

KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

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Pages 1483-1522

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State of Kansas

**Advisory Commission on Juvenile
Offender Programs**
Notice of Meeting

The Division of Juvenile Offender Programs Advisory Commission and the Kansas State Advisory Group will conduct an open forum at 9:30 a.m. Monday, October 15, at SRS Staff Development, Room C, 300 S.W. Oakley, Topeka.

James P. Trast, Director
Juvenile Offender Programs

Doc. No. 009828

State of Kansas

State Banking Board
Notice of Meeting

The State Banking Board will meet at 9:30 a.m. Monday, November 19, in the conference room of the State Banking Department, Suite 300, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

Bill Graves
Secretary of State

Doc. No. 009827

State of Kansas

**Department of Corrections
Kansas Correctional Industries**
Notice to Bidders

Sealed bids for state of Kansas surplus property (Quotation No. 910002) will be received by State Surplus Property, Building 344, Forbes Air Industrial Park, P.O. Box 19226, Topeka 66619-0226, until 2 p.m. C.D.T. Thursday, October 25, and then will be publicly opened. Interested bidders may call (913) 296-2334 for additional information.

Robert F. Kelley
Manager, State Surplus Property

Doc. No. 009808

State of Kansas

Kansas Water Authority
Notice of Meeting

The Kansas Water Authority will meet Tuesday and Wednesday, October 23-24, at the Holiday in Hutchinson. The full authority will meet at 7 p.m. October 23, and the authority committees and basin advisory committee chairpersons will convene at 8 a.m. October 24. The full authority will resume its meeting at 10 a.m. October 24.

An agenda for the meeting can be obtained by contacting Dotty Kester, Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612-1215, (913) 296-3185.

John L. Baldwin
Chairman

Doc. No. 009813

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Secretary of State
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(913) 296-2236



Register Office:
235-N, State Capitol
(913) 296-3489

**State of Kansas
State Conservation Commission**

Notice to Contractors

Sealed bids for the construction of a 35,800 cubic yard detention dam, Site 5 in Lyon County, will be received by the Eagle Creek Watershed District No. 77 in the basement of the Olpe State Bank, 202 Westphalia, Olpe 66865, until 10 a.m. on October 22 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from Lyle Cox, contracting officer, Route 4, Box 84, Osage City 66523, (913) 528-3815.

Kenneth F. Kern
Executive Director

Doc. No. 009801

**State of Kansas
Attorney General**

Opinion No. 90-112

Automobiles and Other Vehicles—General Provisions; Registration of Vehicles—Registration of Vehicles Operated in This State; Exceptions; Leased Vehicles. Ed C. Rolfs, Secretary, Kansas Department of Revenue, Topeka, October 1, 1990.

1990 House Bill No. 2598 does not alter or affect the vehicle rental agency provisions of the International Registration Plan as such plan was entered into pursuant to the continuing authority of K.S.A. 1989 Supp. 8-127 and K.S.A. 74-4302. Cited herein: K.S.A. 1989 Supp. 8-127; K.S.A. 8-129; K.S.A. 1989 Supp. 8-145; K.S.A. 8-149; 74-4302; 79-5107; 1990 H.B. No. 2598. JLM

Opinion No. 90-113

Roads and Bridges; Roads—County and Township Roads; General Provisions—Maintenance of Township Roads; Agreement With County; Termination of Agreement; Duties and Liabilities.

State Departments; Public Officers and Employees—Kansas Tort Claims Act—Claims to Which Act Applicable; Negligent Maintenance of Township Roads by a County. Representative Nancy Brown, 27th District, Stanley, October 1, 1990.

Pursuant to case law permitting termination of agreements that irrevocably delegate discretionary governmental authority, a county may terminate or renegotiate an agreement to maintain a township road under K.S.A. 1989 Supp. 68-560. However, if a county assumes responsibility for maintenance of a township road, it undertakes to perform a duty which may give rise to liability for negligent performance of that duty. Cited herein: K.S.A. 12-2901; K.S.A. 1989 Supp. 12-2904; K.S.A. 68-124; 68-515a; 68-517; 68-518c; 68-526; K.S.A. 1989 Supp. 68-560; K.S.A. 68-561; K.S.A. 1989 Supp. 68-572; K.S.A. 75-6101; K.S.A. 75-6104. TMN

Robert T. Stephan
Attorney General

Doc. No. 009821

**State of Kansas
Board of Cosmetology**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted from 1 to 4 p.m. Sunday, November 11, at the Kansas State Board of Cosmetology, 717 S. Kansas Ave., Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of a proposed permanent rule and regulation of the Kansas State Board of Cosmetology. The proposed regulation will become effective 45 days after its publication in the *Kansas Register*.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. In addition, the period of at least 30 days notice constitutes a public comment period for the purpose of receiving public comments on the proposed regulation.

Written comments and requests for copies of the regulation and the complete economic impact statement should be sent to Eileen M. Hassett, Executive Director, Kansas State Board of Cosmetology, 717 S. Kansas Ave., Topeka 66603, at or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulation is as follows:

69-11-1. Increasing the following fees:	Old Fee	New Fee
Cosmetology license renewal (2 yr.)	\$20.00	\$25.00
Cosmetology technician license (2 yr.) .	14.00	19.00
Delinquent cosmetology technician fee .	.00	4.00
Three year senior cosmetology license .	30.00	36.00
Manicurist license renewal (2-yr.)	14.00	21.00
Electrologist license renewal (2 yr.)	20.00	25.00
Out-of-state applicant	30.00	35.00
School license renewal	25.00	30.00
New beauty salon license	25.00	30.00
Beauty salon license renewal	15.00	20.00
New manicuring salon license	25.00	30.00
Manicuring salon license renewal	15.00	20.00
New electrology clinic license	25.00	30.00
Electrology clinic license renewal	15.00	20.00

Regarding the proposed amendment of K.A.R. 69-11-1, there will be approximately \$70,218 additional revenue generated for the State Board of Cosmetology, with 20 percent going to the state general fund. There will be no fiscal or economic impact on other governmental agencies, individuals, private businesses or the general public, except for the increased fees charged for the above.

Eileen M. Hassett
Executive Director

Doc. No. 009822

State of Kansas

Office of the Governor

Executive Order 90-130

Establishing the Governor's
Property Tax Review Commission

WHEREAS, nearly 99% of all property taxes are collected by and remain at the local governmental unit level to provide for critical services; and

WHEREAS, the property tax burden and the administration of property tax laws in the State of Kansas are a significant concern to the citizens and businesses of our State; and

WHEREAS, there is a need for careful review and analysis of the impact of reappraisal of property and of the 1985 constitutional amendment requiring property tax classification changes; and

WHEREAS, efforts to address property tax issues during the 1990 session of the Kansas Legislature did not result in a consensus for a clear long term policy on property taxes for the future of our State;

NOW, THEREFORE, pursuant to the authority vested in me as Governor and Chief Executive of the State of Kansas, I hereby establish the Governor's Property Tax Review Commission. The Commission is charged with the responsibility of: (1) reviewing and analyzing the administration of property tax laws and tax burdens changes that have arisen from property reappraisal and classification; (2) determining the appropriate level that property taxes should bear in the financing of cities, counties, school districts and other units of government; and (3) recommending any modification to the Constitution of the State of Kansas or Kansas statutes to implement suggested changes in property tax policies to better meet the needs of our state.

The Commission shall make its first report to the Governor on or before December 15, 1990, with the final report scheduled for submission to the Governor by June 30, 1991.

Membership on the Commission shall be by official commission of appointment of the Governor, certified by and filed with the Secretary of State. The chairmanship and vice-chairmanship of the Commission shall be by official commission of appointment by the Governor, certified by and filed with the Secretary of State.

Members of the Commission shall serve with no compensation. Reimbursement of expenses by members of the Commission shall be limited to private car mileage.

This document shall be filed with the Secretary of State as Executive Order 90-130 and shall be effective immediately.

Dated September 28, 1990.

Mike Hayden
Governor
Attest: Bill Graves
Secretary of State

Doc. No. 009810

State of Kansas

Office of the Governor

Executive Order 90-131

Establishing the Kansas Commission
on State Expenditures and Program Review

WHEREAS, the State of Kansas budget is in excess of five billion dollars annually; and

WHEREAS, pressures for Kansas state government to increase spending continue to mount and the 1992 budget demands have the potential to outpace available revenues; and

WHEREAS, Kansas state government has a wide range of responsibilities, but most importantly, a responsibility to the people of Kansas and future generations to ensure the careful and judicious expenditure of all state tax dollars; and

WHEREAS, an examination of all state expenditures and functions can effectively be made by an independent and highly qualified group of private sector individuals; and

WHEREAS, past commissions devoted to improved efficiencies and comprehensive review of state agencies' programs and procedures have proven beneficial to improved state operations;

NOW, THEREFORE, pursuant to the authority vested in me as Governor and Chief Executive of the State of Kansas, I hereby establish the Kansas Commission on State Expenditures and Program Review.

The Commission shall examine the operations and expenditures of Kansas government agencies with regard to their efficient and effective use in accomplishing the tasks designated by statute. All state agencies under my jurisdiction are ordered to cooperate with the Commission in its requests for data, assistance and other reasonable requests such as may be made in the accomplishment of its tasks.

Membership on the Commission shall be by official commission of appointment of the Governor, certified by and filed with the Secretary of State. The chairmanship and vice-chairmanship of the Commission shall be by official commission of appointment by the Governor, certified by and filed with the Secretary of State.

Members of the Commission shall serve with no compensation. Reimbursement of expenses by members of the Commission shall be limited to private car mileage.

The Commission shall make its first report to the Governor on or before December 1, 1991, and its final report on or before December 1, 1992.

This document shall be filed with the Secretary of State as Executive Order 90-131 and shall be effective immediately.

Dated October 2, 1990.

Mike Hayden
Governor
Attest: Bill Graves
Secretary of State

Doc. No. 009811

State of Kansas

Wildlife and Parks Commission

Notice of Meeting and
Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 7 p.m. Thursday, November 15, at the Gateway Inn, 720 East 54 Highway, Liberal, to consider the adoption and revocation of several department regulations. If necessary, the public hearing will continue at 9 a.m. Friday, November 16, at the same location. A workshop meeting on upcoming business and regulations will begin at 1:30 p.m. November 15 at the Gateway Inn. If necessary, the workshop will continue following the conclusion of the public hearing. The public is invited to attend the workshop.

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

Copies of the proposed regulations may be obtained by request to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties may submit written comments prior to the hearing to the chairman of the commission at the address above. 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 regulations and the proposed revocations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending or rejecting the proposed regulations and revocations.

The following is a brief summary of the regulations proposed for adoption and the regulations proposed for revocation.

K.A.R. 115-2-3. This permanent regulation is proposed for amendment. The amendments would establish an overnight camping fee for youth groups in designated sites, a reservation fee for single or group campsites, and a rental charge for basic tent camping equipment. Existing fees in this regulation are not altered.

Economic Impact Summary: The youth group fee formalizes by regulation the fee that had been charged to these groups by policy. The reservation fee will be used on a pilot level for 1991 and expanded if successful. A \$5 single and \$10 group fee is proposed. Estimated revenue may approach \$100,000, which will cover costs. The rent-a-tent fee of \$15 should generate approximately \$2,450 in revenue from equipment rental and camping fees from new users. All costs to the public will be borne by those desiring to use the service offered.

K.A.R. 115-21-1. Guides; permit application, examination and restrictions. This proposed permanent regulation establishes the permit application procedures, guide examination requirements, and permit renewal deadline.

Economic Impact Summary: Persons desiring to secure a guide permit will incur some application expense due to testing and in meeting several training and certification requirements. The department will incur administrative expenses for the permitting system.

K.A.R. 115-21-2. Guides; reporting requirements. This

proposed permanent regulation requires reporting by commercial guides and establishes deadlines for report submissions.

Economic Impact Summary: Minimal expenses associated with record keeping and reporting will be incurred by permittees. The department will have new costs involved with administration of the reporting requirement, but that cost will not be significant.

K.A.R. 115-25-6. This proposed exempt regulation establishes the 1991 spring turkey hunting season. Included is the bag limit, unit boundaries, application dates and procedures, and use of turkey game tags. Also included is a procedure for establishing permit quotas by secretary's order with concurrence of the commission.

Economic Impact Summary: The sale of permits and game tags would generate an estimated \$290,000 in revenue to the department. This represents an equal expenditure by those members of the public wishing to participate in the spring turkey hunting season.

K.A.R. 115-30-9. Water event permit; application and requirements. This proposed permanent regulation basically continues provisions of K.A.R. 23-11-15, which is proposed for revocation. It provides an application procedure including safety measure considerations and provides for multiple events to be held under one permit. It provides that a special event permit shall satisfy water event permit requirements on department lands and waters.

