

# Kansas Register

Bill Graves, Secretary of State

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## State of Kansas

## Secretary of State

## Executive Appointments

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

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

The following appointments were filed February 1-21:

## Clay County Clerk

Mary M. Brown, Route 3, Clay Center 67432. Effective April 1, 1992. Term expires when a successor is elected and qualifies according to law. Succeeds Shirley Mackender, resigned.

## State Highway Advisory Commission

Dennis E. Sloan, District 3 Appointee, 711 E. Washington, Oberlin 67749. Term expires January 31, 1996. Succeeds Charles "Cy" Moyer.

## Kansas Commission on Human Rights

William G. Malone, Real Estate Representative, Fi-

delity Title Company, 221 N. Market, Wichita 67202. Term expires July 1, 1994. Succeeds Ann Papay, resigned.

## State Board of Mortuary Arts

James Butler, Public Member, 729 Canyon Drive, Manhattan 66502. Term expires July 31, 1994. Succeeds Cecile Weinheimer.

## Kansas Quality Management Planning and Guidance Committee

Rita Wolfe, Social and Rehabilitation Services, Room 611-N, Docking State Office Building, 915 S.W. Harrison, Topeka 66612. Serves at the pleasure of the Governor. New position.

## University of Kansas School of Medicine Admissions Committee

Dennis E. Sloan, 711 E. Washington, Oberlin 67749. Serves at the pleasure of the Governor.

## Kansas Wheat Commission

Bruce Dirks, District 2, 710 W. 16th, Larned 67550. Term expires June 30, 1995. Succeeds Wayne Hagerman, resigned.

Bill Graves  
Secretary of State

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(913) 296-3489

## State of Kansas

**Kansas Commission on Children,  
Youth and Families**

**Notice of Meeting**

The Kansas Commission on Children, Youth and Families will meet from 9 a.m. to noon Friday, March 6, at Social and Rehabilitation Services Staff Development, Feldman Building, Room B, 300 S.W. Oakley, State Complex West, Topeka.

Robert Harder  
Chairman

Doc. No. 011637

## State of Kansas

**Board of Education**

**Notice of Available Federal Funding  
for Adult Education**

Pursuant to assurances as set out in the amended Kansas State Plan for Adult Education, notification of available federal funding for four programs is announced. These funds are authorized by Sections 322 and 353 of the Adult Education Act (PL 100-297).

Section 322 of the Adult Education Act provides federal financial assistance to states to assist and expand existing programs and to develop new programs for adults whose lack of basic skills:

- (a) renders them unemployable;
- (b) keeps them, whether employed or unemployed, from functioning independently in society, and
- (c) severely reduces their ability to have a positive effect on the literacy of their children.

Two grant programs are available under Section 322. The Basic Program Grant provides eligible entities direct and equitable access to federal funds provided under Section 322. The eligible entities are local education agencies, public or private nonprofit agencies, community-based organizations, correctional education agencies, postsecondary educational institutions, and institutions which serve educationally disadvantaged adults. Applications will be accepted until May 20 for grants under this section.

The Gateway Grant program is available only to public housing authorities. These are competitive two-year grants for literacy programs and related activities. Any public housing authority that receives a grant shall consult with local adult education providers in conducting programs and activities with assistance provided under the grant. Applications will be accepted until May 20 for grants under this program.

Two grant programs are also available under Section 353. Staff Development Grant applications are a necessary companion to the applications for a Section 322 Basic Grant Program. No Section 322 Basic Grant Program will be approved without an approved Section 353 Staff Development Grant application. Staff Development

Grants must address the following priorities established by the Adult Education Act:

- (a) Training for full-time professional adult educators;
- (b) Training for minority educators;
- (c) Training for educators of adults with limited English proficiency; and
- (d) Training teachers to recognize and more effectively serve illiterate individuals with learning disabilities and individuals who have a reading ability below the fifth grade level.

Applications will be accepted until May 20 for grants under this program.

In addition, mini-grants of up to \$500 are available under Section 353 for research and special demonstration projects. Proposals for these projects should address the federal and state staff development priorities. Applications will be accepted until December 30 for grants under this program.

For further information and applications, contact Janet Stotts, Adult Education Specialist, Kansas State Board of Education, 120 S.E. 10th, Topeka, (913) 296-3192.

Dr. Lee Droegemueller  
Commissioner of Education

Doc. No. 011644

## State of Kansas

**Social and Rehabilitation Services**

**Request for Proposals**

The Advisory Committee on Juvenile Offender Programs and the Department of Social and Rehabilitation Services are soliciting grant proposals from public agencies or a private provider (supported by unit(s) of government) for the development of electronic monitoring programs as an alternative to placing alleged or adjudicated juvenile offenders in detention, adult jails and lock-ups. Electronic monitoring has proven to be effective when used in conjunction with enhanced intensive or home confinement services, and when used to supplement (not substitute for) face-to-face contact.

The proposals must identify and document the need, identify the target population, and develop program strategies to include eligibility criteria, referral process, rules, sanctions, services and termination procedures. The proposals must establish a data collection system and a strategy for evaluation of the services.

The request for proposals is available from the Community Resource Development Unit, SRS Youth and Adult Services, Smith/Wilson Building, 300 S.W. Oakley, Topeka 66606 (contact person: Ruth O'Donnell, (913) 296-6277). Responses to the request are due no later than 5 p.m. Friday, April 24.

Carolyn Risley Hill  
Acting Commissioner  
Youth and Adult Services

Doc. No. 011653

## State of Kansas

## Board of Education

Notice of Hearing on Proposed  
Administrative Regulations

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, April 14, in the library of Shawnee Heights High School (9-10 Building), 4141 Shawnee Heights Road, Tecumseh, to consider proposed new State Board Regulation 91-1-27d. This proposed new regulation concerns visiting scholar certificates. The following is a summary of the substance of the proposed regulation and its anticipated economic impact.

S.B.R. 91-1-27d provides one method of alternative certification. It would allow the State Board to issue a Visiting Scholar Certificate to those individuals recommended for certification by the commissioner or his designee. It is anticipated there will be no financial impact upon the Kansas State Department of Education or other governmental agencies, or upon private business or individuals.

The regulation is printed with this notice. A complete economic impact statement may be obtained by contacting the secretary of the State Board of Education, 120 W. 10th, Topeka 66612.

All interested persons will be given a reasonable opportunity at the hearing to present their views or arguments, either orally or in writing, in regard to the proposed regulation. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation. Such written comments may be submitted to the secretary of the board at the address above. The hearing shall be conducted in compliance with the public hearing procedures of the board.

**91-1-27d. Visiting scholar certificate.** (a) Notwithstanding any other requirement for certification, any person may be issued a visiting scholar certificate valid only through June 30 of the school year for which the certificate is issued.

(b) Any person wanting a visiting scholar certificate shall submit to the commissioner of education:

(1) an application for a visiting scholar certificate and the appropriate certification fee;

(2) written verification from an administrator of an accredited or approved local education agency that the applicant will be employed if the certificate is issued; and

(3) documentation of exceptional talent or outstanding distinction in one or more subjects or fields.

(c) Upon receipt of an application for a visiting scholar certificate:

(1) The application and documentation submitted shall be reviewed by the commissioner of education or the commissioner's designee. As deemed necessary, other steps shall be taken by the commissioner of education or the commissioner's designee to determine the applicant's qualifications to be issued a visiting scholar certificate; and

(2) A recommendation to the state board on whether such a certificate should be issued to the applicant shall be made by the commissioner of education or the commissioner's designee.

(d) The question of whether a visiting scholar certificate shall be issued to any applicant shall be decided by the state board. (Authorized by and implementing Article 6, Sec. 2(a) of the Kansas Constitution; effective P- \_\_\_\_\_.)

Dr. Lee Droegemueller  
Commissioner of Education

Doc. No. 011645

## State of Kansas

## Board of Pharmacy

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted from 8:30 to 9:30 a.m. Sunday, April 5, in the Oak Room, Wichita Hilton East, 549 S. Rock Road, Wichita, to consider the adoption of proposed regulations on a permanent basis.

