date of sale. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1989, and will become due serially on May 1 in the years as follows:

Year	 Ð.	. 5	Principal Amount
1990	. *	S. 7	\$ 80,000
1991			90,000

1992	95,000
1993	100,000
1994	110,000
1995	120,000
1996	125,000
1997	135,000
1998	 145,000
1999	155,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on November 1, 1989.

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), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the city and the Kansas Attorney General.

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

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing in the years 1997, and thereafter, may be called for redemption and payment prior to maturity in whole or in part (selection of bonds to be designated by the city in such equitable manner as it may determine) on May 1, 1996, or on any interest payment date thereafter at the redemption price of 100 percent (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

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

If the city elects to call any bonds for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to call and pay said bonds on a specified date, the same being described by maturity, said notice to be mailed by United States certified mail addressed to the owners of said bonds, to the Kansas State Treasurer, to the original purchaser of the bonds and to the paying agent, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. The city also shall give such additional notice as may be required by Kansas law in effect as of the date of such notice. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-685 et seq., K.S.A. 12-1736 et seq., and K.S.A. 12-110c, all as amended, for the purpose of paying the cost of certain internal improvements. The bonds and the interest thereon will constitute general obligations of the city, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

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 may exceed a rate equal to the index of treasury bonds published by the weekly Muniweek (formerly 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 cannot exceed 2 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be considered. Each bid must specify the total interest cost to the city during the term of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid-all certified by the bidder to be correct—and the city will be entitled to rely on the certificate of correctness of the bidder. Each bid must also specify the average annual net interest rate to the city on the basis of such bid.

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 \$23,000 (2 percent of the principal amount of the bonds) payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. Good faith checks submitted by unsuccessful bidders will be returned. If a bid is accepted, said check, or the proceeds thereof, will be held by the city until the bidder has complied with all of the terms and conditions of this notice. If a bid is accepted but the city fails to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check, or the proceeds thereof, will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the city as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body will determine which bid, if any, will be accepted, and its determination will be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid. Any bid received after 11 a.m. on the date of sale will be returned to the bidder unopened.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the City Hall and must be received by the undersigned prior to 11 a.m. C.D.T. on May 2, 1989.

Bond Rating

The city has not applied for a rating on the bonds herein offered for sale.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on or assigned to the bonds, but neither the failure to print such number on or assign such number to any bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or before May 10, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be made at the expense of the successful bidder. The successful bidder will 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 offical statement. Payment for the bonds must be made in Federal Reserve funds, immediately subject to use by the city.

The number and denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners must be submitted in writing by the successful bidder to the city and bond registrar at least two weeks prior to the closing date. In the absence of such information, the city will deliver one bond per maturity registered in the name of the manager of the successful bidder.

(continued)

The reoffering prices to the public by the original purchaser must be furnished to the city at least one week prior to the closing date. A certificate stating that at least 10 percent of the bonds of each maturity has been sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at such reoffering prices must be furnished to the city by the original purchaser at closing.

Official Statement

The city has prepared a preliminary official statement dated April 19, 1989, copies of which may be obtained from the city clerk. Upon the sale of the bonds, the city will adopt the final official statement and will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered at the successful bidder's expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1988 is as follows:

Equalized assessed valuation of taxable tangible	
property	\$12,760,054 2,530,389
Equalized assessed tangible valuation for compu-	

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,815,750. Temporary notes in the principal amount of \$419,000 will be retired out of proceeds of the bonds and other available funds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Overland Park, Kansas, and John F. Steineger, Jr., Kansas City, Kansas, co-bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Opinion of Bond Counsel

In the opinion of bond counsel, assuming continued compliance by the city with the terms of the bond ordinance, under existing law, the interest on the bonds: (a) is excludable from gross income for federal income tax purposes, and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that with respect to corporations (as defined for federal income tax purposes), such interest is taken into account in determining adjusted net book income (adjusted current earnings for taxable years ending after December 31, 1989) for the purpose of computing the alternative minimum tax imposed on such corporations. The opinion set forth in clause (a) above is subject to the condition that the city comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the bonds in order that interest thereon be excluded from gross income for federal income tax purposes. Failure to comply with certain of such requirements could cause the interest on the bonds to be so included in federal gross income

retroactive to the date of issuance of the bonds. The city has covenanted to comply with all such requirements.