Economic Impact Summary: A revenue loss to the department is anticipated as at one time a special event permit *and* a water event permit was required to use state parks. The amount of loss is unknown, but it is not believed to be significant. It would represent a cost savings to the public.

The following regulations are proposed for revocation:

K.A.R. 23-11-15. Regattas, races, water exhibitions and shows. This permanent regulation exists under the discontinued agency 23 number. Subject matter of this regulation is contained in proposed regulation K.A.R. 115-30-9.

Economic Impact Summary: No economic impact will occur as a result of revocation.

K.A.R. 33-2-2. Special permits or passes. This permanent regulation exists under the discontinued agency 33 number. It addresses complimentary vehicle permits for residents 65 years of age and older and provides a procedure for issuance of vehicle permits to the disabled. Handicap permits are now covered under K.A.R. 115-18-5, and 65 and over permits are issued under administrative guidelines.

Economic Impact Summary: No economic impact will occur as a result of revocation.

Ronald Hopkins
Chairman

Doc. No. 009814

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), as amended by 1990 Senate Bill No. 554, records of the Division of Accounts and Reports show the unobligated balance in the petroleum storage tank release trust fund is \$3,679,721.51 as of September 30, 1990.

Shelby Smith
Secretary of Administration

Doc. No. 009805

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the *Kansas Directory*. County officials are listed in the *Directory of County Officers*. Both directories are published by the Secretary of State's office.

The following appointments were filed October 1-5:

**District Magistrate Judge, 22nd Judicial District,
Position No. 1**

Jerry K. Dubach, 225 State St., Troy 66087. Term expires when a successor is elected and qualifies according to law. Succeeds Virgil Begesse, resigned.

Corrections Ombudsman Board

Sue Pinegar, 637 Wheatridge Road, Garden City 67846. Term expires August 31, 1994. Succeeds William Richards, resigned.

Dealer Review Board

Dale Lehning, 330 S. Shefford, Wichita 67209. Term expires September 30, 1993. Succeeds Ralph Ratliff, resigned.

Walter L. Lesline, 2160 N. Riverside Blvd., Wichita 67203. Term expires September 30, 1993. Succeeds Homer Clark, resigned.

Rod Taylor, 6203 S.W. 34th Terrace, Topeka 66614. Term expires September 30, 1993. New position.

John Young, 2845 Centennial Road, Salina 67401. Term expires September 30, 1993. Succeeds Walter Lesline.

Governor's Property Tax Review Commission

(Established by Executive Order No. 90-130. Members serve at the pleasure of the Governor.)

Lionel Alford, Vice Chairman, 14233 N. Point Drive, Wichita 67230.

Robert F. Bennett, Chairman, P.O. Box 8030, Prairie Village 66208.

Gene Bicknell, 720 W. 20th, Box 62643, Pittsburg 66762.

Ed Eilert, 8585 College Blvd., Overland Park 66201.

Edward Flentje, 155 N. Quentin, Wichita 67208.

Timothy Hagemann, P.O. Box 903, Lakin 67860.

Herb Krumsick, 150 N. Market, Wichita 67202.

David Louis, 7477 Lackman Road, Shawnee 66216.

Ana Papay, 502 N. Sullivan, Ulysses 67880.

Doyle Rahjes, Route 1, Box 93, Agra 67621.

Tony Redwood, 607 Blake Hall, University of Kansas, Lawrence 66045.

Clarence Roeder, 310 Ward Parkway, Kansas City, MO 64112.

D.L. Smith, 1405 S.W. 41st, Topeka 66609.

State Library Advisory Commission

Mary E. Plank, 917 Dearborn, Baldwin City 66006. Term expires June 30, 1994. Succeeds Ruthanna Danaher.

Northeast Kansas Regional Library System

Robert D. Caplinger, Route 2, Box 170, Effingham 66023. Term expires September 30, 1994. Succeeds Anne Hammond.

Northwest Kansas Regional Library System

Barbara Stockhaus, HC 1, Box 345, Sharon Springs 67758. Term expires September 30, 1994. Reappointment.

Southeast Kansas Regional Library System

Betty L. Moore, Route 1, Box 319, Caney 67333. Term expires September 30, 1994. Succeeds Doris Beam.

Board of Examiners in Optometry

Dr. Phillip L. Ernzen, 8330 Overbrook, Wichita 67206. Effective November 17, 1990. Term expires November 16, 1993. Reappointment.

Commission on Travel and Tourism

Arden Booth, P.O. Box 3007, Lawrence 66046. Term expires September 30, 1993. Reappointment.

Francie Dix, 7777 E. Osie, Wichita 67207. Term expires September 30, 1993. Succeeds Pat Ranson.

Eleanor Rice McCoy, 1009 Windsor Road, Chanute 66720. Term expires September 30, 1993. Reappointment.

John T. Pence, 2361 Grandview Terrace, Manhattan 66506. Term expires September 30, 1993. Reappointment.

Sharon J. Treaster, P.O. Box 97, Beloit 67420. Term expires September 30, 1993. Reappointment.

Phyllis Windle, 809 W. 4th, Liberal 67901. Term expires September 30, 1993. Reappointment.

**Commission on Waste Reduction, Recycling and
Marketing Development**

Rep. Joan Adam, 305 N. Terrace, Atchison 66002. Term expires July 1, 1992. Appointed by the House Minority Leader.

Bill Graves
Secretary of State

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

Monday, October 22, 1990

26224

Rainbow Mental Health Facility—Laboratory Services
85654

University of Kansas—Hard disk drive kits
85729

University of Kansas—Centrifuge/rotors

Tuesday, October 23, 1990

27230

Kansas Correctional Industries—New 55-gallon steel drums (lined)

85672

Department of Commerce—Plain paper copier
85696

Department of Health and Environment, Bureau of Environmental Quality—Furnish all labor and materials for reclamation of Bill's Coal Company, Inc., Pittsburg
85730

University of Kansas Medical Center—Steel shelving

Wednesday, October 24, 1990

28089

Department of Transportation—Adopt-a-Highway sign program

85675

University of Kansas—Capacitors
85682

Department of Transportation—Asphaltic concrete, various locations

85685

Department of Health and Environment—Densitometer

85686

Department of Transportation—Aggregate, Salina
85687

Topeka Correctional Facility-East—Furnish and install handicap ramp

Thursday, October 25, 1990

A-6521, A-6522, A-6523

Norton Correctional Facility—Reroof Crumbine, Kenney and Lathrop buildings

A-6528

Department of Corrections—Rough grading—package one, Larned Correctional Facility

A-6555

Lansing Correctional Facility—Life safety issues
27517

Statewide—Spices and miscellaneous groceries
27768

Norton Correctional Facility—Dishwashing supplies
85697

Kansas State University—Tractor, El Dorado

85706

Department of Transportation—Laptop computers
85707

University of Kansas Medical Center—Microcomputers

85708

Department of Corrections—Automobile, Wichita
85709

Kansas State University—Feeder mixer (trailer mounted)

Friday, October 26, 1990

27474

University of Kansas Medical Center—December (1990) meat products

27524

University of Kansas—December (1990) meat products

28064

State Treasurer's Office—Market evaluation of Kansas municipal bonds

28330

Department of Transportation—Janitorial services, Wichita

85717

Department of Corrections—Locking system

Tuesday, October 30, 1990

85716

Kansas State University—Apollo workstation

Wednesday, October 31, 1990

A-6112(g)

Department of Corrections—Prototype maximum security facility—kitchen equipment—Package 5B, El Dorado

A-6112(h)

Department of Corrections—Prototype maximum security facility—laundry equipment—Package 5C, El Dorado

Request for Proposals

Thursday, October 25, 1990

28329

Employee assistance counseling and referral for the Department of Administration, Division of Personnel Services

Friday, October 26, 1990

28327

Work comp exclusive care provider Wichita area for the Department of Administration, Division of Personnel Services

85676

High volume copier for the Kansas Corporation Commission

Nicholas B. Roach
Director of Purchases

Doc. No. 009823

State of Kansas

Private Industry Council

Public Notice

The Kansas Private Industry Council of Service Delivery Area III is submitting a modification of its two-year Job Training Plan to the Governor of the state of Kansas through the Department of Human Resources. Funding for this plan is through Title IIA of the Job Training Partnership Act (JTPA), which is designed to provide training to disadvantaged youth and adults. The respective program years are July 1, 1990, to June 30, 1991, and July 1, 1991, to June 30, 1992. The funding level for program year 1990 is \$2,389,306. The SDA plans to serve over 1000 eligible participants during this program year. The plan modification will become effective January 1, 1991. The purpose of the program is to prepare youth and unskilled adults for entry into the labor force and to afford job training to economically disadvantaged individuals and other individuals facing serious barriers to employment.

The council also is submitting to the Governor through the Department of Human Resources a Summer Youth Employment and Training Plan, as a sub-part of the Title IIA two-year plan. The funding level for the program year beginning October 1, 1990, and ending September 30, 1991, is based on the previous year's allocation and is estimated to be \$884,344. The SDA plans to serve over 500 eligible youth during this program year. Funding for the Summer Youth Employment and Training program is through Title IIB of the Job Training Partnership Act (JTPA), which is designed to provide training for economically disadvantaged youth, aged 14-21, facing serious barriers to employment.

The council also will submit to the Governor through the Department of Human Resources a modification to its Title III Economic Dislocation and Worker Adjustment Act Plan, as a sub-part of the Title IIA two year plan. The respective program years will be July 1, 1990, to June 30, 1991, and July 1, 1991, to June 30, 1992. The funding level for program year 1990 is expected to be \$215,280. The SDA plans to serve approximately 75 eligible participants during program year 1990. The purpose of the program is to reassess and reconfigure service to meet the needs of workers who have been terminated, laid off or have received a notice of termination or layoff due to a permanent closure or substantial layoff at a plant or facility.

There is a 30 day review and comment period for the plan modification.

The full plan is available at the following location and may be reviewed upon request. Questions and comments may be directed to Kansas Private Industry Council, SDA III, 717 Gateway Centre Tower II, 4th and State Ave., Kansas City, KS 66101, (913) 371-1607.

Ann Conway
Executive Director

Doc. No. 009829

State of Kansas

Secretary of State

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 2 p.m. Tuesday, November 13, in the conference room of the Secretary of State's office, Room 241-N, State Capitol, Topeka, to consider Kansas Administrative Regulation 7-33-2, which deals with computer access fees.

The regulation, which is proposed for adoption on a permanent basis, will shift funds from the state to the county. Because of the small number of searches that will occur, the economic impact will be minimal.

This 30-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. Comments may be submitted prior to the hearing to Sherman A. Parks, Jr., Legal Counsel, Office of the Secretary of State, 2nd Floor, State Capitol, Topeka 66612.

All interested parties will be given a reasonable opportunity at the hearing to present their views. It may be necessary to request each participant to limit any oral presentation to five minutes.

Copies of the regulation and its fiscal impact statement may be obtained at the address above or by calling (913) 296-2114.

Bill Graves
Secretary of state

Doc. No. 009830

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited August 15, 1990, for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

ALPC, Inc., Atchison, KS.
Alumni of Kansas Chapter of Delta Upsilon,
Lawrence, KS.
Barber Ready-Built, Inc., Garden City, KS.
Benpat, Inc., Overland Park, KS.
Bombora Energy, Inc. (A Close Corp.), Iola, KS.
Brewer and Associates, Inc., Overland Park, KS.
Bryan Enterprises, Inc., Greeley, KS.
Centerpoint Construction Corporation, Olathe, KS.
Charles Roberts, Ltd., Wichita, KS.
Chemdex, Inc., Lenexa, KS.
Chuck Squires' Battery and Electric, Inc., Wichita, KS.
CJM Shoes, Inc., Olathe, KS.
Columbia Resources Corporation, Wichita, KS.
Computer Systems Integration, Inc., Wichita, KS.
Concrete Liquidation Co., Inc., Shawnee Mission, KS.
Courtesy Escrow Company, Overland Park, KS.