All interested parties may submit written comments during the 30-day notice period to Tom Hitchcock, Executive Secretary, Kansas State Board of Pharmacy, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to orally present their views in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the Kansas State Board of Pharmacy as a basis for making changes to the proposed regulations.

Copies of the proposed regulations and economic impact statement may be obtained by contacting the board office at the address above, (913) 296-4056.

A summary of the regulations follows:

**68-14-1 et seq., Wholesale Distributors**—Sets out definitions, identifies who is required to obtain such a registration, requires the appropriate education, training, and experience for personnel, provides for disciplinary action, and specifies the requirements for storage and handling of drugs. There may be a minimal economic impact on the distributors. There is no anticipated economic impact on the board, other governmental agencies or the general public.

Tom Hitchcock  
Executive Secretary

Doc. No. 011646

State of Kansas

Wichita State University

Notice to Bidders

The Wichita State University is accepting bids on the following items:

- Closing March 11, 1992
- Quotation #920366-1
- Computing densitometer
- Quotation #910368-1
- Gamma counter

Bids must be submitted to The Wichita State University, Office of Purchasing, Morrison Hall, Room 021, 1845 N. Fairmount, Wichita 67208, by 2 p.m. C.S.T. on the above specified closing date. Please refer to the above quotation number on all correspondence. For additional information contact the Office of Purchasing, (316) 689-3080.

Gary D. Link  
Director of Purchasing

Doc. No. 011658

State of Kansas

Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced by the 1992 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka 66612, (913) 296-4096.

Bills Introduced February 13-19:

House Bills

HB 3033, by Commercial and Financial Institutions: An act concerning consumer protection; relating to personal information when presenting a credit card.

HB 3034, by Committee on Computers, Communications and Technology: An act concerning community colleges; relating to out-district tuition and out-district state aid; amending K.S.A. 71-204, 71-304, 71-305, 71-306, 71-401, 71-403, 71-610 and 71-701 and K.S.A. 1991 Supp. 71-201, 71-301, 71-302, 71-604, 71-605, 71-607, 71-609, 71-609a, 71-611 and 71-618 and repealing the existing sections.

HB 3035, by Committee on Appropriations: An act abolishing the Kansas state board of cosmetology and the Kansas board of barbering and assigning functions to the secretary of health and environment and the state board of education.

HB 3036, by Committee on Local Government: An act concerning crimes and punishments; relating to the possession of a firearm on certain state property; amending K.S.A. 1991 Supp. 21-4218 and repealing the existing section.

HB 3037, by Committee on Taxation: An act relating to the taxation of personal property; requiring registration of personal property tax rendition form preparers; providing for the regulation of the conduct thereof; providing civil penalties for violations; making certain acts unlawful and providing criminal penalties for violations; amending K.S.A. 79-306 and repealing the existing section.

HB 3038, by Committee on Appropriations: An act concerning scholarships available to medical students admitted to or enrolled at the university of Kansas school of medicine; relating to repayment and service obligations; amending K.S.A. 1991 Supp. 76-376 and repealing the existing section.

HB 3039, by Committee on Labor and Industry: An act concerning workers compensation; relating to medical compensation and vocational rehabilitation; providing for a schedule of maximum fees; amending K.S.A. 1991 Supp. 44-510 and repealing the existing section.

HB 3040, by Committee on Insurance: An act concerning insurance; health care provider insurance; health care stabilization fund; amending K.S.A. 1991 Supp. 40-3403 and 40-3413 and repealing the existing sections.

HB 3041, by Committee on Appropriations: An act concerning smoking in medical care facilities; declaring certain acts to be unlawful and prescribing penalties for the violation thereof.

HB 3042, by Committee on Appropriations: An act relating to smoking in the state capitol; amending K.S.A. 75-4505 and repealing the existing section.

HB 3043, by Committee on Agriculture: An act concerning cooperative marketing; amending K.S.A. 17-1601, 17-1602, 17-1603, 17-1604, 17-1605, 17-1606, 17-1607, 17-1608, 17-1609, 17-1610, 17-1611, 17-1612, 17-1613, 17-1614, 17-1615, 17-1616, 17-1617, 17-1617a, 17-1618, 17-1621, 17-1623, 17-1626, 17-1627, 17-1628, 17-1629, 17-1630, 17-1631, 17-1633, 17-1634, 17-1635 and 17-1636 and repealing the existing sections; also repealing K.S.A. 17-1619 and 17-1622.

HB 3044, by Committee on Judiciary: An act concerning civil procedure; relating to physician-patient privilege; amending K.S.A. 1991 Supp. 60-427 and repealing the existing section.

HB 3045, by Committee on Public Health and Welfare: An act concerning adult care homes; establishing the classification of one to five bed adult care home; amending K.S.A. 39-923 and repealing the existing section.

HB 3046, by Committee on Agriculture: An act concerning dairy products; relating to unfair trade practices; creating the Kansas dairy stabilization fund; amending K.S.A. 1991 Supp. 50-503 and 65-708 and repealing the existing sections.

HB 3047, by Committee on Federal and State Affairs: An act creating the state medical examiners investigation board; providing for the appointment of a chief medical examiner; prescribing the powers and duties thereof; amending K.S.A. 19-813, 20-162, 21-2502, 22a-204, 22a-205, 22a-207, 22a-208, 22a-210, 22a-211, 22a-212, 22a-213, 22a-214, 22a-215, 22a-226, 22a-227, 22a-230, 22a-238, 37-106, 59-2936, 65-902a, 65-1707, 65-2893, 65-4054, 65-5229, 75-2748 and 75-2749 and K.S.A. 1991 Supp. 22a-237, 38-1522, 65-2412, 65-2414, 65-2809, 65-3218 and 65-5603 and repealing the existing sections; also repealing K.S.A. 22a-228, 22a-229, 22a-231, 22a-235, 22a-236 and 28-111 and K.S.A. 1991 Supp. 22a-232 and 22a-233.

HB 3048, by Committee on Appropriations: An act relating to the taxation of cigarettes and other tobacco products for the purposes of providing funds for programs for the prevention of tobacco-related diseases and to pay certain costs of medical care and health services attributable thereto; providing for the levy of taxes and use and disposition of the proceeds thereof; providing for the administration of the provisions of the act; declaring certain acts to be unlawful and prescribing penalties for the violation thereof.

HB 3049, by Committee on Local Government: An act concerning fire protection; relating to smoke detectors.

HB 3050, by Committee on Taxation: An act relating to mortgage registration fees; concerning multi-county and multi-state circumstances; amending K.S.A. 79-3105 and 79-3106 and repealing the existing sections.

HB 3051, by Committee on Judiciary: An act concerning civil procedure; relating to executions and orders of sale; amending K.S.A. 60-2411 and repealing the existing section.

HB 3052, by Committee on Judiciary: An act concerning authorized depositions; relating to the repayment of rewards; amending K.S.A. 1991 Supp. 21-4603 and repealing the existing section.

HB 3053, by Committee on Judiciary: An act concerning civil procedure; relating to punitive and exemplary damages; amending K.S.A. 1991 Supp. 60-3702 and repealing the existing section.

HB 3054, by Committee on Judiciary: An act concerning civil procedure; relating to the statute of limitations; amending K.S.A. 1991 Supp. 60-513 and repealing the existing section.

HB 3055, by Committee on Judiciary: An act concerning protection from abuse proceedings; relating to support payments ordered thereunder; amending K.S.A. 1991 Supp. 60-3107 and repealing the existing section.

(continued)

**HB 3056**, by Committee on Judiciary: An act concerning civil procedure; relating to the garnishment process; amending K.S.A. 1991 Supp. 60-2308 and repealing the existing section.

**HB 3057**, by Committee on Judiciary: An act concerning crimes and punishments; relating to promoting obscenity; amending K.S.A. 21-4301 and repealing the existing section.