BOND SALE

The bonds are "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the code, and, in the case of certain financial institutions (within the meaning of Section 265(b)(5) of the code), a deduction is allowed for 80 percent of that portion of such financial institution's interest expense allocable to interest on the bonds.

Bond counsel expresses no opinion regarding other federal tax consequences arising with respect to the bonds.

Under existing law, the interest on the bonds is exempt from computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987, and the bonds are exempt from intangible personal property taxes levied by Kansas counties, cities or townships.

Related Federal Tax Matters

Prospective purchasers of the bonds should be aware that: (i) Section 265 of the code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the bonds, except with respect to certain financial institutions (within the meaning of Section 265(b)(5) of the code); (ii) with respect to insurance companies subject to the tax imposed by Section 831 of the code, for taxable years beginning after December 31, 1986, Section 832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the bonds; (iii) for taxable years beginning after December 31, 1986, and before January 1, 1992, interest on the bonds earned by some corporations could be subject to the environmental tax imposed by Section 59A of the code; (iv) for taxable years beginning after December 31, 1986, interest on the bonds earned by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Section 884 of the code; (v) passive investment income, including interest on the bonds, may be subject to federal income taxation under Section 1375 of the code for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year if greater than 25 percent of the gross receipts of such Subchapter S corporation is passive investment income; and (vi) Section 86 of the code requires recipients of certain Social Security and certain railroad retirement benefits to take into account in determining gross income, receipts or accruals of interest on the bonds. These categories of bondowners should consult their own tax advisors as to the applicability of these consequences. Together study to private

Additional Information

Additional information regarding the bonds may be obtained from the city clerk.

Dated April 12, 1989.

CITY OF EDWARDSVILLE, KANSAS by Helen M. Beashore, City Clerk City Hall 690 S. 4th Edwardsville, KS 66113 (913) 441-3707

Dec. No. 007733

SUMMARY NOTICE OF BOND SALE City of Phillipsburg, Kansas General Obligation Bonds, Series 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated April 17, 1989, sealed bids will be received by the city clerk of the city of Phillipsburg, Kansas, on behalf of the governing body at the City Hall, 945 2nd St., Phillipsburg, KS 67661, until 7:30 p.m. C.D.T. on May 1, 1989, for the purchase of \$1,860,000 principal amount of General Obligation Bonds, Series 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1989, and will become due serially on October 1 in the years as follows:

Year	1 4 5	Principal Amount
1991	5 13	\$ 45,000
1992	P	50,000
1993		55,000
1994		60,000
1995	* * *	65,000
1996		70,000
1997	X	75,000
1998		80,000
1999	2	85,000
2000	7-	90,000
2001		95,000
2002		105,000
2003	7.	110,000
2004	10 to 10	120,000
2005		130,000
2006		140,000
2007	10 × 10	150,000
2008	S v	160,000
2009	and the second	175,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$37,000 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 30, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$9,468,345. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold is, \$1,985,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk or from the financial advisor, Ranson & Company, Inc., 120 S. Market, Suite 610, Wichita, KS 67202, Attention: John Haas, Vice President, (316) 262-2651.

City of Phillipsburg, Kansas

Doc. No. 007724

(Published in the Kansas Register, April 20, 1989.)

SUMMARY NOTICE OF BOND SALE City of Manhattan, Kansas General Obligation Bonds, Series 182 (general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale dated March 21, 1989, and preliminary official statement dated April 21, 1989, sealed bids will be received by the city clerk of the city of Manhattan, Kansas, on behalf of the governing body at the City Hall, 11th and Poyntz, Manhattan, until 4 p.m. C.D.T. on Tuesday, May 2, 1989, for the purchase of \$941,000 principal amount of General Obligation Bonds, Series 182. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$6,000. The bonds will be dated May 1, 1989, and will become due serially on November 1 in the years as follows:

Year	Pri	ncipal Amount
1990		\$21,000
1991		35,000
1992		35,000
1993		40,000
1994		40,000
1995		40,000
1996		45,000
1997		45,000
1998	,	50,000
1999		55,000
2000		40,000
2001		40,000
2002	•	45,000
		/

(continued)

2003			45,000	
2004			50,000	
2005	and the second	4,544	55,000	
2006		* '	60,000	
2007			65,000	
2008			65,000	
2009		100	70,000	

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$18,820 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 15, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, New York City, San Francisco, Los Angeles, or Chicago, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$121,554,836. The total general obligation indebtedness of the city as of the date of the bonds is \$27,264,000. The city has outstanding temporary improvement notes in the principal amount of \$1,996,390, of which \$695,740 will be retired out of proceeds of the bonds and other available funds.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the Director of Finance, Manhattan, KS 66502, (913) 537-0056; or from the financial advisor, Kirchner Moore & Company, a subsidiary of Drexel Burnham Lambert Incorporated, (316) 264-9351.