Crispins, Inc., Hays, KS.
 Dar-Mac, Inc., Bonner Springs, KS.
 DEC/A Inc., Lenexa, KS.
 Dietetic Services, Inc., Wichita, KS.
 Ed Thompson's Furniture City, Inc., Great Bend, KS.
 Farmtronics, Inc., Wichita, KS.
 Fields Walgreen Agency Drug, Inc., Salina, KS.
 G P Enterprises, Inc., Overland Park, KS.
 Great Plains Heritage Foundation, Wichita, KS.
 Greenwich Associates, Ltd., Overland Park, KS.
 Hesston Prestige Printing, Inc., Hesston, KS.
 J.R.'s Burger Place, Inc., Wichita, KS.
 JJ-C Company, Inc., Shawnee Mission, KS.
 Kansas Grain Construction & Electric Company, Inc.,
 Bonner Springs, KS.
 Ken-Nay Enterprises, Inc., Overland Park, KS.
 King Louie College Lanes, Inc., Overland Park, KS.
 King Louie Meadow Lanes, Inc., Overland Park, KS.
 King Louie Ranchmart, Inc., Overland Park, KS.
 King Louie Sunset Bowl, Inc., Overland Park, KS.
 King Louie West, Inc., Overland Park, KS.
 Love Travel, Inc., Wichita, KS.
 Marksmanship Corporation of Topeka, Topeka, KS.
 Martec Steel Incorporated, Hutchinson, KS.
 Old Carpenter Hall Smokehouse, Inc., Lawrence, KS.
 On the Boulevard, Inc., Overland Park, KS.
 Onek Firm-P.A.—Architects, Topeka, KS.
 P M Marketing Masters, Inc., Overland Park, KS.
 Patton & Cramer, P.A., Pratt, KS.
 Pharmafacts Inc., Topeka, KS.
 Pipex Inc., Leawood, KS.
 Pure Water Corporation, Kansas City, KS.
 Republic Funding Group, Inc., Shawnee Mission, KS.
 Rose Paper and Specialties, Inc., Leawood, KS.
 Sadee's Point, Inc., Milton, KS.
 Seltzer Jewelry, Inc., Wichita, KS.
 Show-Me Region Pacesetters Club, Inc.,
 Overland Park, KS.
 Smith Energy Management Company, Leawood, KS.
 Southwind Industries, Inc., Topeka, KS.
 Specialized Career Consulting, Inc.,
 Overland Park, KS.
 State Management Corporation, Kansas City, KS.
 Summa Development Corporation, Kansas City, KS.
 TD, Inc. of Kansas, Little Rock, AR.
 Thayer Enterprises, Inc., Kansas City, KS.
 The Calico Patch, Inc., Hutchinson, KS.
 The Greenwood County Fair Association, Inc., Eureka,
 KS.
 The Shoe Place, Inc., Ulysses, KS.
 Thomas Advertising Agency, Inc., Overland Park, KS.
 Tower II Deli Inc., Kansas City, KS.
 Town Crier of Topeka, Inc., Topeka, KS.
 Toys by Roy of Kansas, Inc., Wichita, KS.
 Truck Line Consultants, Inc., Overland Park, KS.
 Turner Enterprises, Inc., Larned, KS.
 V.A. Schuetz Corporation, Piper, KS.
 Vince Berland and Associates, Inc., Abilene, KS.
 VKCP, Inc., Overland Park, KS.
 VMS, Inc., Overland Park, KS.
 Wantametcha, Inc., Lawrence, KS.
 Wayne W. Jones, Inc., Kansas City, KS.

Wichita Dance, Inc., Wichita, KS.
 Wichita Family Foods, Inc., Wichita, KS.

Foreign Corporations

A.C. Stewart Corporation, Salina, KS.
 Armendaris Securities Corporation, Kansas City, MO.
 Automobile Warranty Corporation, Wheat Ridge, CO.
 Azar's Incorporated, Fort Wayne, IN.
 Causa USA, Washington, DC.
 Commodore Home Systems, Inc., Goshen, IN.
 Continental Collection and Disposal, Inc.,
 Oklahoma City, OK.
 County Seat Stores, Inc., Chicago, IL.
 Criton Corporation, Bellevue, WA.
 Croft Trailer Supply, Inc., Kansas City, MO.
 Curtains & Home, Inc., Plainview, NY.
 Eastgate Development Corporation, New London, PA.
 Electro-Wire Products, Inc., Hills, MI.
 Fairfax Trailer Sales, Inc., East Alton, IL.
 Food Service of America, Inc., Seattle, WA.
 Fox Photo, Inc., San Antonio, TX.
 Glass Contractors, Inc., Omaha, NE.
 Great Neck Corporation, Great Neck, NY.
 Jericho Resources, Inc., Sun Valley, NV.
 Konica Quality Photo (West), Inc., Dover, DE.
 M. Rogers & Associates, Inc., Kansas City, KS.
 Machinery Maintenance Inc. of Texas,
 San Antonio, TX.
 Mash International Trading Co., Inc., Mission, KS.
 Mersco Wholesale Co., Inc., New York, NY.
 Millard & Southgate Glass, Inc., Omaha, NE.
 Oppenheimer Design-Build, Inc., Mission, KS.
 Pulmonary Medicine Associates, M.D., P.C.,
 Shawnee Mission, KS.
 Sierra Telecom Services, Inc., Santa Fe, NM.
 State Line Egg Producers Cooperative Association,
 Inc., Oneida, KS.
 The Canary and the Elephant, Inc., Bensenville, IL.
 The Home Depot, Inc., Atlanta, GA.
 The Sophir Company of Missouri, Inc., Omaha, NE.
 United Medical Supply Company, Inc.,
 Fort Worth, TX.
 Warren Drilling Company, Inc., Oklahoma City, OK.
 Washington Consulting Group, Incorporated,
 Washington, DC.
 Yellow Front Stores, Inc., Phoenix, AZ.
 1 Potato 2, Inc., New Hope, MN.
 50th Street Corporation, Cedar Rapids, IA.

Bill Graves
 Secretary of State

Doc. No. 009803

State of Kansas

Wichita State University

Notice to Bidders

Sealed bids for the following will be received by The Wichita State University, Office of Purchasing, 1845 N. Fairmount, Campus Box 12, Morrison Hall, Room 021, Wichita, KS 67208-1595, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (316) 689-3080 for additional information.

Wednesday, November 14, 1990

910139-H

Data for international aircraft operator information system

Gary D. Link
Director of Purchasing

Doc. No. 009807

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Danny's Feedlot c/o Danny Knoettgen Route 2 Clifton, KS 66937	NW/4 Section 32, Township 5S, Range 2E, Washington County, Kansas	Lower Republican River Basin

Kansas Permit No.: A-LRWS-S008

The existing facility has the capacity for approximately 720 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
F & R Swine, Inc. Route 1 Dwight, KS 66849	SW/4 Section 1, Township 13S, Range 7E, Geary County, Kansas	Kansas River Basin

Kansas Permit No.: A-KSGE-H002 Federal Permit No.: KS-0116378

The existing facility has the capacity for approximately 9,600 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Heath Farms, Inc. Star Route, Box 51 Alamota, KS 67830	NE/4 Section 24, Township 20S, Range 28W, Lane County, Kansas	Upper Arkansas River Basin

Kansas Permit No.: A-UALE-B003

The feedlot has capacity for approximately 600 cattle and a contributing drainage area of approximately 6.0 acres. This is an existing facility. Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 2.0 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Donald N. Koster HC Box 48B Minneapolis, KS 67467	SE/4 Section 26, Township 13S, Range 3W, Ottawa County, Kansas	Saline River Basin

Kansas Permit No.: A-SAOT-S001

The existing facility has the capacity for approximately 500 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
J.V. Kuttler & Sons Ross A. Kuttler P.O. Box 430 Tribune, KS 67879	SE/4 Section 20, Township 19S, Range 39W, Greeley County, Kansas	Upper Arkansas River Basin

Kansas Permit No.: A-UAGL-B003

The feedlot has capacity for approximately 750 cattle and a contributing drainage area of approximately 10 acres. This is a new facility. Runoff Control Facilities: Feedlot runoff is dispersed upon pasture land. Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Miller Feed Yard, Inc. Box 459 Satanta, KS 67870	E/2 Section 19, Township 30S, Range 34W, Haskell County, Kansas	Cimarron River Basin

Kansas Permit No.: A-CIHS-C006 Federal Permit No.: KS-0115231

The feedlot has capacity for approximately 13,500 cattle with expansion planned for an additional 3,200 cattle and a contributing drainage area of approximately 73 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 24.5 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Moshbarger Farms c/o Jim Moshbarger Route 2, Box 158A Goodland, KS 67735	NW/4 Section 35, Township 8S, Range 39W, Sherman County, Kansas	Upper Republican River Basin

Kansas Permit No.: A-URSH-B006

The feedlot has capacity for approximately 980 cattle and a contributing drainage area of approximately 7 acres. This is an existing facility. Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 2 acre-feet.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Edmund J. Theis, Jr. Route 4, Box 56 Leavenworth, KS 66048	Section 19, Township 8S, Range 22E, Leavenworth County, Kansas	Missouri River Basin

Kansas Permit No.: A-MOLV-S002
 The existing facility has the capacity for approximately 750 swine.
 Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.
 Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Douglas B. Thiessen Route 2, P.O. Box 114 Beloit, KS 67420	SW/4 Section 2, Township 7S, Range 8W, Mitchell County, Kansas	Solomon River Basin

Kansas Permit No.: A-SOMC-BA13
 The feedlot has capacity for approximately 600 cattle and a contributing drainage area of approximately 5 acres. This is a new facility.
 Runoff Control Facilities: Feedlot runoff flows easterly to internally drained cropland where it infiltrates.
 Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Thompson & Thompson Feedlot Howard Thompson Route 2, Box 10 Burdett, KS 67523	SW/4 Section 21, Township 21S, Range 20W, Pawnee County, Kansas	Upper Arkansas River Basin

Kansas Permit No.: A-UAPN-B001
 The feedlot has capacity for approximately 600 cattle and a contributing drainage area of approximately 6 acres. This is an existing facility.
 Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 2.2 acre-feet.
 Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permits may be submitted to Angela Buie, Bureau of Environmental Quality, Kansas Department of Health and Environment, Forbes Field, Topeka 66620-0001. All comments received prior to November 10 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-72/81) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The applications, proposed permits, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, 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 address above.

Stanley C. Grant
 Secretary of Health
 and Environment

State of Kansas
 Department of Health
 and Environment

Notice Concerning Kansas
 Water Pollution Control Permits

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 the 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	Waterway	Type of Discharge
City of Alma c/o City Clerk 326 Missouri Alma, KS 66401 Wabaunsee County, Kansas	Mill Creek	Secondary wastewater treatment facility

Kansas Permit No.: M-KS01-I001 Fed. Permit No.: KS-0046345
 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Americus City Hall Americus, KS 66835 Lyon County, Kansas	Pester Creek	Secondary wastewater treatment facility

Kansas Permit No.: M-NE02-0001 Fed. Permit No.: KS-0047406
 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Attica City Hall 101 N. Main Attica, KS 67009 Harper County, Kansas	Sandy Creek via Camp Creek	Secondary wastewater treatment facility

Kansas Permit No.: M-AR08-0001 Fed. Permit No.: KS-0116785
 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Bison City Hall Main Street Bison, KS 67520 Rush County, Kansas	Walnut Creek via unnamed tributary	Secondary wastewater treatment facility

Kansas Permit No.: M-UA04-0001 Fed. Permit No.: KS-0116688
 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.

(continued)

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Blue Mound Irish Creek Secondary wastewater
 City Hall Little Osage treatment facility
 Main Street River
 Blue Mound, KS 66010
 Linn County, Kansas
 Kansas Permit No.: M-MC05-0001 Fed. Permit No.: KS-007936
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Cedar Vale Caney River Secondary wastewater
 702 Cedar via Cedar Creek treatment facility
 Cedar Vale, KS 67024
 Chautauqua County, Kansas
 Kansas Permit No.: M-VE05-0001 Fed. Permit No.: KS-0116947
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Conway Springs Arkansas River Secondary wastewater
 c/o City Clerk via Slate Creek treatment facility
 City Hall
 Conway Springs, KS 67031
 Sumner County, Kansas
 Kansas Permit No.: M-AR25-0001 Fed. Permit No.: KS-0030651
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 Country Park Mobile Unnamed Secondary wastewater
 Home Court tributaries to treatment facility
 c/o Verlon Bosse Fowler Creek
 Route 4, P.O. Box 2315
 Emporia, KS 66801
 Lyon County, Kansas
 Kansas Permit No.: C-NE24-T001 Fed. Permit No.: KS-0115584
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Dwight Neosho River Secondary wastewater
 City Hall via Land Creek treatment facility
 P.O.Box 125
 Dwight, KS 66849
 Morris County, Kansas
 Kansas Permit No.: M-NE20-0001 Fed. Permit No.: KS-0051675
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Fall River Fall River via Secondary wastewater
 c/o City Clerk unnamed tributary treatment facility
 City Hall
 Fall River, KS 67047
 Greenwood County, Kansas
 Kansas Permit No.: M-VE17-0001 Fed. Permit No.: KS-0116963
 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent lim-

itations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Haven Arkansas River Secondary wastewater
 118 S. Kansas Ave. via Gar Creek treatment facility
 Haven, KS 67543
 Reno County, Kansas
 Kansas Permit No.: M-AR41-0001 Fed. Permit No.: KS-0116815
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Hill City Solomon River Secondary wastewater
 205 N. Pomeroy via south fork treatment facility
 Hill City, KS 67642 Solomon River
 Graham County, Kansas
 Kansas Permit No.: M-S019-0001 Fed. Permit No.: KS-0116882
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 KP&L-Abilene Smoky Hill River Evaporative cooler
 Energy Center blowdown
 818 Kansas Ave.
 Topeka, KS 66601
 Attn: Richard Finger
 Dickinson County, Kansas
 Kansas Permit No.: I-SH01-C001 Fed. Permit No.: KS-0079782
 Description of Facility: This facility is an electric power peak generating station. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of LaCrosse Sand Creek Secondary wastewater
 1119 Main treatment facility
 LaCrosse, KS 67548
 Rush County, Kansas
 Kansas Permit No.: M-UA23-0001 Fed. Permit No.: KS-0024643
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of LaCygne Marais des Secondary wastewater
 P.O. Box 66 Cygnes River treatment facility
 LaCygne, KS 66040
 Linn County, Kansas
 Kansas Permit No.: M-MC18-C001 Fed. Permit No.: KS-0030546
 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.