**HB 3058**, by Committee on Judiciary: An act concerning workers compensation; relating to the assignment thereof; amending K.S.A. 44-514 and repealing the existing section.

**HB 3059**, by Committee on Judiciary: An act concerning proceedings involving juvenile offenders; allowing the victim or victim's family to be present at such proceedings; amending K.S.A. 38-1652 and K.S.A. 1991 Supp. 74-7335 and repealing the existing sections.

**HB 3060**, by Committee on Judiciary: An act concerning criminal procedure; relating to search warrants; amending K.S.A. 22-2502 and 22-2504 and repealing the existing sections.

**HB 3061**, by Committee on Judiciary: An act concerning controlled substances; relating to the definition of conviction; amending K.S.A. 1991 Supp. 65-4127b and repealing the existing section.

**HB 3062**, by Committee on Judiciary: An act concerning victims' rights; relating to notice of pardons and commutations; amending K.S.A. 22-3701 and K.S.A. 1991 Supp. 74-7335 and 74-7338 and repealing the existing sections.

**HB 3063**, by Committee on Judiciary: An act concerning controlled substances; relating to penalties for unlawful acts; amending K.S.A. 1991 Supp. 65-4127a and 65-4127b and repealing the existing sections.

**HB 3064**, by Committee on Public Health and Welfare: An act concerning pharmacies; requiring registration of certain out-of-state pharmacies; amending K.S.A. 1991 Supp. 65-1643 and repealing the existing section.

**HB 3065**, by Committee on Judiciary: An act concerning social welfare; requiring proper identification prior to the receipt of cash assistance by mail.

**HB 3066**, by Committee on Judiciary: An act concerning health care providers; limiting fees for copies of patients' medical records.

**HB 3067**, by Committee on Judiciary: An act defining and classifying the crime of causing serious injury or death to a police dog.

**HB 3068**, by Committee on Judiciary: An act concerning pawnbrokers; relating to pledged goods and loans secured thereby; amending K.S.A. 16-714 and K.S.A. 1991 Supp. 16-719 and repealing the existing sections.

**HB 3069**, by Committee on Labor and Industry: An act relating to the employment security law; concerning contribution rates for employers; amending K.S.A. 1991 Supp. 44-10a and repealing the existing section.

**HB 3070**, by Committee on Public Health and Welfare: An act relating to the board of nursing; concerning persons licensed by the board; granting to the board authority to impose administrative fines; concerning investigations and proceedings conducted by the board; amending K.S.A. 65-4206 and K.S.A. 1991 Supp. 65-1115, 65-1116, 65-4202 and 65-4203 and repealing the existing sections.

**HB 3071**, by Committee on Public Health and Welfare: An act relating to the board of nursing; concerning disciplinary actions by the board; amending K.S.A. 1991 Supp. 65-1120 and 65-4209 and repealing the existing sections; also repealing K.S.A. 1991 Supp. 65-1161.

**HB 3072**, by Committee on Judiciary: An act concerning social welfare; liens for medical assistance; amending K.S.A. 1991 Supp. 39-719a and repealing the existing section.

**HB 3073**, by Committee on Judiciary: An act concerning deaf and hard of hearing persons; name change of commission; amending K.S.A. 75-5391, 75-5392, 75-5393, 75-5394, 75-5395, 75-5396, 75-5397, 75-5397a, 75-5397b, 75-5397c and 75-5397d and repealing the existing sections.

**HB 3074**, by Committee on Judiciary: An act concerning abuse, neglect and exploitation of certain persons; amending K.S.A. 1991 Supp. 39-1401, 39-1402, 39-1404, 39-1430, 39-1431, 39-1433, 39-1435 and 39-1440 and repealing the existing sections.

### House Concurrent Resolutions

**HCR 5044**, A proposition to amend sections 1 and 11 of the constitution of the state of Kansas, relating to constitutional officers of the executive department of the state.

**HCR 5045**, A proposition to amend sections 1 and 11 of article 1 of the constitution of the state of Kansas, relating to constitutional officers of the executive department of the state.

**HCR 5046**, A concurrent resolution in support of the education goals of the President of the United States and the Kansas 2000 education project.

**HCR 5047**, A concurrent resolution expressing the sense of the Legislature relating to encouraging the use of paid leave by working parents for the purpose of attending parent-teacher conferences.

**HCR 5048**, A concurrent resolution urging the State Board of Education to develop and implement the Kansas school administrator performance assistance and assessment program.

### House Resolutions

**HR 6036**, A resolution congratulating and commending Carla Mauersberger for winning the General Federated Women's Clubs of Kansas essay contest.

**HR 6037**, A resolution congratulating and commending the Highland Park High School Air Force Junior ROTC Drill Team for winning first place in drill competition.

**HR 6038**, A resolution congratulating and commending the Concordia High School girls' volleyball team and its coach, Laureli Kitchener, on winning the 1991 Class 4A State Volleyball Championship.

**HR 6039**, A resolution congratulating and commending Chuck Broyles on being named the 1991 Kodak/AFCA College Division I National Football Coach of the Year.

**HR 6040**, A resolution congratulating and commending Ronnie West for being selected the 1991 Harlon Hill Trophy winner as the NCAA Division II Football Player of the Year.

**HR 6041**, A resolution congratulating and commending the Pittsburg State University football team and Coach Chuck Broyles for winning the 1991 NCAA Division II National Championship.

### Senate Bills

**SB 671**, by Committee on Public Health and Welfare: An act relating to persons licensed by the state board of healing arts; limiting the performance of certain procedures to such persons; declaring certain acts to be violations and providing penalties therefor.

**SB 672**, by Committee on Public Health and Welfare: An act concerning the Kansas code for care of children; amending K.S.A. 38-1562, 38-1564, 38-1582 and 38-1591 and K.S.A. 1991 Supp. 38-1563, 38-1583 and 38-1584 and repealing the existing sections.

**SB 673**, by Committee on Public Health and Welfare: An act relating to obtaining a prescription-only drug by fraudulent means; amending K.S.A. 21-4214 and K.S.A. 1991 Supp. 60-427 and repealing the existing sections.

**SB 674**, by Committee on Public Health and Welfare: An act concerning the Kansas senior care act; relating to funds granted to area agencies on aging; amending K.S.A. 75-5929 and repealing the existing section.

**SB 675**, by Committee on Agriculture: An act concerning the oil inspection law; renaming such law the petroleum products inspection law; amending K.S.A. 55-434 and K.S.A. 1991 Supp. 55-422, 55-423, 55-424, 55-425, 55-437, 55-438, 55-440 and 55-441 and repealing the existing sections; also repealing K.S.A. 55-430, 55-431 and 55-432 and K.S.A. 1991 Supp. 55-429 and 55-433.

**SB 676**, by Committee on Agriculture: An act concerning weights and measures; relating to the standards used; amending K.S.A. 83-202, 83-203, 83-206 and 83-207 and K.S.A. 1991 Supp. 83-302, 83-304, 83-402 and 83-404 and repealing the existing sections.

**SB 677**, by Committee on Energy and Natural Resources: An act concerning oil and gas; relating to abandoned wells; amending K.S.A. 1991 Supp. 55-179 and repealing the existing section.

**SB 678**, by Committee on Energy and Natural Resources: An act enacting the Kansas underground utility damage prevention act; concerning prevention of damage to certain underground utility facilities.

**SB 679**, by Committee on Federal and State Affairs: An act relating to insurance; concerning the merger of Armed Forces Cooperative Insuring Association into Armed Forces Insurance Exchange; amending K.S.A. 17-6704 and repealing the existing section.

**SB 680**, by Committee on Agriculture: An act concerning domestic animals; relating to the penalties for violating a quarantine; amending K.S.A. 1991 Supp. 21-4503 and 47-624 and repealing the existing sections.

**SB 681**, by Committee on Agriculture: An act concerning fertilizer; relating to the analysis thereof; amending K.S.A. 2-1202 and repealing the existing section.