City of Manhattan, Kansas

Doc. No. 007721

(Published in the Kansas Register, April 20, 1989.)

SUMMARY NOTICE OF BOND SALE City of Ellsworth, Kansas

General Obligation Bonds Series 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and official statement dated April 10, 1989, sealed bids will be received by the city clerk of the city of Ellsworth, Kansas, on behalf of the governing body at City Hall, West 1st Street, Ellsworth, until 11 a.m. C.D.T. on Monday, May 1, 1989, for the purchase of \$505,000 principal amount of General Obligation Bonds, Series 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1989, and will become due serially on December 1 in the years as follows:

Year		Principal Amount
1991		\$20,000
1992		25,000
1993		25,000
1994		25,000
1995		30,000
1996		30,000
1997		35,000
1998		35,000
1999		40,000
2000		40,000
2001	•	45,000
2002		50,000
2003		50,000
2004		55,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1990.

Paying Agent and Bond Registrar

Citizens State Bank and Trust Company, Ellsworth, Kansas.

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 \$10,100 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 11, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for compu-

tation of bonded debt limitations for the year 1988 is \$6,425,279. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,392,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk or from the financial advisor, Ranson & Company, Inc., 120 S. Market, Suite 610, Wichita, KS 67202, Attention: Jeffrey K. Ray, Vice President, (316) 262-2651.

City of Ellsworth, Kansas

Doc. No. 007742

· (Published in the Kansas Register, April 20, 1989.)

SUMMARY NOTICE OF BOND SALE Unified School District 212 Norton County, Kansas (Almena)

General Obligation Asbestos Removal Bonds, Series 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed bids

Subject to the notice of bond sale and official statement dated April 10, 1989, sealed bids will be received by the clerk of Unified School District 212, Norton County, Kansas (Almena), on behalf of the Board of Education at the office of the Board of Education, 512 W. Bryant, Almena, KS 67622, until 1 p.m. C.D.T. on Monday, May, 1, 1989, for the purchase of \$60,000 principal amount of General Obligation Asbestos Removal Bonds, Series 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1989, and will become due serially on November 1 in the years as follows:

Year .		Principal Amount
1990	•	\$30,000
1991	and the second	30,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$1,200 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 28, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1989 is \$7,708,557. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$60,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Adelia Wilnerd, 512 W. Bryant, Almena, KS 67622, (913) 669-2445.

U.S.D. 212, Norton County

Doc. No. 007723

(Published in the Kansas Register, April 20, 1989.)

SUMMARY NOTICE OF BOND SALE Unified School District 489 Ellis County, Kansas (Hays)

General Obligation Asbestos Removal Bonds, Series 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed bids

Subject to the notice of bond sale dated April 3, 1989, and official statement to be dated April 20, 1989, sealed bids will be received by the clerk of Unified School District 489, Ellis County, Kansas (Hays), on behalf of the Board of Education at the office of the Board of Education, 323 W. 12th, Hays, KS 67601, until 4 p.m. C.D.T. on Monday, May 1, 1989, for the purchase of \$350,000 principal amount of General Obligation Asbestos Removal Bonds, Series 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 1989, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1990	\$40,000
1991	55,000
1992	60,000
1993	60,000
1994	65,000
1995	70,000

(continued)

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$7,000 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before May 28, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$93,494,499. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$1,745,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Marita S. Kohlasch, 323 W. 12th, Hays, KS 67601, (913) 625-7321.