Name and Address of Applicant **Waterway** **Type of Discharge**
 City of Leonardville Kansas River via Secondary wastewater
 c/o City Clerk Wildcat Creek via treatment facility
 City Hall unnamed
 Leonardville, KS 66449 tributary
 Riley County, Kansas
 Kansas Permit No.: M-KS35-0001 Fed. Permit No.: KS-0025631
 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.

Name and Address of Applicant
 City of Le Roy
 c/o City Clerk
 City Hall
 P.O. Box 356
 Le Roy, KS 66857
 Coffey County, Kansas
 Kansas Permit No.: M-NE42-0001 Fed. Permit No.: KS-0030813
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.

Name and Address of Applicant
 City of McFarland
 P.O. Box 183
 McFarland, KS 66501
 Wabaunsee County, Kansas
 Kansas Permit No.: M-KS41-0001 Fed. Permit No.: KS-0024686
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.

Name and Address of Applicant
 City of Mound City
 P.O. Box 332
 Mound City, KS 66056
 Linn County, Kansas
 Kansas Permit No.: M-MC26-0001 Fed. Permit No.: KS-0047503
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.

Name and Address of Applicant
 City of Pleasanton
 P.O. Box 399
 201 W. 9th
 Pleasanton, KS 66075
 Linn County, Kansas
 Kansas Permit No.: M-MC35-0001 Fed. Permit No.: KS-0116653
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.

Name and Address of Applicant
 City of Seneca
 P.O. Box 40
 Seneca, KS 66538
 Nemaha County, Kansas
 Kansas Permit No.: M-M019-0001 Fed. Permit No.: KS-0047538
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.

Name and Address of Applicant
 City of Stark
 City Hall
 P.O. Box 25
 Stark, KS 66775
 Neosho County, Kansas
 Kansas Permit No.: M-NE62-0001 Fed. Permit No.: KS-0025526
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.

Name and Address of Applicant
 City of Waterville
 204 E. Front St.
 Waterville, KS 66548
 Marshall County, Kansas
 Kansas Permit No.: M-BB22-0001 Fed. Permit No.: KS-0048429
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.

Name and Address of Applicant
 City of Willowbrook
 P.O. Box 1067
 Hutchinson, KS 67504-1067
 Reno County, Kansas
 Kansas Permit No.: M-AR95-0001 Fed. Permit No.: KS-0117641
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, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to November 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-169/192) and 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. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, 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 address above.

Stanley C. Grant
 Secretary of Health
 and Environment

Doc. No. 009815

State of Kansas

Department of Health and Environment

Notice of Meetings

The Kansas Department of Health and Environment, as lead agency for Part H of P.L. 99-457, is seeking input on its fourth year grant proposal. The purpose of this grant is to develop and implement a comprehensive system of early intervention services for infants and toddlers (birth through two years of age) with disabilities or developmental delays and their families.

Public meetings will be held in Hays from 10 a.m. to noon Friday, November 9, at the Hays Public Library, 1205 Main; in Kansas City from 3 to 5 p.m. Tuesday, November 13, in Room C at the Johnson County NE Office Facility, 6000 Lamar; and in Winfield from 3 to 5 p.m. Thursday, November 15, at the Cowley County Health Department, 2120 E. 9th.

Copies of the grant proposal will be available at the public meetings. Persons unable to attend the meetings may submit written comments by November 16. Requests for copies of the grant proposal and comments should be addressed to Aleta Ash, R.N., Infant-Toddler Program Coordinator, Bureau of Family Health, Kansas Department of Health and Environment, Landon State Office Building, 10th Floor, 900 S.W. Jackson, Topeka 66612-1290, (913) 296-6135.

Stanley C. Grant
Secretary of Health and Environment

Doc. No. 009826

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 28-16-63, 28-16-83 through 28-16-98, 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 publicly owned treatment works for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations and limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit to discharge subject to certain limitations and special conditions.

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Great Plains Manufacturing, Inc., Assaria, KS 67410; Abilene MWWTP; Process wastewater.

Description of Facility: This facility manufactures various types of landscape equipment including mowers. Steel parts are welded, phosphated and painted to produce the final product. The phosphating operation is a four-stage automatic washing system.

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Gordon-Piatt Energy Group, Winfield, KS 67156; Strother Field Industrial Park MWWTP; Process wastewater.

Description of Facility: This facility manufactures combustion equipment for gas, oil and solid fuel burners. Steel parts for burners are conversion coated in a three-stage phosphating operation before they are painted. This operation discharges intermittently. This industry also has an intermittent discharge from a chemfilm (chromating) operation, used to clean aluminum parts and from a paint booth operation. A tumbling operation is located on-site, but is not connected to the sanitary sewer.

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Deines Corporation, Ransom, KS 67572; Ransom MWWTP; Process wastewater.

Description of Facility: This facility manufactures commercial lawn mowers and uses a conversion coating process to phosphate steel parts, prior to painting them.

Table with 3 columns: Name and Address of Applicant, Waterway, Type of Discharge. Row 1: Titan Manufacturing, Waterville, KS 66548; Waterville MWWTP; Process wastewater.

Description of Facility: This facility manufactures steel livestock trailers. The steel is sprayed with a conversion coating (phosphating) chemical before the paint is applied.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to November 9 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-PT-90-8/11) 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. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, 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. 009817

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled from October 8 through October 28:

Date	Room	Time	Committee	Agenda
October 15 October 16	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Local Government	Review of bill draft on Proposal No. 22; discussion and action on all other proposals.
October 15 October 16	527-S 527-S	10:00 a.m. 9:00 a.m.	Special Committee on Public Health and Welfare	<u>15th</u> : Proposal No. 31. <u>16th</u> : Proposal No. 31—a.m.—continued if necessary. p.m.—Proposal No. 45 and Proposal No. 30.
October 15 October 16	KUMC 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means/Appropriations	<u>15th</u> : Hearing on University of Kansas Medical Center component of Proposal No. 39—Regents System Issues. <u>16th</u> : Proposal No. 39—Regents System Issues.
October 17th			Legislative Post Audit Subcommittee	Cancelled
October 18 October 19	Lansing 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	<u>18th</u> : Tour correctional facilities in the Lansing area. <u>19th</u> : Hearings on claims filed to date.
October 18	519-S	9:00 a.m.	Special Committee on Insurance	Committee discussion and instructions to staff.
October 22 October 23	519-S 519-S	10:00 a.m. 10:00 a.m.	Kansas Select Commission on Ethical Conduct	<u>22nd</u> : Presentations by out-of-state conferees Roth Judd and Edward Reigenbaum. <u>23rd</u> : Conclusion of public hearings and commission discussion.
October 22 October 23	531-N 531-N	9:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	<u>22nd</u> : Review of FY 1992 budget requests of Historical Society, Kansas Arts Commission and Kansas Committee for the Humanities; update on Heritage Trust Fund; tour of Corporate Records Storage, Inc. <u>23rd</u> : Review committee draft reports; tour Mulvane Art Museum, Washburn University.
October 25 October 26	519-S 519-S	10.00 a.m. 9:00 a.m.	Special Committee on Judiciary	<u>25th</u> : Hearing on Proposal No. 15—Child Support and Child Custody. <u>26th</u> : Committee discussion on proposals previously heard.
October 25 October 26	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Agenda not available.

(continued)

October 25
October 26

Special Committee on Insurance

Cancelled. (Moved to October
18.)

Emil Lutz
Director of Legislative
Administrative Regulations

Doc. No. 009818

State of Kansas

Office of Judicial Administration
Supreme Court Docket

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

Monday, October 22, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
63,653	State of Kansas, Appellee, v. Nasif S. Gadelkarim, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick
63,850	State of Kansas, Appellee, v. Keith A. Jones, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick On Petition for Review
64,483	State of Kansas, Appellant, v. Jon D. Hansen, Appellee.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Craig Robinson	Sedgwick
64,129	State of Kansas, Appellee, v. David F. B. Zamora, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick

1:30 p.m.

64,110	State of Kansas, Appellee, v. Anthony Davis, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick
64,274	State of Kansas, Appellee, v. Douglas A. Sutherland, Appellant.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Sedgwick

64,479) State of Kansas, Appellee; 64,806) 64,807) Consolidated	v. Floyd Carmichael, William N. Lovelace, and Leonard H. Mills, Appellants.	Robert T. Stephan, Attorney General Debra S. Byrd Wagner, Assistant District Attorney	Sedgwick
		Steve Kessler	

Tuesday, October 23, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	County
63,896	Laura E. Reed, Appellee, v. Theresa Miller, Appellant.	Steven R. Connell William P. Coates, Jr. Douglas M. Greenwald	Wyandotte On Petition for Review
63,976	Gary L. Vincent, Appellee, v. Carletta M. Vincent, Appellant.	Ronald Schneider Darrell W. Frogley Cynthia F. Grimes	Wyandotte On Petition for Review
64,565	State of Kansas, Appellee, v. Kurt Donnell Wesson, Appellant.	Robert T. Stephan, Attorney General Jerome A. Gorman, Assistant District Attorney Kevin E. Koch	Wyandotte
65,031	Michael S. Hales and Marlene S. Hales, Appellants, v. The City of Kansas City, Kansas, a Municipal Corporation, Appellee.	George A. Lowe Timothy P. Orrick	Wyandotte

1:30 p.m.

62,879	Shelter Insurance Company, Appellee, v. Daniel B. Williams, by and through his father and next friend, Robert R. Williams, <i>et al.</i> , Appellants.	Nicholas S. Dailey Steve Kerwick Wayne and Mary Kearbey, <i>pro se</i> Andrew B. Fletcher Reid Stacey Robert W. Reynolds Kurt Harper	Sedgwick On Petition for Review
64,220	Farmers Insurance Company, Inc., Appellee, v. Stephen R. Gilbert, Appellant.	Stanford J. Smith, Jr. Dennis L. Phelps	Sedgwick On Petition for Review

Wednesday, October 24, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
63,864	Darlene E. Stewart, Appellant, v. Vayda L. Capps, <i>et al.</i> , Appellees.	Mark D. Lewis Hal Pierce	Johnson On Petition for Review
63,352	Nancy J. Simmons, <i>et al.</i> , Appellees, v. James W. Dahl, <i>et al.</i> , Appellants.	Dennis E. Egan Lawrence L. Ferree N. Jack Brown Richard T. Merker	Johnson On Petition for Review
64,060	State of Kansas, Appellee, v. Corey Glen Hamons, Appellant.	Robert T. Stephan, Attorney General Paul J. Morrison, District Attorney Joseph L. Dioszeghy	Johnson
63,615	State of Kansas, Appellee, v. Tommy L. Freitag, Appellant.	Robert T. Stephan, Attorney General Steven Obermeier, Assistant District Attorney Jessica R. Kunen, Chief Appellate Defender	Johnson On Petition for Review

1:30 p.m.

63,805	Board of Education. U.S.D. No. 279, Jewell County, Kansas, Appellant, v. The Secretary of the Kansas Department of Human Resources, <i>et al.</i> , Appellees.	Fred W. Rausch, Jr. David Schauner Don Doesken	Jewell
64,039	In the Interest of R.B., R.B. & J.B.	Darrell E. Miller Kevin Phillips Ellen Mitchell Mark J. Noah	Jewell On Petition for Review

Thursday, October 25, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
63,277	Clifford F. Davis, <i>et al.</i> , Appellees, v. City of Leavenworth, Kansas, <i>et al.</i> , Appellants.	Rod L. Richardson Robert D. Beall Louis M. Clothier	Leavenworth On Petition for Review
63,904	Dearborn Animal Clinic, P.A., Appellant, v. Charles R. Wilson, Appellee.	Zygmunt J. Jarczyk James D. Griffin	Leavenworth On Petition for Review
63,753	State of Kansas, Appellee, v. Kim Earl Rupert, Appellant.	Robert T. Stephan, Attorney General Julie McKenna, County Attorney Jessica R. Kunen, Chief Appellate Defender	Saline On Petition for Review

64,126 State of Kansas, Appellee, Robert T. Stephan, Attorney General Butler
 Mike Ward, County Attorney
 v.
 John E. Beebe, Appellant. Jessica R. Kunen
 Chief Appellate Defender

1:30 p.m.