**SB 682**, by Committee on Economic Development: An act amending the Kansas private activity bond allocation act; amending K.S.A. 1991 Supp. 74-5060 and 74-5063 and repealing the existing sections.

**SB 683**, by Committee on Assessment and Taxation: An act relating to countywide and city retailers' sales taxes; concerning the rate thereof; amending K.S.A. 12-187 and 12-189 and repealing the existing sections.

SB 684, by Committee on Assessment and Taxation: An act relating to sales taxation; exempting purchases by public broadcasting stations; amending K.S.A. 1991 Supp. 79-3606 and repealing the existing section.

SB 685, by Committee on Judiciary: An act concerning the Kansas consumer protection act; relating to telemarketing fraud; amending K.S.A. 1991 Supp. 50-672, 50-673 and 50-675 and repealing the existing sections.

SB 686, by Committee on Judiciary: An act concerning criminal procedures; relating to appeals from municipal courts; amending K.S.A. 22-3609 and repealing the existing section.

SB 687, by Committee on Judiciary: An act concerning crimes and penalties; relating to promoting obscenity; obscene devices; amending K.S.A. 21-4301 and repealing the existing section.

SB 688, by Committee on Judiciary: An act concerning children and minors; relating to the Kansas juvenile offenders code; definition of juvenile offender; amending K.S.A. 1991 Supp. 38-1602 and 38-1602, as amended by section 1 of this bill and repealing the existing sections; also repealing K.S.A. 1991 Supp. 38-1602, as amended by L. 1990, chapter 150, section 6.

SB 689, by Committee on Judiciary: An act concerning child abuse or neglect; amending K.S.A. 21-3612, 38-501, 38-505, 38-506, 38-511, 38-523, 38-553, 38-1303, 38-1504, 38-1505, 38-1510, 38-1513, 38-1519, 38-1520, 38-1521, 38-1525, 38-1526, 38-1529, 38-1531, 38-1533, 38-1534, 38-1553, 38-1555, 38-1556, 38-1562, 39-713c, 65-503 and K.S.A. 1991 Supp. 38-1502, 38-1503, 38-1512, 38-1522, 38-1523, 38-1523a, 38-1524, 38-1527, 38-1528, 38-1542, 38-1563, 38-1568, 38-1583, 39-708c, 60-460, 60-1610, 65-516, 72-962, 72-1113 and 76-6b04 and repealing the existing sections.

SB 690, by Committee on Transportation and Utilities: An act concerning the registration of vehicles; amending K.S.A. 8-143 and 8-143j and repealing the existing sections.

SB 691, by Committee on Public Health and Welfare: An act concerning physical therapists and physical therapist assistants; amending K.S.A. 65-2909 and 65-2913 and K.S.A. 1991 Supp. 65-2901, 65-2906, 65-2911 and 65-2912 and repealing the existing sections; also repealing K.S.A. 65-2907.

SB 692, by Committee on Public Health and Welfare: An act concerning the pharmacy act of the state of Kansas; providing for the transfer of prescriptions and files from one pharmacy to another; establishing conditions and exceptions to such transfers.

SB 693, by Committee on Public Health and Welfare: An act concerning scholarships at the university of Kansas school of medicine; relating to requirements of service and payback amounts; amending K.S.A. 1991 Supp. 76-374 and 76-376 and repealing the existing sections.

SB 694, by Committee on Public Health and Welfare: An act concerning the healing arts; relating to receipt of criminal history record information, review committees and confidentiality of reports; amending K.S.A. 65-2840c and K.S.A. 1991 Supp. 65-2839a and 65-2898a and repealing the existing sections.

SB 695, by Committee on Federal and State Affairs: An act amending and supplementing the Kansas lottery act; concerning video lottery machine games; amending K.S.A. 21-4302 and K.S.A. 1991 Supp. 38-1602, 41-308, 74-8701, 74-8702, 74-8704, 74-8708, 74-8710, 74-8711, 74-8712, 74-8717, 74-8718, 74-8719, 74-8720 and 74-8721 and repealing the existing sections.

SB 696, by Committee on Education: An act concerning community colleges; relating to the financing thereof; amending K.S.A. 71-204 and 71-701 and K.S.A. 1991 Supp. 71-602, 71-604, 71-605, 71-611, 71-618 and 71-619, and repealing the existing sections.

SB 697, by Committee on Judiciary: An act concerning crimes and criminal procedure; relating to sex offenses; evidence of previous sexual conduct of defendants.

SB 698, by Committee on Judiciary: An act concerning civil procedure; relating to discovery; amending K.S.A. 1991 Supp. 60-226 and repealing the existing section.

SB 699, by Committee on Governmental Organization: An act concerning board of nursing; membership; amending K.S.A. 1991 Supp. 74-1106 and repealing the existing section.

SB 700, by Committee on Judiciary: An act concerning crimes and punishment; relating to prior adjudications as a juvenile offender; amending K.S.A. 21-3701, 21-3809, 21-3810, 21-3811, 21-3812, 21-3813, 21-3814, 21-4202, 21-4209 and 21-4209a and K.S.A. 1991 Supp. 21-4203 and 21-4204 and repealing the existing sections; also repealing K.S.A. 1991 Supp. 21-4203a.

SB 701, by Committee on Financial Institutions and Insurance: An act concerning the uniform consumer credit code; consumer credit transactions; charges; amending K.S.A. 1991 Supp. 16a-2-501 and repealing the existing section.

SB 702, by Committee on Financial Institutions and Insurance: An act concerning nonprofit pharmacy associations; board of directors; amending K.S.A. 1991 Supp. 40-19d03 and repealing the existing section.

SB 703, by Committee on Federal and State Affairs: An act concerning the Kansas parimutuel racing act; amending K.S.A. 77-609 and K.S.A. 1991 Supp. 38-1607, 74-8802, 74-8804, 74-8810, 74-8812, 74-8813, 74-8815, 74-8816, 74-8817 and 74-8824 and repealing the existing sections.

SB 704, by Committee on Ways and Means: An act relating to alcoholic beverages; concerning certain offenses related thereto; amending K.S.A. 8-2204, 41-201 and 41-804 and repealing the existing sections; also repealing K.S.A. 41-2719 and 41-2720.

SB 705, by Committee on Ways and Means: An act concerning alcohol-related offenses involving vehicles; relating to suspension of driving privileges; amending K.S.A. 8-1014 and repealing the existing section.

SB 706, by Committee on Ways and Means: An act concerning motor vehicles; relating to suspension and revocation of driving privileges; amending K.S.A. 8-255, 8-256, 8-259, 8-286, 8-287 and 8-288 and repealing the existing sections; also repealing K.S.A. 8-289.

SB 707, by Committee on Ways and Means: An act concerning certain vehicles; relating to implied consent to certain tests for alcohol or drugs; providing certain penalties for refusal or failure of such tests; amending K.S.A. 8-1001, 8-1002, 8-1005, 8-1011 and 8-1012 and repealing the existing sections.

SB 708, by Committee on Ways and Means: An act concerning alcohol-related offenses involving motor vehicles; amending K.S.A. 8-1001, 8-1002, 8-1005, 8-1013, 8-1567 and 12-4305 and repealing the existing sections.

### Senate Concurrent Resolutions

SCR 1637, A proposition to amend article 2 of the constitution of the state of Kansas by adding a new section thereto, authorizing initiation and enactment of laws by the registered voters of the state.

SCR 1638, A proposition to repeal section 3c of article 15 of the constitution of the state of Kansas, relating to a state-owned and operated lottery.

SCR 1639, A proposition to repeal section 3b of article 15 of the constitution of the state of Kansas, relating to parimutuel wagering upon horse and dog racing.

Doc. No. 011651

### State of Kansas

### Attorney General

#### Opinion No. 92-19

**Crimes and Punishment—Classification of Crimes and Penalties; Sentencing—Classes of Felonies and Terms of Imprisonment; Review and Reduction of Previous Sentences; Retroactive Application.** Senator Frank D. Gaines, 16th District, Augusta, February 12, 1992.