U.S.D. 489, Ellis County

Doc. No. 007722

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 S.W. 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, May 1, 1989

#28007

Kansas State Fair—ROLLED, STRIP AND CONVENTIONAL BOX AND RESERVE TICKETS #28008

Kansas Highway Patrol—JANITORIAL SERVICES, Salina

#28010

Department of Wildlife and Parks—TREE MAINTENANCE (CULTIVATION SERVICES), various places

#78790

Department Transportation—LUBRICATING OIL, Salina

#78791

Department of Transportation—BITUMINOUS MIXTURE, El Dorado

#78792

University of Kansas Medical Center—COMPUTER CONTROLLED EMBOSSING SYSTEM #78793

Department of Human Resources—CARTRIDGE TAPES

#78794

Winfield State Hospital and Training Center— STEAM CHEST, COMPARTMENT COOKER #78795

University of Kansas—CORE DRILLING EQUIPMENT

#78847

Department of Social and Rehabilitation Services—MOP YARN

#78848

Department of Social and Rehabilitation Services— SHEETING

Tuesday, May 2, 1989

#A-5958(a)

Kansas State University—OAK DRIVE LANDSCAPING

#27517

Statewide—SPICES AND MISCELLANEOUS GROCERIES

#27625 (SUPP)

Statewide—DESKTOP COMPUTER PRINTERS #27997

University of Kansas Medical Center—DIETARY LABELS

#28005

Kansas Correctional Industries—ASBESTOS ABATEMENT SUPPLIES, Hutchinson

10190

Kansas State University—MILO

#78813

Department of Transportation—LAWN EQUIPMENT #78816

Fort Hays State University—CHAIR LIFTS FOR THE HANDICAPPED

Wednesday, May 3, 1989

#A-5775

Youth Center at Beloit—REPLACE HEATING AND AIR CONDITIONING UNITS, Grandview Cottage (#32500-00003)

#A-6016

Department of Transportation—CONSTRUCT DOME CHEMICAL STORAGE BUILDING, Building #5-5015, Kingman

#A-6047

Department of Transportation—CONSTRUCT DOME CHEMICAL STORAGE BUILDING, Building #1-6016, Gardner

#27126

University of Kansas Medical Center—SMALL ANIMAL FEED

#27756(A)

University of Kansas—DUPLICATING SERVICE for Continuing Education, Kansas City

#78822

Kansas Bureau of Investigation—GAS CHROMATOGRAPH

#78831

Department of Transportation—LOADER/BACKHOE, various locations

#78832

Department of Social and Rehabilitation Services—COMPUTERIZED VOCATIONAL EVALUATION SYSTEM

#78857

Kansas Neurological Institute—HYDRO THERAPY UNIT

Thursday, May 4, 1989

#A-5591

Larned State Hospital—SPRAY-ON ACOUSTICAL CEILINGS, Dillon Building (#41000-00012)

#A-5927

University of Kansas—JAYHAWKER TOWERS: A&D BLDGS. CLEAN, TUCKPOINT AND WATERPROOF EXTERIOR MASONRY WALLS, B&C BLDGS, MISCELLANEOUS IMPROVEMENTS

#A-5969

Rainbow Mental Health Facility—CARPET AND SEAMLESS VINYL FLOORING INSTALLATION, BUILDING B #55500-00002

#28012

Kansas Department of Corrections—VISITORS'
HOSPITALITY CENTERS, various locations
#78840

Kansas State Penitentiary—FURNISH LABOR AND MATERIALS FOR FIREPROOFING STRUCTURAL STEEL

#78841

Emporia State University—IBM 7171 ASCII CONTROLLER WITH SPARE PARTS KIT

Friday, May 5, 1989

#28011

University of Kansas—PRINTING OF "THE UNIVERSITY OF KANSAS PALEONTOLOGICAL CONTRIBUTIONS," Continuing Education

APPARATUS

#78846
Kansas Correctional Industries—BREATHING

#78858

Emporia State University—MICROCOMPUTERS #78864

Kansas Correctional Industries—TWILL FABRIC

Monday, May 8, 1989

#28006

Larned State Hospital—ELECTROCARDIOGRAPH TESTING SERVICES

Monday, May 22, 1989

#28003

Department of Wildlife and Parks—LEASE OF HAY LAND, El Dorado State Park

#28004

Department of Wildlife and Parks—LEASE OF HAY LAND, Glen Elder State Park

NICHOLAS B. ROACH Director of Purchases

Doc. No. 007736

State of Kansas OFFICE OF SECRETARY OF STATE

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

BILL GRAVES Secretary of State

(Published in the Kansas Register, April 20, 1989.)

HOUSE BILL No. 2530

AN ACT relating to certificates of value; concerning the availability thereof; amending K.S.A. 58-2223b and repealing the existing section.