64,225 State of Kansas, Appellee, Robert T. Stephan, Attorney General Harvey
 Michael E. Cleary, County Attorney
 v.
 James F. Fritschen, Appellant. Jessica R. Kunen,
 Chief Appellate Defender

Friday, October 26, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,276	Tamara Morrison, a minor, <i>et al.</i> , Appellants, v. Stormont Vail Regional Medical Center, <i>et al.</i> , Appellees.	Leland E. Cox Ernest H. Fremont, Jr. Bert S. Braud Charles L. Davis, Jr. Harold S. Youngentob	Shawnee On Petition for Review
64,358	City of Liberal, Kansas, Appellant. v. Seward County, Kansas, Appellee.	Rex A. Sharp Tom Smith	Shawnee On Petition for Review
62,939	Oliver K. Smith, Appellant, v. William Deppish, as Sheriff of Geary County, Kansas, Appellee.	Jessica R. Kunen, Chief Appellate Defender Edwin Wheeler, County Attorney Steven L. Opat	Geary

Consolidated with

63,470 State of Kansas, Appellee, Robert T. Stephan, Attorney General Geary
 Steven L. Opat
 v.
 Oliver K. Smith, Jr., Appellant. Jessica R. Kunen,
 Chief Appellate Defender

Lewis C. Carter
 Clerk of the Appellate Courts

Doc. No. 009802

State of Kansas

**Office of Judicial Administration
Court of Appeals Docket**

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

Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Before Briscoe, C.J.; Rulon, J.; and Paul E. Miller,
District Judge, assigned.

Tuesday, October 23, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,834	Mike Stuke, Appellant, v. Nemaha County Coop Association, Appellee.	Michael E. Callen J. Paul Maurin III Larry G. Pepperdine	Nemaha
64,978	State of Kansas, Appellee, v. Stephanie Urbanek, Appellant.	Gene M. Olander Attorney General Ronald P. Pope	Shawnee
10:30 a.m.			
64,585	State of Kansas, Appellee, v. Gary Don Burks, Appellant.	Brad L. Jones Attorney General Jessica R. Kunen	Coffey
64,147	State of Kansas, Appellee, v. James A. Gragg, Appellant.	Michael Hayes Attorney General Thomas Jacquinet	Jefferson
1:30 p.m.			
64,343	Hildred Beverage, Appellee, v. Shelter Mutual Insurance Co. and Earl Smith, Appellants.	Gerald W. Scott Jeffery A. Jordan	Sedgwick
64,913	State of Kansas, Appellee, v. Manuel A. Garcia, Appellant.	County Attorney Attorney General Michael Quint	Finney
64,629	State of Kansas, Appellee, v. Randy Young, Appellant.	Ricklin R. Pierce Attorney General Thomas Jacquinet	Finney
2:30 p.m.			
64,964	State of Kansas, Appellant, v. Daniel R. Leroy, Appellee.	County Attorney Attorney General Michael S. Holland	Barton

64,393	State of Kansas, Appellee, v. Scott R. Acree, Appellant.	Michael E. Cleary Attorney General Charles D. Dedmon	Harvey
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Wednesday, October 24, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	County
65,125	Randolph G. Austin, Appellee, v. Kansas Department of Revenue, Appellant.	Mark L. Bennett, Jr. Brian Cox	Shawnee
64,551	In the Matter of the Marriage of Barbara Ann Morley and Robert Wayne Morley.	Gerald N. Jeserich Steve A. Leben	Wyandotte
64,563	In the Matter of the Marriage of Dewey A. Freeman and Geraldine A. Freeman.	Elizabeth A. Carson Scott Asner	Johnson

10:30 a.m.

64,692	Bucon, Inc., Appellee, v. William H. Cordes, Carroll J. Boylan, Appellant, and William's Place Partnership.	Douglas L. Hansen Fred Bellemere III Thomas V. Bender Donald S. Smith	Johnson
64,639	Paul L. Heineman, Appellant, v. Country Hill Bank, Appellee, and Marilyn K. Slezak.	Michael R. Norlen B. Scott Tschudy Marilyn Slezak, <i>pro se</i>	Johnson

Summary Calendar—No Oral Argument

64,833	In the Matter of the Appl. of Charles W. Dearing.	Kiehl Rathbun Debra Byrd Wagner	Sedgwick
64,891	State of Kansas, Appellee, v. Mark E. Huxman, Appellant.	Gene M. Olander Attorney General Jessica R. Kunen	Shawnee

Kansas Court of Appeals
Harold R. Fatzer Courtroom, 3rd Floor, Kansas Judicial Center
Topeka, Kansas

Before Davis, P.J.; Gernon, J.; and Ralph M. King, Jr.,
District Judge, assigned.

Tuesday, October 23, 1990
9:30 a.m.

Case No.	Case Name	Attorneys	County
64,715	State of Kansas, Appellee, v. Darryl L. Perry, Appellant.	County Attorney Attorney General Jessica R. Kunen	Geary
64,920	Gary L. Sparks and Larry Hodge, Appellants, v. Citizens Trust and Savings Bank, Appellee.	Mark A. Corder Wendell Barker	Franklin

(continued)

10:30 a.m.

64,594	State of Kansas, Appellee, v. Harry Jene Fuller, Appellant.	Julie McKenna Attorney General	Saline
64,703	State of Kansas, Appellee, v. Allen Ray Unselt, Appellant.	Michael McCoy Julie McKenna Attorney General Jessica R. Kunen	Saline

1:30 p.m.

65,117	Amoco Production Co., Appellant, v. Gary L. and Ethnah Morgan, Appellees.	Rex A. Sharp M. Moran Thompson	Kearny
64,947	State of Kansas, <i>ex rel.</i> , SRS, Appellant, v. Carrie Conner Jackson, Appellee.	Robert Hiller, Jr. Mark D. Calcara	Barton
64,963	Farmers Insurance Group, Appellee, v. Leon and Marie Dawson, and Amanda and Anthony Otero, through Teresa Otero, Appellants.	William B. Bolin Michael J. Friesen	Finney

3:00 p.m.

64,665	Bob R. Crowley, <i>et al.</i> , Appellants, v. Kansas Department of Transportation, Appellee.	William L. Fry John W. Strahan	Butler
64,751	Jack R. Ellis, Appellee, v. State Farm Mutual Auto. Insurance Co., Appellant.	Darrell L. Warta Gerald W. Scott	Thomas

Wednesday, October 24, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,696	State of Kansas, Appellee, v. Paul J. Hemme, Appellant.	Michael C. Hayes Attorney General John C. Humpage	Jefferson
64,499	State of Kansas, Appellee, v. Richard L. Wallace, Appellant.	Michael C. Hayes Attorney General John C. Humpage	Jefferson

10:30 a.m.

63,974	Pamela M. Raffurty, Appellant, v. Veronica Love and ATE Management and Serv. Co., Appellee.	William F. Dunn Don Roberson Allen Slater	Johnson
64,921	Gerald W. Mogren, Appellant, v. Employment Security Board of Review and U.S.D. 259, Appellees. *	Kenneth G. Gale James R. McEntire	Sedgwick

Summary Calendar—No Oral Argument

64,623	State of Kansas, Appellee, v. Dural Broadway, Appellant.	Frank E. White, Jr. Attorney General J. Patrick Lawless	Montgomery
64,956	State of Kansas, Appellee, v. Dwayne S. Prentice, Appellant.	County Attorney Attorney General Ernest L. Tousley	Butler
64,568	In the Matter of the Marriage of Brenda Burgdorf and Hans Burgdorf.	Hans Burgdorf, <i>pro se</i> David A. Ricke	Butler
64,533	In the Interests of M.T.O., L.A.O., and D.M.O., minors.	Patrick Cahill G. Ronald Bates, Jr. Gary L. Fuller	Leavenworth

Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Before Elliott, P.J.; Rees, J.; and Donald L. White,
District Judge, assigned.

Thursday, October 25, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
65,168	James Richard Dunworth, Appellant, v. Theron Sims, Jr., <i>et al.</i> , Appellees.	Bonita J. Yoder Herbert A. Marshall	Shawnee
65,267	Katherine Cassidy, Appellee, v. Farmers Insurance Co., Inc., Appellant.	Gregory D. Bangs Leland F. Dempsey Edward M. Boyle	Johnson

10:30 a.m.

65,106	Donald W. Richardson, Appellee, v. Kansas Department of Revenue, Appellee, and Kansas Workers Compensation Fund, Appellants.	James E. Martin Seth G. Valerius Matthew S. Crowley	Wyandotte
64,500	State of Kansas, Appellee, v. Gary J. Kershner, Appellant.	Edwin A. Van Petten Roger N. Walter Donald R. Hoffman	Shawnee

1:30 p.m.

64,512	In the Matter of G.N.D., a minor.	Sally Salguero Gerald J. Domitrovic	Sedgwick
65,128	William C. Lowell, <i>et al.</i> , Appellees, v. Timothy J. Braun, <i>et al.</i> , Appellants.	Norman R. Kelly David D. Swenson	Cloud
64,562	Michael P. Herrell, Appellant, v. Robert A. Wise, Appellee.	Michael Herrell, <i>pro se</i> Bryce A. Abbott	Sedgwick

(continued)

2:30 p.m.

65,100	Higher Education Assistance Foundation, Appellant, v. Mildred L. Snyder, Appellee.	Daniel S. Rabin Jolynn Oakman	Cowley
65,073	Wayne C. Larson, Appellant, v. Shawn E. Bath, <i>et al.</i> , Appellees.	Fred Spigarelli Barry W. McCormick	Labette

Friday, October 26, 1990

9:30 a.m.

Case No.	Case Name	Attorneys	County
64,870	Jefferson Lee Davis, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen Attorney General Nick A. Tomasic	Wyandotte
64,523	State of Kansas, Appellee, v. Samuel Eli King, Appellant.	Rodney Symmonds Attorney General Jessica R. Kunen	Lyon

10:00 a.m.

64,411	State of Kansas, Appellee, v. Willie Nero, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
64,540	State of Kansas, Appellee, v. Michael J. Mitchell, Appellant.	Debra Byrd Wagner Attorney General Steven R. Zinn	Sedgwick
64,468	State of Kansas, Appellee, v. Earl Lipsey, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick

Summary Calendar—No Oral Argument

64,760	State of Kansas, Appellee, v. Scott M. James, Appellant.	Debra Byrd Wagner Attorney General Jessica R. Kunen	Sedgwick
64,794	State of Kansas, Appellee, v. John P. Leach, Appellant.	Rebecca D. Brock Attorney General Timothy J. Turner	Johnson

Lewis C. Carter
Clerk of the Appellate Courts

Doc. No. 009812

(Published in the *Kansas Register*, October 11, 1990.)

**Notice of Bond Sale
\$327,184**

**City of Hoisington, Kansas
General Obligation Bonds
Series A, 1990**

(Internal Improvement and Settlement Bonds)

Sealed Bids

Sealed bids for the purchase of \$327,184 principal amount of General Obligation Bonds, Series A, 1990 (Internal Improvement and Settlement Bonds), of the city of Hoisington, Kansas, hereinafter described, will be received by the undersigned, city clerk of the city, on behalf of the governing body of the city at City Hall, 109 E. 1st, Hoisington, until 7:30 C.D.T. on Monday, October 22, 1990. All bids will be publicly opened and read at said time and place and will be acted upon by the city immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof (except one bond in the denomination of \$2,184). The bonds will be dated November 1, 1990, and will become due serially on November 1 in the years as follows:

Year	Principal Amount
1991	\$22,184
1992	25,000
1993	30,000
1994	30,000
1995	30,000
1996	35,000
1997	35,000
1998	40,000
1999	40,000
2000	40,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on November 1, 1991.

Place of Payment and Bond Registration

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

The 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 bondholders.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on November 1, 1996, and thereafter will be subject to redemption and payment prior to maturity on November 1, 1995, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

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

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the paying agent and bond registrar and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. Thereafter, the paying agent and bond registrar will notify the owners of the bonds of the city's redemption call by United States mail, postage prepaid. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

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

(continued)

maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the 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 city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance various internal improvements to the city and certain compromise and settlements of the city. The bonds will be general obligations of the city payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city. The balance of the principal and interest on the bonds is payable from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city.

Internal Revenue Code of 1986

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

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The

environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

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

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

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about November 20, 1990, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses, and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 3 p.m. C.D.T. on November 2, 1990. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 3 p.m. C.D.T. on November 2, 1990, a certificate acceptable to the city's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers

and other intermediaries) at such initial reoffering prices. Such certificate shall state that: (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$6,543.68, 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. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city. The city reserves the right to pursue any consequential damages as a result of such default.