1991 Senate Bill No. 479 neither increases nor decreases punishment for crimes committed prior to its enactment. It is not required that the bill contain a provision permitting retroactive application of its terms. Cited herein: 1991 S.B. No. 479, §§ 4, 5, 23. RDS

#### Opinion No. 92-20

**Taxation—Property Exempt from Taxation—Property Acquired by School District Education Cooperatives Pursuant to Lease Purchase Agreement.** J. Stanley Hill, Counselor for Reno County Education Cooperative #610, Hutchinson, February 12, 1992.

The property of a cooperative created pursuant to K.S.A. 1991 Supp. 72-8230 is not entitled to a property tax exemption under K.S.A. 79-201 *First* or K.S.A. 79-201a *Second* during the term of a lease purchase agree-

(continued)

ment. Cited herein: K.S.A. 10-1101; 12-105a; 12-1218; 12-1679; 17-2339; 31-132; 36-501; K.S.A. 1991 Supp. 65-6113; K.S.A. 68-589; 68-2101; K.S.A. 1991 Supp. 72-8230; K.S.A. 75-1117; 75-3038; 79-201 *First*; 79-201a *Second*. JLM

#### Opinion No. 92-21

**Legislature—State Governmental Ethics—Nepotism; Agency Authorized to Promulgate Rules and Regulations. Dennis D. Prater, General Counsel, Kansas Commission on Governmental Standards and Conduct, Topeka, February 14, 1992.**

The Department of Administration has authority to promulgate rules and regulations dealing with nepotism in state employment. The Commission on Governmental Standards and Conduct does not have such authority. Cited herein: K.S.A. 1991 Supp. 46-246a; 46-253; K.S.A. 75-3746; 75-3747; L. 1981, ch. 171, §§ 44, 48. JLM

#### Opinion No. 92-22

**Automobiles and Other Vehicles—Drivers' Licenses; Motor Vehicle Drivers' License Act—Restricted Licenses; Persons Aged 14-16. Representative Mark Parkinson, 14th District, Olathe, February 14, 1992.**

Pursuant to K.S.A. 8-237 the chief law enforcement officer of a local unit of government can only recommend to the division of vehicles if an applicant should be issued a driver's license. The final decision rests with the division of vehicles. Cities and counties are not able to use their home rule powers to deny licenses to persons under the age of 16 years if the statute is uniformly applicable and does not grant such authority. Allowing the raising of the driving age to 16 years, in some counties but not others, will not violate an individual's constitutional right to equal protection. Cited herein: K.S.A. 8-237, Kan. Const., Art. 12, § 5. MJS

#### Opinion No. 92-23

**Corporations—Limited Liability Companies—Formation; Certified Public Accountants.**

**Corporations—Professional Corporations—Professional Corporation Law; General and Business Corporation Law Applicable; Exceptions.**

**Accountants, Certified Public—Licensure, Examination and Registration—Registration of Partnerships; Professional Corporations. Adley E. Johnson, C.P.A., Chairman, Kansas Board of Accountancy, Topeka, February 14, 1992.**

A certified public accountant may organize and practice as a limited liability company pursuant to K.S.A. 1991 Supp. 17-2708. Cited herein: K.S.A. 17-2709; 17-2717; 17-6001 *et seq.*; 17-7601 *et seq.*; K.S.A. 1991 Supp. 17-2707; 17-2708; 17-2712. GE

#### Opinion No. 92-24

**Drainage and Levees—General Provisions—No-Fund Warrants for Emergencies; Procedure and Timing Requirements for Payment of Warrants. Dennis G. Hall,**

**Attorney for Tri-County Drainage District No. 1, Rossville, February 17, 1992.**

K.S.A. 24-133 does not mandate that the no-fund warrants issued in an emergency situation be retired by a single levy. However, the extended period of time used to redeem these warrants should not exceed a reasonable time frame. Cited herein: K.S.A. 10-1116a; 24-133; 24-618; 19-2777; and 79-2940. MJS

#### Opinion No. 92-25

**Elections—Presidential Preference Primary Election—Presidential Preference Primary Election; Payment of Election Expenses. Senator Bill Brady, 14th District, Parsons, February 17, 1992.**

No legal action may be undertaken to force an appropriation of state money for the purpose of reimbursing counties for costs incurred by the counties in conducting the presidential preference primary election. Cited herein: K.S.A. 25-4508; Kan. Const., Art. 2, § 24. RDS

#### Opinion No. 92-26

**State Boards, Commissions and Authorities—Crime Victims Compensation Board—Definitions; Victim; Secondary Victim. Betty A. Bomar, Director, Crime Victims Compensation Board, Topeka, February 18, 1992.**

The Crime Victims Compensation Board may properly consider for compensation those applications submitted by or on behalf of individuals deemed by established board policy described herein to be secondary victims. Cited herein: K.S.A. 1991 Supp. 74-7301; 74-7302; 74-7304; 74-7333; 1978 House Bill No. 2163. RDS

#### Opinion No. 92-27

**Crimes and Punishment—Sentencing—Expungement; Release of Records to Victim.**

**Public Records, Documents and Information—Records Open to Public—Certain Records Not Required to be Open; Expungement of Criminal Record. Mike Ward, Butler County Attorney, El Dorado, February 19, 1992.**

Records previously closed pursuant to a valid expungement order may not be disclosed to the victim, or anyone else, unless such person qualifies for access pursuant to K.S.A. 1991 Supp. 21-4619(i). However, as they are not records of arrest, conviction or incarceration related to the expunged crime, criminal investigation files may be discretionarily opened pursuant to K.S.A. 1991 Supp. 45-221(a)(10) unless mandatorily closed pursuant to other authority. Cited herein: K.S.A. 1991 Supp. 21-4619; K.S.A. 45-215; 45-217; K.S.A. 1991 Supp. 45-221. TMN

Robert T. Stephan  
Attorney General

Doc. No. 011647

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

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

Monday, March 9, 1992

- 28763  
Kansas Correctional Industries—Shipping cartons and inserts
- 28764  
Department of Transportation—Asphaltic materials, various locations
- 91262  
Kansas State Fair—Chain link fence materials
- 91263  
University of Kansas—Forklift
- 91269  
Department of Administration, Central Motor Pool—Vehicles
- 91270  
Kansas State University—Glassware washer
- 91296  
University of Kansas—Paper, printing and binding
- 91307  
University of Kansas—Paper, printing and binding

Tuesday, March 10, 1992

- 28766  
Department of Wildlife and Parks—Noxious weed control, Clinton Wildlife Area
- 28767  
Department of Wildlife and Parks—Vegetation control, Clinton Wildlife Area
- 28768  
Department of Wildlife and Parks—Controlled burning, Clinton Wildlife Area
- 91277  
Pittsburg State University—Professional video equipment
- 91283  
Pittsburg State University—Cargo van
- 91284  
Department of Transportation—Traffic counters
- 91288  
Various state agencies—Cake mixes

Wednesday, March 11, 1992

- A-6342(b)  
Kansas State University—Facilities shops building
- 28786  
Department of Transportation—Automotive lubricants, all districts
- 91289  
Department of Transportation—Aggregate, various locations
- 91295  
University of Kansas—Color graphics workstations

Thursday, March 12, 1992

- A-6732  
University of Kansas—Install sprinkler system, Murphy Hall
- A-6797  
Kansas School for the Deaf—Reroof Old Vocational Building
- 91285  
University of Kansas—Professional audio equipment
- 91294  
Department of Wildlife and Parks—Floating fish feed, various locations
- 91305  
Department of Administration, Central Motor Pool—Compact sedan

Friday, March 13, 1992

- 91330  
University of Kansas Medical Center—Endoscopic surgical instruments
- 91331  
Department of Transportation—Bituminous plant mix, El Dorado
- 91332  
Kansas Highway Patrol—Body Armor

Thursday, March 26, 1992

- 91286  
Department of Transportation—Radio towers, cable and connectors, various locations