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

Section 1. K.S.A. 58-2223b is hereby amended to read as follows: 58-2223b. Value shall, in the case of any deed not a gift, be the amount of the full actual consideration thereof, paid or to be paid, including the amount of any lien or liens assumed. Such certificate of value shall contain a statement of the classification and subclassification to which such property belongs for the purpose of determining the fair market value of the property. Such certificate shall not be filed of record but shall be retained for a period of two (2) years at which time they shall be destroyed. The contents of said the certificate shall be made available not only to the county clerk for the purpose of preparing the report to the director of property valuation but the information in such certificates shall be made available, any property owner who has appealed the valuation of property pursuant to K.S.A. 79-1448, and amendments thereto, and only to the extent of the contents of those certificates concerning the same class of property as that of the property being appealed, to the county assessor appraiser and appraisers employed by the county for appraisal of property located within the county, if any, and to the board of county commissioners, but such contents shall not be otherwise disclosed by any party having access to them to anyone other than the director of property valuation, the county appraiser or the appraiser's designee, hearing officers or panels appointed pursuant to K.S.A. 79-1602, and amendments thereto, or to the board of tax appeals or county board of equalization in the event of proceedings before that board such boards.

Sec. 2. K.S.A. 58-2223b is hereby repealed.

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

SENATE BILL No. 95

AN ACT concerning drainage districts; relating to the assessment of certain costs; amending K.S.A. 24-422 and repealing the existing section.

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

Section 1. K.S.A. 24-422 is hereby amended to read as follows: 24-422. That if, upon (a) After examination of the report of the engineer, if the board of directors shall determine that any levee ought to be constructed or other work done, including construction of detention dams and reservoirs, to protect land in any part of the drainage district from overflow, and that the cost thereof ought to be paid by levying special taxes or assessments upon all of the real estate situated in the district that will be benefited by the improvement to the extent of such benefit, then it shall so declare, by resolution, to be entered upon its journal, and. Except as provided by subsection (b), the board of directors shall forthwith appoint three (3) freeholders, who shall be residents of the district, residents of the district, as assessors, who shall qualify by taking and subscribing an oath to faithfully, honestly and impartially discharge their duties as such assessors, and it shall thereupon become their. It shall be the duty of the assessors, upon actual view and inspection, to assess all of the lands within the district which will, in their opinion to any extent, will be protected from overflow or be benefited by the proposed work, having reference to the value of such lands without such work and the value thereof as benefited by such workand. The assessors shall determine the proportion of the estimated cost of such work with which each lot, piece or parcel of land so benefited ought justly to be charged, and make a report forthwith to the board of directors containing an accurate description of each tract of land deemed to be benefited and the name of the owner, if known;, the actual value of each of said the tracts without the proposed improvement, and what part or amount of the total estimated cost should be assessed and charged against it on account of benefits if such improvement be is made.

If by the report of such assessors it shall appear that the amount to be charged against any tract of land for benefits will not exceed ten percent (10%), upon 10% of its actual value as fixed by the report of the assessors, then the directors may proceed forthwith to cause such work to be done and levy special taxes or assessments upon each tract of land benefited, as shown by such assessor's report, to pay the cost thereof. In the levying of special taxes or assessments and in all proceedings concerning the same under this act, the right of way and station grounds of any railroad company, within such drainage district, including all the permanent improvements thereon, shall be deemed, treated and considered, for all purposes, as real estate, and such railroad company shall be required to pay special taxes or assessments levied thereon the same in all respects as other owners of real estate in said the drainage district, except only that such special tax or assessment, if not paid when due, may be collected in a suit brought for that purpose by such drainage district against such railroad company in any court of competent jurisdiction, which court shall render judgment for the amount of such past due assessment or special tax, with interest thereon from the date when due and for costs of such suit, upon which judgment execution shall issue and collection made as in ordinary cases.

(b) Assessors appointed by the board of directors of Fairfax drainage district shall not be required to be residents of the drainage

district, but shall be residents of the state of Kansas.

Sec. 2. K.S.A. 24-422 is hereby repealed.

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

(Published in the Kansas Register, April 20, 1989.)

SENATE BILL No. 48

AN ACT concerning crimes and punishments; relating to murder in the first degree; child abuse; amending K.S.A. 21-3401 and repealing the existing section.

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

Section 1. K.S.A. 21-3401 is hereby amended to read as follows: 21-3401. Murder in the first degree is the killing of a human being committed:

(a) Maliciously, willfully, deliberately and with premeditation or committed;

(b) in the perpetration of or attempt to perpetrate any felony; or

(c) in the perpetration of abuse of a child, as provided in K.S.A. 21-3609 and amendments thereto.