CUSIP Numbers

CUSIP identification numbers may be printed on the bonds at the expense of the successful purchaser of the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. The successful purchaser of the bonds must notify the city's financial advisor of its desire for CUSIP numbers by 3 p.m. C.D.T. on November 2, 1990.

Bid Forms

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

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at city hall and must be received by the undersigned prior to 7:30 p.m. C.D.T. on Monday, October 22, 1990.

Date and Delivery of Preliminary and Final Official Statement

The city has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required

by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the underwriter(s) and the price or yield at which the underwriter(s) will re-offer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the city will provide without cost to the purchaser(s) such reasonable number of printed copies of the final official statement as such underwriter(s) may request. Up to 100 copies of the official statement will be furnished without cost to the underwriter(s). Further copies, if desired, will be made available at the underwriter(s) expense. If the sale of the bonds are awarded to syndicates, the city will designate the senior managing underwriter of the syndicates as its agent for purposes of distributing copies of the final official statement to each participating underwriter. Any underwriter executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating underwriters for the purpose of assuring the receipt and distribution by each such participating underwriter of the final official statement.

The city will deliver to the underwriters on the date of delivery of the bonds a certificate executed by the mayor and city clerk to the effect that the final official statement, as to the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial advisor, First Securities Company of Kansas, Inc., 100 N. Main, Suite 200, Wichita, KS 67202, (316) 262-4411.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1990 is \$5,850,801. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$717,184, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$339,750, of which \$261,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated October 11, 1990.

City of Hoisington, Kansas
Mary Joan Ray
City Clerk
City Hall
109 E. 1st
Hoisington, KS 67544
(316) 653-4125

Doc. No. 009825

(Published in the *Kansas Register*, October 11, 1990.)

**Summary Notice of Bond Sale
City of Hiawatha, Kansas
\$215,000**

**General Obligation Sewer Improvement Bonds
Series A, 1990**

**(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated October 2, 1990, and preliminary official statement dated October 11, 1990, sealed bids will be received by the city clerk of city of Hiawatha, Kansas, on behalf of the governing body at the City Hall, 723 Oregon, Hiawatha, KS 66434, until 5:35 p.m. C.D.T. on October 22, 1990, for the purchase of \$215,000 principal amount of General Obligation Sewer Improvement Bonds, Series A, 1990. 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 November 1, 1990, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1991	\$ 10,000
1992	20,000
1993	20,000
1994	20,000
1995	20,000
1996	25,000
1997	25,000
1998	25,000
1999	25,000
2000	25,000

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 semi-annually on April 1 and October 1 in each year, beginning on April 1, 1991.

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 \$4,300 (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 November 15, 1990, 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

\$13,698,143. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,855,915.25.

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, Laurie E. Neeman, Hiawatha, KS 66434, (913) 742-7417, or from the financial advisor, Larry L. McKown, First Securities Company of Kansas, Inc., 100 S. Main, Suite 200, Wichita, KS 67202, (316) 262-4411.

Dated October 2, 1990.

City of Hiawatha, Kansas
Laurie E. Neeman, City Clerk

Doc. No. 009820

(Published in the *Kansas Register*, October 11, 1990.)

**Summary Notice of Bond Sale
\$1,325,000**

**City of Garden City, Kansas
General Obligation Internal Improvement Bonds**

**(general obligation bonds payable from
unlimited ad valorem taxes)**

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale, dated September 11, 1990, of the city of Garden City, Kansas, in connection with the General Obligation Internal Improvement Bonds, Series 1990, of the city, which are hereinafter more fully described, sealed, written bids shall be received at the office of the City Clerk, City Administrative Center, 301 N. 8th, Garden City, until 11 a.m. C.D.T. Tuesday, October 23, 1990, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated by city staff on said date and at said time and place. All bids and the city staff's tabulations shall immediately thereafter be presented to the city's governing body for consideration and the awarding of the bonds to the best bidder at a regularly scheduled meeting of the governing body, which will be held in the city commission meeting room at the City Administrative Center at 1 p.m. C.D.T. October 23, 1990. Bids received after 11 a.m. C.D.T. October 23, 1990, will be returned unopened.

The bonds to be sold are in the aggregate principal amount of \$1,325,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, but must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn

on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of November 1, 1990. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on May 1 and November 1 of each year, commencing May 1, 1991, and the bonds shall mature serially on November 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 110,000	1991
110,000	1992
110,000	1993
110,000	1994
110,000	1995
110,000	1996
110,000	1997
110,000	1998
110,000	1999
110,000	2000
45,000	2001
45,000	2002
45,000	2003
45,000	2004
45,000	2005

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Friday, December 7, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's

approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's 1989 assessed valuation is as follows:

Assessed valuation of taxable tangible property	\$69,614,606
Taxable value of motor vehicles	17,326,695
Equalized assessed tangible valuation for computation of bonded debt limitations	\$86,941,301

Exclusive of the bonds described herein and of the temporary notes to be retired upon issuance of such bonds, the city's outstanding general obligation bond and temporary note indebtedness at November 1, 1990, shall be \$6,601,701.75. The city will pay and redeem \$2,976,671.75 principal amount of temporary notes from the proceeds of the bonds described herein and other moneys available for such purpose.

Official Statement

The city has prepared a preliminary official statement, dated as of October 9, 1990, relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b) (1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, Charles M. Bouilly, Kirchner Moore, a Division of George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

City of Garden City, Kansas
 By Michael A. Warren
 Deputy City Clerk
 City Administrative Center
 301 N. 8th
 Garden City, KS 67846
 (316) 276-1234

Doc. No. 009809

(Published in the *Kansas Register*, October 11, 1990.)

**Summary Notice of Bond Sale
Unified School District 441 (Sabetha)
Nemaha County, Kansas
\$4,500,000
General Obligation School Building Bonds
Series 1990**

**(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the official notice of bond sale and preliminary official statement dated October 1, 1990, sealed bids will be received by the Board of Education of Unified School District 441, Nemaha County, Kansas (Sabetha), at its office, 107 Oregon St., Sabetha, KS 66534, until 2 p.m. C.D.T. on October 22, 1990, for the purchase of \$4,500,000 principal amount of General Obligation School Building Bonds, Series 1990. The board will take action on the bids at a special meeting of the board at 6 p.m. C.D.T. on October 22, 1990. 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 November 1, 1990, and will become due serially on September 1 in the years as follows:

Maturity September	Amount
1992	\$110,000
1993	120,000
1994	125,000
1995	135,000
1996	145,000
1997	155,000
1998	165,000
1999	175,000
2000	190,000
2001	200,000
2002	215,000
2003	230,000
2004	245,000
2005	265,000
2006	285,000
2007	305,000
2008	325,000
2009	345,000
2010	370,000
2011	395,000

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 semi-annually on March 1 and September 1 in each year, beginning on March 1, 1992.

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 \$90,000 (2 percent of the principal amount of the bonds).

Delivery

The school 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 November 29, 1990, 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 \$29,412,194. At the present time, it is estimated that the 1990 assessed taxable, tangible valuation of the school district will be \$26,760,921, as a result of the state-wide reappraisal of property ordered by the Kansas Legislature. This is only an estimate and should not be relied upon by any bidder as to the valuation, which will ultimately be certified by the county clerk of Nemaha County, Kansas. The total general obligation indebtedness of the school district as of the date of the bonds, including the bonds being sold, is \$4,500,000.

Redemption of Bonds Prior to Maturity

Bonds maturing on September 1, 2000, and thereafter shall be subject to call and redemption by the school district on September 1, 1999, and on any interest payment date thereafter upon the terms and conditions set forth in the bond resolution.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Fred W. Rausch, Jr., Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the school district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Bonds to be Insured

AMBAC Indemnity Corporation has issued a commitment for municipal bond insurance relating to the bonds. All bids may be conditioned upon the issuance, effective as of the date on which the bonds are issued, of a policy of insurance by AMBAC Indemnity, insuring the payment when due of principal of and interest on the bonds. Each bond will bear a legend referring to the insurance. The purchaser, holder or owner is not authorized to make any statements regarding the insurance beyond those set out here and in the bond legend without the approval of AMBAC Indemnity.

Bonds to be Rated

Standard & Poor's Corporation and Moody's Investors Service, Inc., have assigned their municipal bond ratings of "AAA" and "Aaa," respectively, to this issue of bonds with the understanding that upon delivery of the bonds, a policy insuring the payment when due of the principal of and interest on the bonds will be issued by AMBAC Indemnity Corporation.

Additional Information

Additional information regarding the bonds may be obtained from the school district at (913) 284-2175 or from the district's financial advisor, George K. Baum & Com-

pany, 12 Wyandotte Plaza, 120 W. 12th, Kansas City, MO 64105, (816) 474-1100.

Dated October 1, 1990.

Unified School District 441
Nemaha County, Kansas

Doc. No. 009824

(Published in the *Kansas Register*, October 11, 1990.)

**Coffeyville Community College District
Montgomery County, Kansas**

**Notice of Intent to
Issue Revenue Bonds**

The Board of Trustees of the Coffeyville Community College District, Montgomery County, Kansas, duly adopted a resolution October 3, 1990, declaring it necessary to and authorizing the enlarging of the existing dormitory system of the district by building and equipping an additional dormitory building or buildings on its campus located in Coffeyville, Kansas, which will house approximately 72 students, at a total estimated cost of \$750,000, under the authority of K.S.A. 76-6a12 to 76-6a25, inclusive, as amended and supplemented.

Said resolution of the Board of Trustees of the district declares it necessary to and authorizes the issuance and sale of dormitory system revenue bonds of the district in an amount not to exceed \$750,000, in order to pay the costs of the project, including costs of financing.

Said resolution also declares it necessary to evaluate the propriety of refunding its existing Student Dormitory System Revenue Bonds, Series 1972, Series 1977, Series 1980, Series 1984 and Series 1987, currently outstanding in the aggregate principal amount of \$1,193,000; and authorizes the issuance of refunding bonds of the district in an amount not to exceed \$1,350,000 to refund the existing bonds.

Unless an action to contest the legality of the proposed revenue bonds and/or the proposed refunding bonds of the district shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds or refunding bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by said Board of Trustees prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or refunding bonds or the provisions of such proceedings of the Board of Trustees, and all such revenue bonds or refunding bonds shall be conclusively presumed to be legal and no court shall thereafter have the authority to inquire into such matters.

Dated October 3, 1990.

Board of Trustees
Coffeyville Community College District
Montgomery County, Kansas

Doc. No. 009819

State of Kansas

Department of Revenue

**Temporary Administrative
Regulations**

Article 55.—MOTOR VEHICLE TAXATION

92-55-2a. Valuation of motor vehicles; allowance for depreciation. (a) When the period for which an owner is seeking to register a motor vehicle covers a portion of two calendar years, the value of a motor vehicle to be registered shall be reduced by taking into account depreciation which is equal to the product determined by multiplying 16% by a fraction, the numerator of which is the number of months in the next succeeding calendar year remaining in the owner's registration year and the denominator of which is 12. The depreciation allowed hereunder shall be in addition to the amounts allowed as reductions in the value of a vehicle pursuant to K.S.A. 79-5105(a).

(b) The method of computing depreciation set forth in subsection (a) shall be applied to all motor vehicles which are registered after January 1, 1991. (Authorized by K.S.A. 79-5115; implementing K.S.A. 79-5105; effective T-92-10-1-90, Jan. 1, 1991.)

Edward C. Rolfs
Secretary of Revenue

Doc. No. 009804

State of Kansas

**Department of Health
and Environment**

**Permanent Administrative
Regulations**

**Article 44.—PETROLEUM PRODUCTS
STORAGE TANKS**

28-44-1 to 28-44-10. (Authorized by and implementing K.S.A. 65-171d; effective May 1, 1981; revoked Nov. 26, 1990.)

28-44-11. (Authorized by and implementing K.S.A. 1984 Supp. 65-171d; effective T-85-7, Feb. 15, 1984; effective May 1, 1984; amended May 1, 1985; revoked Nov. 26, 1990.)

28-44-12. General provisions. (a) Any reference in these rules and regulations to standards, procedures, or requirements of 40 CFR part 280 shall constitute a full adoption by reference of the part, subpart, and paragraph so referenced, including any notes and appendices associated therewith, unless otherwise specifically stated in these rules and regulations.

(b) When used in any provision adopted from 40 CFR part 280 inclusive, references to "the United States" shall be replaced with "the state of Kansas"; "environmental protection agency" or "implementing agency" shall be replaced with the "department"; "administrator" or "regional administrator" shall be replaced with the

(continued)

"secretary"; and "federal register" shall be replaced with the "Kansas register."

(c) Fees required by K.A.R. 28-44-12 through K.A.R. 28-44-27 shall be in the form of a check or money order made payable to the Kansas department of health and environment. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-13. Program scope and interim prohibition. 40 CFR 280.10 and 280.11 as in effect on September 23, 1988 are adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-14. Definitions. (a) "Department" means the Kansas department of health and environment.