Tuesday, March 31, 1992

- 91309  
Department of Wildlife and Parks—Grazing lease, Pratt Sandhills Wildlife Area
- 91310  
Department of Wildlife and Parks—Agricultural crop and haying leases, Hillsdale State Park
- 91311  
Department of Wildlife and Parks—Agricultural cropland lease, Fall River Area
- 91312  
Department of Wildlife and Parks—Cattle grazing land lease, Sherman Wildlife Area
- 91313  
Department of Wildlife and Parks—Agricultural land and cattle grazing land leases, Southfork Wildlife Area
- 91314  
Department of Wildlife and Parks—Agricultural land and cattle grazing land leases, Norton Wildlife Area
- 91315  
Department of Wildlife and Parks—Agricultural cropland lease, Cedar Bluff Area
- 91316  
Department of Wildlife and Parks—Agricultural cropland and haying leases, Glen Elder Wildlife Area
- 91317  
Department of Wildlife and Parks—Agricultural land lease, Redmond Reservoir
- 91318  
Department of Wildlife and Parks—Agricultural land lease, Nemaha Wildlife Area

(continued)

Wednesday, April 1, 1992

28752

Department of Administration—Aircraft insurance  
(executive aircraft)

Thursday, April 2, 1992

A-6367

University of Kansas Medical Center—Biomedical  
Research Building, case work (closing at 10 a.m.),  
and Biomedical Research Building, general  
construction (closing at 2 p.m.)

Jack R. Shipman  
Director of Purchases

Doc. No. 011656

State of Kansas

## Department of Transportation

### Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. March 19, 1992, and then publicly opened:

#### District One—Northeast

**Douglas**—23 U-1265-01—21st Street, 22nd Street and 22nd Terrace along Naismith Drive in Lawrence, 0.1 mile, grading and bridge. (Federal Funds)

**Jackson**—75-43 K-3257-02—U.S. 75, from the north city limits of Holton north to the junction of K-9, bridge replacement. (State funds)

**Jackson**—43 C-2932-01—County road, 0.6 mile north of Holton on FAS 1825, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

**Johnson**—35-46 K-3361-01—I-35 and Quivira Road in Lenexa, 1.1 mile, grading, surfacing and bridge. (State Funds)

**Leavenworth**—52 U-1257-01—Ida Street, U.S. 73 west to Desoto Road in Lansing, 1.1 mile, grading and surfacing. (Federal Funds)

**Nemaha**—71-66 K-4068-01—K-71, Nemaha River bridge 24, 0.9 mile east of K-63, bridge widening. (State Funds)

**Shawnee**—40-89 K-4644-02—U.S. 40 and 6th Street east to Deer Creek, 0.1 mile, pavement reconstruction. (State Funds)

**Shawnee**—89 U-1301-01—West 21st Street from Gage to Randolph in Topeka, 0.7 mile, grading and surfacing. (Federal Funds)

**Shawnee**—89 U-1302-01—West 21st Street from Randolph to Washburn in Topeka, 0.8 mile, grading and surfacing. (Federal Funds)

**Shawnee**—89 U-1392-01—East 6th Street (U.S. 40) at Deer Creek in Topeka, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

**Wyandotte**—32-105 K-2364-01—K-32, Wolf Creek bridge 82, at the west edge of Bonner Springs, bridge replacement. (Federal Funds)

#### District Two—Northcentral

**Republic**—36 K-4036-02—Detour on K-148, from the junction of U.S. 81 east to the Republic-Washington county line, 16.7 miles, overlay. (State Funds)

**Washington**—101 C-2912-01—County road, 4.0 miles west and 1.9 miles north of Linn, then north, 0.1 mile, grading and bridge. (Federal Funds)

**Washington**—36 K-4037-02—Detour on K-148, from the Republic-Washington county line east to the junction of K-15, 17 miles, overlay. (State Funds)

#### District Three—Northwest

**Graham**—24-33 K-4490-01—U.S. 24, Spring Creek bridge 19, 2.9 miles east of the junction of K-18, bridge overlay. (State Funds)

**Osborne**—24-71 K-4491-01—U.S. 24, Crooked Creek bridge 3, 5.6 miles east of the Rooks-Osborne county line, bridge overlay. (State Funds)

**Phillips**—9-74 K-4484-01—K-9, Cactus Creek bridge 32, 1.9 miles east of the Norton-Phillips county line, bridge overlay. (State Funds)

**Rooks**—18-82 K-4486-01—K-18, Paradise Creek bridges 34 and 35 west of Rooks-Osborne county line, bridge overlay. (State Funds)

**Russell**—18-84 K-4027-01—K-18, Paradise Creek drainage bridge 48, 2.0 miles west of the west junction of U.S. 281, bridge replacement. (Federal Funds)

**Russell**—18-84 K-4487-01—K-18, East Fork Wolf Creek and bridge 55, 1.6 miles east of K-176, bridge overlay. (State Funds)

**Smith**—181-92 K-4520-01—K-181, Buck Creek bridge 37, 5.0 miles north of the Osborne-Smith county line, bridge overlay. (State Funds)

**Trego**—147-98 K-4288-01—K-147, culvert 509, 11.2 miles north of the Ness-Trego county line, culvert. (State Funds)

**Wallace**—40-100 K-4497-01—U.S. 40, bridges 1 and 6 over the Union Pacific Railroad, bridge overlay. (State Funds)

#### District Four—Southeast

**Cherokee**—166-11 K-4517-01—U.S. 166, Spring River bridge 36, 0.9 miles east of U.S. 66, bridge painting. (State Funds)

**Coffey**—57-16 K-4501-01—K-57, Crooked Creek bridge 43 east of Leroy, bridge painting. (State Funds)

**Montgomery**—63 C-2798-01—County road, 0.5 mile west of Havana, then east, 0.2 mile, grading and bridge. (Federal Funds)

#### District Five—Southcentral

**Butler**—8 C-2767-01—Andover Road, from Central to 13th in Andover, 0.9 mile, grading and surfacing. (Federal Funds)

**Comanche**—17 C-2806-01—County road, 0.3 mile east and 0.3 mile south of Wilmore, then north, 0.2 mile, grading and bridge. (Federal Funds)

**Comanche**—17 C-2807-01—County road, from the east edge of Wilmore, then east, 0.2 mile, grading and bridge. (Federal Funds)

**Pawnee**—183-73 K-4521-01—U.S. 183, Big Coon Creek bridge 14, 0.9 mile north of U.S. 56, bridge overlay. (State Funds)

**Reno**—96-78 K-2365-01—K-96, Arkansas River bridge 52 and overflow 53, 5.9 and 6.1 miles southeast of county line, bridge replacement. (State Funds)

#### District Six—Southwest

**Ford**—50-29 K-4039-01—U.S. 50, from the Gray-Ford county line east to 0.2 mile east of FAS 994, 2.3 mile, recycling. (State Funds)

**Gray**—50-35 K-4038-01—U.S. 50, from the east city limits of Cimarron east to the Gray-Ford county line, 6.9 miles, recycling. (State Funds)

**Gray**—56-35 M-1666-01—stockpile bituminous mix one mile east of the junction of K-23. (State Funds)

**Ness**—283-68 K-4010-01—U.S. 283, South Fork Walnut Creek bridge 6, 10.1 miles north of the Hodgeman-Ness county line, bridge replacement. (Federal Funds)

**Wichita**—102 C-2246-01—County road, 8.7 miles west and 4.0 miles north of Leoti, 4.3 miles, surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston  
Secretary of Transportation

Doc. No. 011619

#### State of Kansas

### Department of Transportation

#### Notice to Consulting Engineers

The Kansas Department of Transportation is seeking a qualified consultant engineering firm for the development of a "State Airport Systems Plan." Responses must be received by March 12 from the consultant engineering firms wishing to be considered. Seven signed copies of responses need to be mailed to Al Cathcart, P.E., Project Control Engineer, Office of Engineering Support, Kansas Department of Transportation, 7th Floor, Docking State Office Building, Topeka 66612. The project number is P-0610-03.