Murder in the first degree is a class A felony.

Sec. 2. K.S.A. 21-3401 is hereby repealed.

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

(Published in the Kansas Register, April 20, 1989.)

HOUSE BILL No. 2203

An ACT concerning school districts; relating to transfers from the general fund thereof; amending K.S.A. 1988 Supp. 72-7063 and repealing the existing section.

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

Section 1. K.S.A. 1988 Supp. 72-7063 is hereby amended to read as follows: 72-7063. (a) Any lawful transfer of moneys from the general fund of a district to any other fund shall be an operating expense in the year the transfer is made. In addition to other transfers authorized by law, the board of any district may transfer moneys from its general fund to its transportation fund, special education fund, food service fund, driver training fund, adult education fund, adult supplementary education fund, vocational education fund, bilingual education fund, or inservice education fund. Except as provided in subsection (c), expenditures for capital outlay, transportation, special education, food service, driver training, adult basic education, adult supplementary education, vocational education, bilingual education, and inservice education shall not be made from the general fund of a district.

(b) The board of any district may transfer moneys from its general fund to its capital outlay fund in any school year subject to the

following conditions:

(1) No board of any district shall transfer moneys in any amount from its general fund to its capital outlay fund prior to June 1 in

any school year.

(2) No board of any district shall transfer moneys in any amount from its general fund to its capital outlay fund in any school year unless such district, in its adopted budget for such year, shall have budgeted a capital outlay levy of not less than 3.5 mills the mill levy rate necessary to raise the same amount of money that would have been raised in the 1988-89 school year by a 3.5 mill levy rate.

(3) The board of any of the districts in the fifth enrollment category may transfer moneys in an amount not to exceed an amount equal to 1% of its legally adopted budget of operating expenses from

its general fund to its capital outlay fund.

(4) The board of any district, other than the districts in the fifth enrollment category, may transfer moneys in an amount not to exceed an amount equal to 2% of its legally adopted budget of operating expenses from its general fund to its capital outlay fund.

(c) Any district may make capital outlay expenditures from its general fund for acquisition of equipment and repair of school

buildings.

Sec. 2. K.S.A. 1988 Supp. 72-7063 is hereby repealed.

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

SENATE BILL No. 65

AN ACT concerning counties; relating to the sale of property; amending K.S.A. 19-211 and repealing the existing section.

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

Section 1. K.S.A. 19-211 is hereby amended to read as follows: 19-211. (a) In any county other than Shawnee, Sedgwick and Johnson counties, except for any property belonging to a county law enforcement department, no property belonging to such county, the value of which is more than \$25,000 but is not more than \$100,000, shall be sold or disposed of by any board of county commissioners without a unanimous vote of such commissioners and public notice of such sale or disposition containing the time, place and conditions thereof having been given at least once each week for three consecutive weeks prior therete in the official newspaper of the county. Such sale shall be made to the highest bidder except that the board of county commissioners shall have the right to reject any or all bids. No property, the value of which exceeds \$100,000, shall be sold or disposed of by any board of county commissioners, unless the proposition of sale or disposal of such property shall first be submitted to a vote of the electors of the county at a question submitted election called therefor, which election shall be called, noticed and held in the manner provided by K.S.A. 10-120, and amendments thereto, or at a general election. If a majority of the votes east at any such election authorizes any sale, such sale shall be made upon the notice hereinbefore prescribed by publication, to the highest bidder, except that the board of county commissioners shall have the right to reject any or all bids. When property of the county having a value of not more than \$100,000 is sold, the board of county commissioners shall cause to be published as a part of the statement required by K.S.A. 19 228, and amendments thereto, a detailed account of such sale which shall describe the property sold, to whom sold, and the sale price.