(b) "EPA" means the federal environmental protection agency.

(c) "License" means a document issued by the Kansas department of health and environment to qualified individuals or contractors authorizing such persons to engage in the business of installing, removing, modifying, upgrading, repairing, or testing of underground storage tanks. The license will specify the types of services the individual or contractor is qualified to perform.

(d) The definition of words, terms, and phrases set out in 40 CFR 280.12 as in effect on September 23, 1988 and 40 CFR 280.92 as in effect on November 9, 1989 are adopted by reference except, for the definition of the terms and phrases "operator," "owner," "person," "regulated substance," "release," "repair," "tank," and "underground storage tank" whose definitions from the Kansas storage tank act shall be followed. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-15. Application for installation or modification of an underground storage tank. Any person may not install, modify, or repair an underground storage tank or tank system without first obtaining a permit to do so from the department.

(a) To obtain a permit to construct and operate an underground storage tank or tank system, the following shall be submitted to the department:

(1) A completed application on a form provided by the department;

(2) Static water level information to indicate if an anchoring system will be required to prevent flotation;

(3) A description of the type of anchoring system to be utilized to prevent flotation if the tank is to be installed in a location where the water table is shallower than the base of the tank;

(4) A non-refundable \$20.00 per tank application fee.

(b) To obtain a permit to modify, upgrade or repair an underground storage tank, the following shall be submitted to the department:

(1) A completed application on a form supplied by the department describing the work to be performed, provided that repair applications may initially be made to the department by telephone if the repair is essential to protect the public health and environment, in which case a completed written application shall be submitted to the department within 30 days of the completion;

(2) Where repairs are performed as a result of a release,

evidence of compliance with K.A.R. 28-48-1 and 28-48-2.

(c) Any changes to the original approved plans shall be reported to the department:

(1) When the need for changes becomes apparent after the on-site work activities have commenced, a telephone approval to modify the original plan may be obtained. The name and title of the individual approving the changes shall be documented on the as built drawings which shall reflect the actual details of the job performed;

(2) When changes become apparent before the on-site activities have commenced, an amended plan shall be submitted to the department to document changes and receive approval of such changes prior to installation.

(d) Within 30 days of completion of the work, as built drawings shall be submitted to the department with accurate details of each new installation, modification, repair, and upgrade. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105 65-34,106(a); effective Nov. 26, 1990.)

28-44-16. Underground storage tank systems: design, construction, installation and notification. (a) 40 CFR 280.20, 280.21, and 280.22 as in effect on September 23, 1988 are adopted by reference.

(b) All new underground storage tank installations shall be equipped with observation tubes to comply with the following requirements:

(1) Observation tubes shall be constructed in accordance with the following:

(A) Tubes shall measure four inches in diameter on the inside;

(B) Tubes shall extend from the base of the excavation to ground surface;

(C) Screened opening shall extend from the base of the excavation to a point no more than three feet below ground surface. The screened openings shall be sized to allow liquid or vapor to be intercepted by the tube without allowing the backfill materials to enter the tube;

(D) Tubes shall be equipped with water tight caps on the top and bottom;

(E) The annular space between the tube and pavement shall be sealed. The pavement or ground surface shall be graded in such a manner to prevent surface water from pooling around the tubes;

(F) Each observation tube shall be marked and secured to prevent accidental tampering.

(2) There shall be at least one observation tube for each 400 square feet of excavated area or fraction thereof. Where numerous tank excavations are located on the same property, the number of observation tubes shall be determined for each separate excavation. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-17. Underground storage tank operating permit. (a) Before an existing underground storage tank permit can be obtained or renewed, the owner shall comply with the following requirements:

(1) The underground storage tanks shall be registered with the department as required by K.A.R. 28-44-16;

(2) An annual registration fee of \$10.00 per tank shall be paid to the department by each owner or operator of

an underground storage tank prior to April 30 of each year;

(3) A late notice fee of \$10.00 shall be charged for each facility which fails to submit the required fees prior to April 30 of each year.

(b) After June 1, 1991 no person shall place a regulated substance in a regulated underground storage tank unless a valid permit is openly displayed at the facility. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105, 65-34,106(a); effective Nov. 26, 1990.)

28-44-18. Registration of non-regulated underground storage tanks. (a) Any owner or operator of a non-regulated tank who wishes to register a tank, shall provide the department with the following information on the forms provided by the department:

- (1) Owner's name, address, and telephone number;
- (2) Facility address or location;
- (3) Tank status;
- (4) Tank age;
- (5) Tank capacity;
- (6) Tank system construction details; and
- (7) Product stored.

(b) The registration provided in this section is for the purpose of qualifying an owner or operator to participate in the petroleum storage tank release trust fund. Voluntary registration of non-regulated underground storage tanks will not bring any owner or operator of such a non-regulated tank under the mandatory provisions of the Kansas storage tank act, K.S.A. 1989 Supp. 65-34,101. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-19. General operating requirements. 40 CFR 280.30, 280.31, 280.32, 280.33, and 280.34 as in effect on September 23, 1988 are adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-20. Underground storage tank contractor licensing. (a) Applicants for an underground storage tank contractor license shall submit the following to the department:

- (1) A completed application on a form provided by the department;
- (2) A licensing fee of \$200.00 to secure a license to remain in force until two years from the initial licensing date.

(b) Applicants for renewal of an underground storage tank contractor license shall submit the following to the department:

- (1) A complete application on a form provided by the department;
- (2) An annual renewal fee of \$100.00. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-21. Underground storage tank installer's licensing. (a) Applicants for an underground storage tank installer license shall:

- (1) Submit the following to the department:
 - (A) A completed application on a form provided by the department;
 - (B) A licensing fee of \$100.00 to secure a license to remain in force until two years from the initial licensing

date. No portion of the fee shall be refunded if the license is suspended, revoked or if the individual discontinues the licensed activities within the state during the licensed period;

(C) For each type of installation, evidence of successful completion of all training required by the manufacturers of the equipment to be installed or repaired under the applicant's supervision. Evidence shall include dates, locations, and names of courses completed.

(2) Pass the licensing examination administered by the department with a score of 70% or greater on the general examination and the specific examination or examinations for each area to be supervised by the installer.

(b) At least 45 days prior to expiration, applicants for renewal of an underground storage tank installer license shall:

(1) Submit the following items to the department:

(A) A completed application on a form provided by the department;

(B) An annual renewal fee of \$50.00. The fee shall cover a 12-month period beginning on the effective date of the issuance or renewal of the license. No portion of the fee shall be refunded if the license is suspended, revoked or if the individual discontinues the licensed activities within the state during the licensed period;

(C) Evidence of successful completion of all training, required by the manufacturers of the equipment to be installed or repaired under the applicant's supervision. Evidence shall include dates, locations, and names of the courses.

(2) Pass the licensing examination administered by the department with a score of 70% or greater on the general examination and the specific examination or examinations for each area to be supervised by the installer. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-22. Underground storage tank tightness tester's licensing. (a) It shall be unlawful for any person to inspect or hold oneself out as authorized to inspect underground storage tanks and associated lines unless the person is licensed in accordance with this section. Applicants for an underground storage tank tightness testing license shall:

(1) Submit the following to the department:

(A) A completed application on a form provided by the department;

(B) A licensing fee of \$100.00 to secure a license to remain in force until two years from the initial licensing date. No portion of the fee shall be refunded if the license is suspended, revoked or if the individual discontinues the licensed activities within the state during the licensed period;

(C) Evidence of successful completion of all training, required by the manufacturers of the equipment to perform tightness testing under the applicant's supervision. Evidence shall include dates, locations, and names of courses completed.

(2) Pass the licensing examination administered by the department with a score of 70% or greater.

(b) Any license applied for may be denied or any license issued may be suspended or revoked for any un-

(continued)

derground tank storage tightness tester's license issued, pursuant to these regulations if found, after notice and an opportunity for a hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that the applicant or licensee, whichever is applicable, has:

- (1) Fraudulently or deceptively obtained or attempted to obtain a license;
- (2) Failed at any time to meet the qualifications for a license or to comply with any provision or requirement of these regulations; or
- (3) Failed to submit, to the department, a copy of each tank tightness test performed on a regulated tank in the state of Kansas.

(c) At least 45 days prior to expiration, applicants for renewal of an underground storage tank tightness tester's license shall:

- (1) Submit the following to the department:
 - (A) A completed application on a form provided by the department;
 - (B) An annual renewal fee of \$50.00. The fee shall cover a 12-month period beginning on the effective date of the issuance or renewal of the license. No portion of the fee shall be refunded if the license is suspended, revoked or if the individual discontinues the licensed activities within the state during the licensed period;
 - (C) Evidence of successful completion of all training, required by the manufacturers of the equipment used by the tester. Evidence shall include dates, locations, and names of courses completed.
- (2) Pass the licensing examination administered by the department with a score of 70% or greater. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-23. Release detection. (a) 40 CFR 280.40, 280.41, and 280.42 as in effect on September 2, 1988 are adopted by reference.

(b) 40 CFR 280.43 as in effect on September 23, 1988 is adopted by reference except for the following changes:

(1) The following language shall be added to 40 CFR 280.43(a) following 40 CFR 280.43(a) (6):

"(7) All underground storage tank systems shall utilize inventory control methods with the following exception. Waste oil storage tanks with capacities of 2000 gallons or less may utilize manual tank gauging in place of inventory control. Waste oil storage tanks using manual tank gauging shall report a suspected release if the following standards are exceeded.

Nominal tank capacity gallons	Weekly standard (one test)	Monthly standard (average of four tests)
550 or less	10 gallons	5 gallons
551 thru 1,000	13 gallons	7 gallons
1001 thru 2000	26 gallons	13 gallons"

- (2) 40 CFR 280.43(b) (4) shall read as follows:
 - "(4) A leak is suspected and subject to the requirements of Subpart E if the variation between beginning and ending measurements exceeds 10 gallons for a weekly test or 5 gallons for a monthly average of four tests."
- (3) 40 CFR 280.43(b) (5) shall read as follows:

"(5) Only tanks of 550 gallons or less nominal capacity may use this as the method of release detection."

(4) 40 CFR 280.43(f) shall read as follows:

"(f) Groundwater Monitoring. The following conditions shall exist before this release detection method can be employed at a take site:

- (1) The stored substance is immiscible in water and has a specific gravity less than one;
- (2) Groundwater has been encountered within the tank excavation and the tank has been buried at least partially below the groundwater surface. The hydraulic conductivity of the fill material used to backfill around the tanks is not less than 0.01 cm/sec. The monitoring wells shall intercept the excavation zone around the storage tank;
- (3) The monitoring wells shall be constructed and located such that any contamination which is floating on the groundwater surface will be detected. The wells shall be constructed with the appropriate screen size to prevent sediments from entering the well bore. The screen shall extend from a point at least two feet above the highest water level to the base of the tank excavation;
- (4) The monitoring wells shall be constructed to prevent surface water from entering the tank excavation through conduits created by these wells;
- (5) Continuous or manual monitoring devices or methods shall be capable of detecting a hydrocarbon layer of 1/8 inch or greater thickness on the groundwater;
- (6) Monitoring wells shall be clearly marked and secured to prevent unauthorized access and tampering;
- (7) Within and immediately below the UST system excavation zone, the site is assessed to ensure compliance with the requirements in paragraphs (f) (1) through (5) of this section and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains product."

(5) The following language shall be added to 40 CFR 280.43 following 40 CFR 280.43(h):

"(i) Tanks which store heating oil for consumptive use on the premises where stored may utilize inventory control measures as a release detection method if the following conditions exist:

- (1) The owner or operator of the underground storage tank system is using inventory control as required by K.A.R. 28-44-23;
- (2) Fuel is dispensed less than 24 hours during any given month from the underground storage tank system;
- (3) No more than 500 gallons of fuel is dispensed from the system during any given month;
- (4) An inventory measurement is made immediately before and immediately after fuel is dispensed from the underground storage tank system."

(c) 40 CFR 280.44 and 280.45 as in effect on September 23, 1988 are adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-24. Release reporting, investigation, and confirmation. 40 CFR 280.50, 280.51, 280.52, and 280.53 as in effect on September 23, 1988 are adopted by reference except that 280.53(a)(1) shall read as follows:

- "(1) Spill or overflow of petroleum that results in a release above the surface of the ground which exceeds 25

(1) Spill or overflow of petroleum that results in a release above the surface of the ground which exceeds 25

gallons, or that causes a sheen on nearby surface water; or any below ground release from an underground storage tank system regardless of the quantity." (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-25. Release response and corrective action for underground storage tank systems containing petroleum or hazardous substances. 40 CFR 280.60, 280.61, 280.62, 280.63, 280.64, 280.65, 280.66, and 280.67 as in effect on September 23, 1988 are adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-26. Out-of-service underground storage tank systems and closure. 40 CFR 280.70, 280.71, 280.72, 280.73, and 280.74 as in effect on September 23, 1988 are adopted by reference. (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

28-44-27. Financial responsibility. 40 CFR 280.90,

280.91, and 280.93 thru 280.112 as in effect on October 26, 1988 and as amended on November 7, 1988, December 21, 1988, February 3, 1989, November 9, 1989 are adopted by reference except for the following changes:

(a) 40 CFR 280.91 (c) shall read as follows:

"(c) All petroleum marketing firms owning 13-99 USTs at more than one facility; April 26, 1991."