In December 1982, the Kansas Department of Transportation initiated the Kansas Aviation Systems Planning Program. The program has evolved through a series of phases, resulting in a continuing planning process and a system of annual input to the National Plan of Integrated Airport Systems. The Kansas Department of Transportation desires to continue the Airport Systems Planning Program. The Basis Work Program for the consultant engineering firm will be to:

- 1) Participate in preparing a detailed work program;
- 2) Perform a series of tasks designed to produce an annual update of the Kansas Aviation Systems Plan, and
- 3) Prepare a series of special studies that will provide guidance for planning and policy decisions at both state and local levels (examples include studies on commercial air transportation, ground access and economic impact of the airport system).

From firms expressing interest, KDOT will select a list of the most qualified (not less than three, nor more than five) and invite them to attend a preproposal conference. Firms not selected will be notified by letter. A negotiating committee, appointed by the Secretary of Transportation, will conduct discussions with selected firms and will negotiate a contract with the number one ranked firm. After a final contract has been executed the remaining firms will be notified by letter.

It is the policy of KDOT to use the following criteria as the basis for selection of consultant engineering firms:

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to proposed project.
4. Work load of firm.
5. Firm's performance record.

It is not necessary to respond to this request of interest to ensure being considered for future projects.

Michael L. Johnston  
Secretary of Transportation

Doc. No. 011652

## State of Kansas

**Department of Corrections  
Kansas Correctional Industries**

**Notice to Bidders**

Sealed bids for state of Kansas surplus property (Quotation No. 920005) will be received by State Surplus Property, Building 344, Forbes Air Industrial Park, P.O. Box 19226, Topeka 66619-0226, until 4:30 p.m. Monday, March 30, and then will be publicly opened at 8 a.m. Tuesday, March 31. Interested bidders may call (913) 296-2334 for additional information. Results will be available beginning April 3 at 8 a.m.

Steven R. Magee  
Director, State Surplus Property

Doc. No. 011641

## State of Kansas

**Department of Health  
and Environment**

**Notice Concerning Proposed Permit Action**

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to D of K Concrete, Inc., Box 867, Iola, to install and operate a ready-mixed concrete plant at 805 Portland Street, Iola.

Written materials, including the permit application and information relating to the application submitted by D of K Concrete, Inc., draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through March 27 by contacting Lynn Ranabargar at the KDHE office, 1500 W. Henshall Drive, Chanute 66720, (316) 431-2390. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Ward A. Burns, KDHE, (913) 296-1581.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request for hearing must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before March 27.

Azzie Young  
Secretary of Health  
and Environment

Doc. No. 011634

## State of Kansas

**Department of Commerce**

**Notice of Hearing**

A public hearing on the proposed final statement of community development objectives and projected use of funds for the Kansas Small Cities Community Development Block Grant (CDBG) Program for 1992 will be conducted at 9 a.m. Friday, March 13, in the first floor conference room, Capitol Tower, 800 S.W. Harrison, Topeka. Copies of the proposed final statement are available for public inspection during working hours at the KDOC Small Cities CDBG Program offices, 400 S.W. 8th, Suite 500, Topeka.

Written comments on the proposed final statement will be received for consideration in preparation of the final statement by the Kansas Small Cities CDBG Program through March 13.

Laura Nicholl  
Secretary of Commerce

Doc. No. 011642

## 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, 28-18-1 through 4, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent 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.

**Public Notice No. KS-92-50/61**

Name and Address of Applicant	Waterway	Type of Discharge
City of Great Bend 1209 Williams P.O. Box 1168 Great Bend, KS 67530 Barton County, Kansas Kansas Permit No. M-UA16-0001	Arkansas River	Secondary wastewater treatment facility
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 water quality limited.		
Name and Address of Applicant	Waterway	Type of Discharge
Blue River Main S.D. #1 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Missouri River via Big Blue River via Negro Creek	Secondary wastewater treatment facility

Kansas Permit No. M-MO26-DI05 Fed. Permit No. KS-0079910  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Blue River Main S.D. #3 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Missouri River via Big Blue River	Secondary wastewater treatment facility

Kansas Permit No. M-MO26-0004 Fed. Permit No. KS-0079031  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Indian Creek M.S.D. #1 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Indian Creek	Secondary wastewater treatment facility

Kansas Permit No. M-MO27-0001 Fed. Permit No. KS-0055484  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Indian Creek Middle Basin % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Indian Creek	Secondary wastewater treatment facility

Kansas Permit No. M-MO28-0001 Fed. Permit No. KS-0119601  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Little Mill Creek North S.S.D. #1 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Kansas River via Mill Creek via Little Mill Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS34-0005 Fed. Permit No. KS-0050661  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Little Mill S.S.D. #2 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Kansas River via Mill Creek via Little Mill Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS68-0002 Fed. Permit No. KS-0079561  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Mill Creek M.S.D. #1 % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Kansas River via Mill Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS34-0004 Fed. Permit No. KS-0079065  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Mission Township M.S.D. #1 and Turkey Creek % Johnson County Unified Wastewater Offices 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Kansas River via Turkey Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS45-0001 Fed. Permit No. KS-0055492  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Kansas City Plant No. 1 Kaw Point % City of Kansas City 701 N. 7th Kansas City, KS 66101 Wyandotte County, Kansas	Missouri River	Secondary wastewater treatment facility

Kansas Permit No. M-MO25-I001 Fed. Permit No. KS-0038563  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Harold Street Wastewater Treatment Plant % City of Olathe 100 W. Santa Fe P.O. Box 768 Olathe, KS 66061 Johnson County, Kansas	Kansas River via Mill Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS52-I001 Fed. Permit No. KS-0045802  
 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 water quality limited.

Name and Address of Applicant	Waterway	Type of Discharge
Shawnee North Community Center % Shawnee County Public Works Department 3137 S.E. 29th Topeka, KS 66605 Shawnee County, Kansas	Kansas River via Indian Creek	Secondary wastewater treatment facility

Kansas Permit No. M-KS72-0006 Fed. Permit No. KS-0117561  
 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)

**Public Notice No. KS-EG-92-13/17**

Tentative permits have been prepared for the re-permitting of five salt-solution mining wells to be operated as two salt-solution mining galleries, within the state of Kansas, for the applicant described below. One gallery consists of Wells I-1, I-2, I-4 and I-5, and another consists of Wells I-3 and I-6. (A re-permit application is not currently due for I-6).

Description: The wells listed below are designed for the production of salt by solution mining activities. All wells are located in Reno County, Kansas, and are operated by Cargill, Inc., P.O. Box 1403, Hutchinson, KS 67501.

Well Number and Kansas Permit Number	Well Location
Well Number I-1 Kansas Permit No. KS-03-155-083	SE NW SW 19-23-5W 1900' fsl and 4013' fel of SE/4
Well Number I-2 Kansas Permit No. KS-03-155-084	NW NE SW 19-23-5W 2141' fsl and 3750' fel of SE/4
Well Number I-3 Kansas Permit No. KS-03-155-085	SW NE SW 19-23-5W 1646' fsl and 3776' fel of SE/4
Well Number I-4 Kansas Permit No. KS-03-155-086	SE NW SW 19-23-5W 1556' fsl and 4268' fel of SE/4
Well Number I-5 Kansas Permit No. KS-03-155-087	NE NW SW 19-23-5W 2138' fsl and 4241' fel of SE/4

**Public Notice No. KS-AG-92-19/21**

Name and Address of Applicant	Legal Description	Receiving Water
Cow Camp, Inc. Route 1, Box 74 Ramona, KS 67475	SW/4 Section 34, Township 16S, Range 3E, Dickinson County, Kansas	Smoky Hill River Basin

Kansas Permit No. A-SHDK-C001 Federal Permit No. KS-0086614  
The feedlot has capacity for approximately 2,000 cattle with expansion planned for an additional 2,500 cattle and a contributing drainage area of approximately 50 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 22.2 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plans shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. The waste management plan shall be based on accepted principles, methodologies and data for waste characteristics and crop utilization. The plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Farms, Inc. Route 2, Box 18 Long Island, KS 67647	NE/4, Section 33, Township 1S, Range 20W, Phillips County, Kansas	Upper Republican River Basin

Kansas Permit No. A-URPL-H001 Federal Permit No. KS-0117943  
The existing facility has the capacity for approximately 2,500 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 control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth Regier 1614 S. Oliver Road Newton, KS 67114	NW/4, Section 25, Township 23S, Range 1E, Harvey County, Kansas	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S003

The proposed expanded facility will have capacity for approximately 900 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 control adequate.