(b) (a) Except for any property belonging to a county law enforcement department and as otherwise provided in, no real this section, no property, the value of which is more than \$50,000, belonging to Shawnee, Sedgwiek or Johnson any county shall be sold or disposed of by any board of county commissioners without a unanimous vote of such commissioners and public notice of such sale or disposition containing the time, place and conditions thereof having been given at least once each week for three consecutive weeks prior thereto in the official newspaper of the county. Such sale shall be made to the highest bidder except that the board of county commissioners shall have the right to reject any or all bids. If, within 45 days after the first publication of such notice a petition signed by not less than 2% of the qualified electors of the county is filed with the county election officer, such real property shall not be sold or disposed of unless the proposition of sale or disposal of such property shall first be submitted to a vote of the electors of the county at a question submitted election called therefor. The election shall be called, noticed and held in the manner provided by K.S.A. 10-120, and amendments thereto, or at a general election. If a majority of the votes cast at any such election authorizes any sale, such sale shall be made upon the notice hereinbefore prescribed by publication, to the highest bidder, except that the board of county commissioners shall have the right to reject any or all bids.

(b) Upon a finding by the board that any property is no longer required, or cannot prudently be used for public purposes of the county, the board, by a unanimous vote, may dispose of such property, the value of which does not exceed \$50,000, by public or private sale or by negotiation, as determined by the board. Notice of the board's intent to sell such property shall be published at least two times in the official county newspaper. Such notice shall include the time, place and conditions of such sale.

(c) The board, by unanimous vote, may dispose of any real property interest belonging to the county, including any interest derived through dedication, plat, condemnation, reversion, abandonment, reservation or tax foreclosure, which the board determines, after notice and public hearing, to be surplus property not required for public use, and to be unmarketable property. Such property interest may be disposed of by the county by the adoption of a resolution

providing that the interest of the county shall be vacated and transferring by quitclaim, without benefit of warranties of title, whatever right, title or interest the county has or may have in the property. The resolution shall provide for the reservation to the county and the owners of any lesser property rights for public utilities, the rights-of-way and easements for public service facilities which are in existence and in use across the property. Upon adoption of the resolution, the property interests vacated and conveyed shall revert to and vest in the owners of the real estate immediately abutting thereon, in proportion to the frontage of such land, except in cases where such land may have been acquired for public use in a different proportion, in which event it shall revert and vest in the owner of the adjoining real estate in the same proportion that it was acquired.

Following the adoption of the resolution, the county clerk shall record the conveyance upon the transfer records of the county and shall cause a notice of the transfer to be published at least two times in the official county newspaper and to be sent by certified mail to each owner of the adjoining real estate to whom the property is being transferred, at the address where the owner's tax statement is sent. A copy of the transfer and the notice shall be recorded with the register of deeds of the county, and no fee shall be charged by the county clerk or the register of deeds recording the transfer.

(d) In the event of any sale of real property pursuant to the authority under this section, the board, in its discretion, may enter into and execute contracts for sale or lease-purchase agreements for a term of not more than five years.

(e) (e) The provisions of this section shall not apply to or restrict the conveyance of real property by any county to the state of Kansas, the title to which was previously conveyed to such county by the state of Kansas.

(d) (f) The provisions of this section shall not apply to or restrict the conveyance of real property by any county to a nonprofit corporation organized under the laws of Kansas if such real property is acquired and conveyed by the county for the purpose of development of an industrial or business park on such real property comprised of businesses engaged in: (1) Manufacturing articles of commerce; (2) conducting research and development; or (3) storing or processing goods or commodities. If the real property is to be conveyed for an amount which is less than the amount the county paid to acquire such property, the board of county commissioners shall publish a notice of its intent to convey such property. The notice shall include a description of the property, the cost of acquiring the property and the amount for which such property is to be conveyed. Such notice shall be published once each week for three consecutive weeks in the official county newspaper. If, within 45 days after the first publication of such notice a petition signed by not less than 2% of the qualified electors of the county is filed with the county election officer, such property shall not be conveyed unless the proposition of sale or disposal of such property is submitted to and approved by a majority of the qualified voters of the county at an election called therefor. The election shall be called, noticed and held in the manner provided by K.S.A. 10-120, and amendments thereto, or at a general election.

(g) The provisions of this section shall not apply to or restrict the conveyance of real property by any county to a port authority if such real property is acquired and conveyed by the county for the purpose of development of an industrial, commercial or business park on such real property. The board of county commissioners shall publish a notice of its intent to convey such property. The notice shall include a description of the property, the cost of acquiring the property and the amount for which the property is to be conveyed. Such notice also shall include the time and date of the public hearing at which the board proposes to consider the conveyance of such property. Such notice shall be published at least once in the official county newspaper. Following the public hearing, the board of county commissioners may convey such property.

(h) Whenever it is required by this section that the board of county commissioners approve a sale of property by unanimous vote and a county has a five-member board, such board may approve a sale of property by a 4/5 majority.