(b) 40 CFR 280.91 (d) shall read as follows:

"(d) All petroleum UST owners not described in paragraphs (a), (b), or (c) of this section, including all local government entities; October 26, 1991." (Authorized by and implementing K.S.A. 1989 Supp. 65-34,105; effective Nov. 26, 1990.)

Stanley C. Grant
Secretary of Health
and Environment

Doc. No. 009806

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1990 Index Supplement to the *Kansas Administrative Regulations*.

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1-16-18	Amended	V. 9, p. 1281
1-16-18	Amended	V. 9, p. 1347
1-16-18a	Amended	V. 9, p. 838
1-18-1a	Amended	V. 9, p. 329
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AGENCY 4: BOARD OF AGRICULTURE

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4-7-511	New	V. 9, p. 189
4-7-512	New	V. 9, p. 189
4-7-513	New	V. 9, p. 190
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4-7-801	Revoked	V. 9, p. 1359
4-7-802	Amended	V. 9, p. 1076
4-7-802	Amended	V. 9, p. 1359
4-7-803	Revoked	V. 9, p. 1359
4-7-903	Amended	V. 9, p. 1359
4-8-34	Amended	V. 9, p. 1359
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4-13-4	Amended	V. 9, p. 190
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4-13-5	Amended	V. 9, p. 191
4-13-8	Amended	V. 9, p. 191
4-13-15	Amended	V. 9, p. 578
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4-13-27	New	V. 9, p. 191
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4-20-12	New	V. 9, p. 192
4-20-13	New	V. 9, p. 192
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**AGENCY 5: BOARD OF AGRICULTURE—
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5-22-1	Amended	V. 9, p. 1302
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5-22-4	Amended	V. 9, p. 1302
5-22-5	Amended	V. 9, p. 1303
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5-23-3	Amended	V. 9, p. 193

AGENCY 7: SECRETARY OF STATE

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7-29-1	Amended	V. 9, p. 989
7-29-1	Amended	V. 9, p. 1074

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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9-2-1	Amended	V. 9, p. 328
9-13-4	New	V. 9, p. 624

AGENCY 11: STATE CONSERVATION COMMISSION

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11-7-10	New	V. 9, p. 506, 507

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14-6-4	Amended	V. 9, p. 990
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14-10-5	Amended	V. 9, p. 990
14-13-1	Amended	V. 9, p. 991
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14-13-4	Amended	V. 9, p. 992
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14-14-14	New	V. 9, p. 995
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14-20-14	Amended	V. 9, p. 996
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23-1-12	Revoked	V. 9, p. 386
23-2-5	Revoked	V. 9, p. 704
23-2-7	Revoked	V. 9, p. 386
23-2-12	Revoked	V. 9, p. 704
23-2-14	Revoked	V. 9, p. 386
23-2-15	Revoked	V. 9, p. 386
23-2-16	Revoked	V. 9, p. 386
23-2-17	Revoked	V. 9, p. 1133
23-2-18	Revoked	V. 9, p. 704
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23-3-13	Revoked	V. 9, p. 1134
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23-6-7	Revoked	V. 9, p. 1134
23-7-5	Revoked	V. 9, p. 167
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23-8-11	Revoked	V. 9, p. 1134
23-11-3	Revoked	V. 9, p. 1344

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23-11-4	Revoked	V. 9, p. 1344
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23-11-7	Revoked	V. 9, p. 1344
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25-4-4	Amended	V. 9, p. 1343

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28-4-442	Amended	V. 9, p. 44
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28-17-3	Revoked	V. 9, p. 1340
28-17-4	Revoked	V. 9, p. 1340
28-17-5	Amended	V. 9, p. 1340
28-17-7	Revoked	V. 9, p. 1340
28-17-12	Amended	V. 9, p. 1340
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30-4-64	Amended	V. 9, p. 1252
30-4-64	Revoked	V. 9, p. 1280
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30-4-101	Amended	V. 9, p. 1386
30-4-102	Amended	V. 9, p. 450
30-4-112	Amended	V. 9, p. 1254
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30-4-120	Amended	V. 9, p. 1254
30-4-120	Revoked	V. 9, p. 1280
30-5-58	Amended	V. 9, p. 940
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30-5-62	Amended	V. 9, p. 457
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30-5-94	Amended	V. 9, p. 460
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30-5-103	Amended	V. 9, p. 119
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30-5-113	Amended	V. 9, p. 941
30-5-113a	Amended	V. 9, p. 941
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30-6-53	Amended	V. 9, p. 1256
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30-6-65	Amended	V. 9, p. 1257
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40-7-20a	Amended	V. 9, p. 1362
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40-7-25	New	V. 9, p. 304
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AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 9, p. 1424
44-6-108a		
through		
44-6-114b	Revoked	V. 9, p. 1425
44-6-114c	New	V. 9, p. 1425
44-6-120	Amended	V. 9, p. 1425
44-6-121	Amended	V. 9, p. 1425
44-6-124	Amended	V. 9, p. 1426
44-6-125	Amended	V. 9, p. 1426
44-6-126	Amended	V. 9, p. 1426
44-6-134	Amended	V. 9, p. 1427
44-6-135	Amended	V. 9, p. 1427
44-6-135a	New	V. 9, p. 1427
44-6-136a	New	V. 9, p. 1427
44-6-143	New	V. 9, p. 1428
44-7-104	Amended	V. 9, p. 1428
44-7-114	New	V. 9, p. 577
44-8-115	New	V. 9, p. 577
44-8-116	New	V. 9, p. 577
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 950
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 950
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129		
through		
44-11-135	New	V. 9, p. 81, 82

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 9, p. 706

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 9, p. 704

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-104a	Amended	V. 9, p. 406
60-11-108	Amended	V. 9, p. 988

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-5-3	Amended	V. 9, p. 625
67-5-4	Amended	V. 9, p. 625

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-2-12a	Amended	V. 9, p. 383
68-9-1	Amended	V. 9, p. 384
68-20-20	Amended	V. 9, p. 384

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-406	Amended	V. 9, p. 1282
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-11	Amended	V. 9, p. 988
75-6-24	Amended	V. 9, p. 893
75-6-26	Amended	V. 9, p. 625

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 9, p. 83
81-5-6	Amended	V. 9, p. 83

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-201	Amended	V. 9, p. 894
82-1-202	Amended	V. 9, p. 895
82-1-204	Amended	V. 9, p. 895
82-1-205	Amended	V. 9, p. 896
82-1-206	Amended	V. 9, p. 896
82-1-207	Amended	V. 9, p. 896
82-9-1	Amended	V. 9, p. 1359
82-9-3	Amended	V. 9, p. 1360
83-9-5	Amended	V. 9, p. 1360
82-9-6	Amended	V. 9, p. 1360
82-9-8	Amended	V. 9, p. 1361
82-9-14	Amended	V. 9, p. 1361
82-9-16	Amended	V. 9, p. 1361
82-9-24	Amended	V. 9, p. 1362
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

AGENCY 84: PUBLIC EMPLOYEES RELATIONS BOARD

Reg. No.	Action	Register
84-1-1	Amended	V. 9, p. 943
84-1-2	Amended	V. 9, p. 943
84-1-3	New	V. 9, p. 943
84-1-4	New	V. 9, p. 943
84-2-1 through 84-2-7	Amended	V. 9, p. 943-945
84-2-9	Amended	V. 9, p. 945
84-2-11 through 84-2-15	Amended	V. 9, p. 945-947
84-3-1 through 84-3-6	Amended	V. 9, p. 948
84-4-1 through 84-4-5	Amended	V. 9, p. 948, 949
84-4-7	Amended	V. 9, p. 949
84-5-1	Amended	V. 9, p. 950

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 9, p. 835

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-20-1 through 88-20-11	New	V. 9, p. 165-167

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27b	Amended	V. 9, p. 1099
91-1-27c	New	V. 9, p. 1099
91-1-58	Amended	V. 9, p. 1099
91-1-80	Amended	V. 9, p. 1100
91-1-82	Amended	V. 9, p. 1100
91-1-101	Revoked	V. 9, p. 1101
91-1-106a through 91-1-106m	New	V. 9, p. 1101-1103
91-1-110	Revoked	V. 9, p. 1103
91-1-123a	New	V. 9, p. 1103
91-1-132a	Amended	V. 9, p. 1103

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-23-40	Amended	V. 9, p. 1076

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 9, p. 624
102-4-10	New	V. 9, p. 1024

AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD

Reg. No.	Action	Register
109-2-5	Amended	V. 9, p. 1076
109-2-7	Amended	V. 9, p. 1077
109-3-1	Amended	V. 9, p. 1077
109-9-1	Amended	V. 9, p. 1077
109-10-1	Amended	V. 9, p. 1078
109-12-1	Amended	V. 9, p. 1078

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1 through 110-4-8	New	V. 9, p. 1282-1284

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-2a	New	V. 9, p. 199
111-2-1	Amended	V. 7, p. 1995
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-3-1	Amended	V. 9, p. 199
111-3-9	Amended	V. 8, p. 1085
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 9, p. 503
111-3-13	Amended	V. 7, p. 1062
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111-3-19 through 111-3-22	Amended	V. 9, p. 30
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111-3-22	Amended	V. 8, p. 1085
111-3-25	New	V. 7, p. 1310
111-3-27	New	V. 7, p. 1310
111-3-31	Amended	V. 8, p. 209
111-3-32	New	V. 7, p. 931
111-3-33	New	V. 7, p. 1434
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111-4-4	Amended	V. 7, p. 1063
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111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-66 through 111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 9, p. 1364
111-4-101	Amended	V. 9, p. 1364
111-4-102	Amended	V. 9, p. 1364
111-4-104	Amended	V. 9, p. 1364
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111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 9, p. 1366
111-4-111	Amended	V. 9, p. 1366
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
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111-5-11	Amended	V. 9, p. 505
111-5-17	Amended	V. 8, p. 211
111-5-19	Amended	V. 8, p. 212
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111-6-1	Amended	V. 8, p. 212
111-6-3	Amended	V. 9, p. 200
111-6-6	Amended	V. 9, p. 200
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111-6-13	Amended	V. 8, p. 299
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111-10-1 through 111-10-9	New	V. 8, p. 136-138

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111-10-7 Amended V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

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112-9-37	Amended	V. 9, p. 159
112-10-4	Amended	V. 9, p. 160
112-11-2	Amended	V. 9, p. 160
112-11-3	Amended	V. 9, p. 161
112-11-6	Amended	V. 9, p. 161

112-11-7	Amended	V. 9, p. 161
112-11-9	Amended	V. 9, p. 161
112-11-10	Amended	V. 9, p. 161
112-11-12	Amended	V. 9, p. 162
112-11-14	Amended	V. 9, p. 162
112-11-15	Amended	V. 9, p. 162
112-11-20	Amended	V. 9, p. 162
112-12-2	Amended	V. 9, p. 164
112-12-4	Amended	V. 9, p. 164
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112-15-7	New	V. 9, p. 1074, 1075
112-15-1 through		
112-15-7	New	V. 9, p. 1346, 1347

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

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115-2-4	New	V. 9, p. 951
115-4-3	New	V. 9, p. 386
115-4-5	New	V. 9, p. 387
115-4-6	New	V. 9, p. 388
115-4-7	New	V. 9, p. 390
115-4-9	New	V. 9, p. 1135
115-4-10	Amended	V. 9, p. 1135
115-4-11	New	V. 9, p. 1135
115-5-1	New	V. 9, p. 167

115-5-2	New	V. 9, p. 168
115-6-1	New	V. 9, p. 168
115-7-3	New	V. 9, p. 1135
115-7-5	Amended	V. 9, p. 951
115-7-6	New	V. 9, p. 1135
115-8-2	New	V. 9, p. 391
115-8-9	New	V. 9, p. 169
115-8-21	New	V. 9, p. 169

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115-10-8	New	V. 9, p. 391, 392
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115-16-4	New	V. 9, p. 1135-1137
115-17-1 through		
115-17-5	New	V. 9, p. 1137-1139
115-20-1	New	V. 9, p. 951
115-20-2	New	V. 9, p. 1139
115-20-3	New	V. 9, p. 1140
115-30-2 through		
115-30-8	New	V. 9, p. 1344, 1345

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-2-1	Amended	V. 9, p. 1022

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