Sec. 2. K.S.A. 19-211 is hereby repealed.

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

HOUSE BILL No. 2541

AN ACT concerning contracts to maintain stock of farm equipment; amending K.S.A. 16-1002 and repealing the existing section.

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

Section 1. K.S.A. 16-1002 is hereby amended to read as follows: 16-1002. (a) Whenever any person, firm or corporation engaged in the business of selling and retailing farm implements, machinery, attachments or repair parts therefor enters into a written or parol contract, sales agreement or security agreement evidenced by a franchise agreement whereby such retailer agrees to maintain a stock of parts or complete or whole implements, machines or attachments with any wholesaler, manufacturer or distributor of such implements, machinery, attachments or repair parts, and either such wholesaler, manufacturer or distributor or the retailer desires to cancel or discontinue the contract, such wholesaler, manufacturer or distributor shall pay to such retailer or credit to such retailer's account, if the retailer has outstanding any sums owing the wholesaler, manufacturer or distributor, unless the retailer should desire to keep such merchandise, a sum equal to 100% of the net cost of all new, unused, undamaged, complete farm implements, machinery and attachments and 85% of the current net prices on new, unused, undamaged repair parts, including superseded parts, which implements, machinery, attachments and parts had previously been purchased from such wholesaler, manufacturer, distributor or transferee of such wholesaler, manufacturer or distributor if the transferee acquired substantially all of the assets of such wholesaler, manufacturer or distributor, and held by such retailer on the date of the cancellation or discontinuance of such contract. The wholesaler, manufacturer or distributor shall also pay such retailer a sum equal to 5% of the current net price of all parts returned for the handling, packing and loading of such parts for return to the wholesaler, manufacturer or distributor, except that such 5% shall not be paid or credited to the retailer if the wholesaler, manufacturer or distributor elects to perform the handling, packing, loading and transportation of the parts itself. Upon the payment or allowance of credit to the retailer's account of the sum required by this section, the title to such farm implements, machinery, attachments and repair parts therefor shall pass to the manufacturer, wholesaler or distributor making such payment, and such manufacturer, wholesaler or distributor shall be entitled to the possession of such farm implements, machinery, at-

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Amended Amended tachments or repair parts. All payments or allowances of credit due retailers shall be paid or credited within 60 days after the return of implements, machinery, attachments or repair parts. After 60 days, all payments or allowances shall include interest at the rate prescribed by K.S.A. 1986 Supp. 16-294, and amendments thereto.

(b) The provisions of this section relating to a retailer's right to cancel or discontinue a contract and receive payment for implements, machines, attachments and parts returned shall apply to all contracts now in effect which have no expiration date and are a continuing. contract, and all other contracts entered into or renewed after July 1, 1976. The provisions for a retailer to receive payment for implements, machines, attachments and parts returned shall apply only to implements, machines, attachments and parts purchased after the effective date of this act. Any contract in force and effect on July 1, 1976, which by its own terms will terminate on a date subsequent thereto shall be governed by the law as it existed prior to this act.

(c) The provisions of this section shall not be construed to affect in any way any security interest which the wholesaler, manufacturer or distributor may have in the inventory of the retailer, and except that any repurchase hereunder shall not be subject to the provisions of the bulk sales law or to the claims of any secured or unsecured creditors of the wholesaler, manufacturer or distributor or any assignee of the wholesaler, manufacturer or distributor until such time the retailer has received payment in full subject to any offset the retailer may owe to the wholesaler, manufacturer or distributor.

New Sec. 2. (a) K.S.A. 16-1002, and amendments thereto, shall apply to the repurchase obligation of any wholesaler, manufacturer, distributor or transferee of any wholesaler, manufacturer or distributor who has filed on or files subsequent to the effective date of this act for protection from creditors pursuant to 11 United States Code 101 et seq.

(b) K.S.A. 16-1002, and amendments thereto, shall apply to the repurchase obligation of any wholesaler, manufacturer, distributor or transferee of any wholesaler, manufacturer or distributor who has a case pending on the effective date of this act for protection from creditors pursuant to 11 United States Code 101 et seq.

(c) This section shall be part of and supplemental to article 10 of chapter 16 of the Kansas Statutes Annotated.

Sec. 3. K.S.A. 16-1002 is hereby repealed.

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Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

Amended

Amended

Amended

New

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New

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