Written comments on the proposed determinations may be submitted to Bethel Spotts or Angela Buie (agricultural permits), Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to March 27 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-92-50/61, KS-EG-92-13/17, and KS-AG-92-19/21) 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 (28-46-21 for UIC). 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 application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the 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 Division of Environment.

Azzie Young  
Secretary of Health  
and Environment

Doc. No. 011655

## State of Kansas

## State Conservation Commission

## Notice of Meeting

The State Conservation Commission will meet at 9:30 a.m. Monday, March 9, at the State Conservation Commission office, Conference Room 500, 109 W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at the address above, (913) 296-3600.

Kenneth F. Kern  
Executive Director

Doc. No. 011633

## State of Kansas

## Board of Adult Care Home Administrators

## Notice of Meeting

The Board of Adult Care Home Administrators will meet at 9:30 a.m. Friday, March 6, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka.

Cathy Rooney, Director  
Health Occupations Credentialing

Doc. No. 011636

## State of Kansas

## Kansas Insurance Department

## Legal Notice

All interested parties are hereby notified that West General Insurance Company, Inc. was placed into liquidation effective February 13, 1992.

By issuing an order of liquidation with a finding of insolvency, the court intended to activate the appropriate Insurance Guaranty Association in all jurisdictions in which West General Company, Inc. operated. Kansas Insurance Commissioner Ron Todd, in his petition to the court, requested the order of liquidation with a finding of insolvency inasmuch as it had been determined that West General Insurance Company, Inc. was insolvent and that any further attempt to rehabilitate the company would only increase the risk of loss to policyholders, creditors, and the public.

Any inquiries concerning the liquidation should be directed to the liquidator at 216 16th St., Suite 1300, Denver, CO 80202, (303) 825-4440, or to the Kansas Insurance Department, 420 S.W. 9th, Topeka 66612-1678, (913) 296-3071.

Ron Todd  
Commissioner of Insurance

Doc. No. 011643

## State of Kansas

## Department of Health and Environment

## Notice of Hearing

The Kansas Department of Health and Environment has prepared a Kansas water pollution control permit for the Gary Case Roundup Farms in Baxter Springs. The permit was placed on Public Notice No. KS-AG-91-122/135 dated November 14 through December 14, 1991. Public response to this notice was expressed, therefore a public hearing has been scheduled in conformance with state regulation 28-16-61.

The public hearing will begin at 7 p.m. Tuesday, April 7, at the Baxter Springs High School Auditorium, 100 N. Military, Baxter Springs.

The Secretary of Health and Environment will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations.

Azzie Young  
Secretary of Health  
and Environment

Doc. No. 011657

## State of Kansas

## Kansas Insurance Department

## Notice of Hearing

A formal hearing will be conducted at 9 a.m. Monday, March 16, and Tuesday, March 17, in the office of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the application of T. M. Murrell to undertake a solicitation to obtain over 10 percent of the proxies of AmVestors Financial Corporation should be approved by the Commissioner of Insurance in accordance with the provisions of K.S.A. 1991 Supp. 40-3301 *et seq.* AmVestors Financial Corporation is the parent company of American Investors Life Insurance Company, Inc., a Kansas domestic insurer.

All interested parties may attend and will be given the opportunity to hear the details of the proposed proxy solicitation, to present either oral or written testimony in favor of or in opposition to the transaction, and to ask any questions relative to the proxy solicitation.

Ron Todd  
Commissioner of Insurance

Doc. No. 011650

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  
Division 3 Courtroom, Wyandotte County Courthouse  
Kansas City, Kansas

Tuesday, March 10, 1992

Before Briscoe, C.J.; Elliott and Pierron, JJ.

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,550	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Humphrey N. Davis, Appellant.	James C. Trickey	
66,658	State of Kansas, Appellant,	District Attorney	Johnson
	v.		
	Donald E. Finley, Appellee.	Joseph L. Dioszeghy	
66,401	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Quanah J. Gray, Appellant.	Tom Jacquinot	

**Summary Calendar—No Oral Argument**

66,625	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Wayne A. Gunn, Jr., Appellant.	Jessica R. Kunen	
66,568	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Michael H. Shuster, Appellant.	Jessica R. Kunen	

Before Briscoe, C.J., Elliott and Lewis, JJ.

11:00 a.m.

66,299	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Robert W. Tigner, Appellant.	Rick Kittel	
66,379	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Edward Henderson, Appellant.	Rick Kittel	

1:30 p.m.

66,627	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Russell R. Maggard, Appellant.	Elizabeth Sterns	

**Summary Calendar—No Oral Argument**

66,553 66,554	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Mark A. Earnheart, Appellant.	Jessica R. Kunen	

66,962 In the Interest of S.W.C. Craig Lubow Wyandotte  
 Aline Pryor  
 Kimberly K. Williams  
 Gary W. Long II

Before Briscoe, C.J.; Lewis and Pierron, JJ.

2:30 p.m.

Case No.	Case Name	Attorneys	County
66,239	State of Kansas, Appellee,	Nick A. Tomasic 95 Attorney General	Wyandotte
	v.		
	Donald R. Jackson, Appellant.	Lucille Marino	
66,167	State of Kansas, Appellee,	Nick A. Tomasic Attorney General	Wyandotte
	v.		
	Mike A. Bankes, Appellant.	Stanley R. McAfee.	
66,832	Gary Lee Gregory, Appellant, v. State of Kansas, Appellee.	Lucille Marino  Attorney General District Attorney	Wyandotte

Summary Calendar—No Oral Argument

66,585.	State of Kansas, Appellee,	County Attorney Attorney General	Miami
	v.		
	David L. Kern, Jr., Appellant.	Jessica R. Kunen	
66,587	State of Kansas, Appellee,	County Attorney Attorney General	Wilson
	v.		
	Lloyd E. Ryther, Jr., Appellant.	Jessica R. Kunen	

Wednesday, March 11, 1992

Before Elliott, P.J.; Lewis and Pierron, JJ.

9:00 a.m.

Case No.	Case Name	Attorneys	County
67,131	Harry B. Reese, Exec., Appellant,	Marion C. Miller Robert E. Durrett	Wyandotte
	v.		
	Henry W. Brame, Jr., et al., Appellees.	Thomas P. Mitchelson Jeffrey J. Amrein	
66,906	State of Kansas, Appellee,	District Attorney Attorney General	Wyandotte
	v.		
	Walter L. Wilson, Appellant.	Kaye Messer	
66,623	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Lloyd Cole Beatty, Appellant.	Jessica R. Kunen	

Summary Calendar—No Oral Argument

65,645	In the Interest of H.W.E.B.	R. Bruce Kips Gary W. Long II Kim Williams Clifford Wiley	Wyandotte
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66,538	In the Interest of J.R.	Linda S. Mock County Attorney Marlin Johanning	Atchison
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**Kansas Court of Appeals**  
**Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center**  
**Topeka, Kansas**

Tuesday, March 10, 1992  
 Before Brazil, P.J.; Larson and Gernon, JJ.

9:30 a.m.

Case No.	Case Name	Attorneys'	County
66,687	Glenn G. Miller, Appellant, v. KPL Gas Serv. Co., Appellee.	Pantaleon Florez Jr. Jeffrey S. Southard	Shawnee
66,818	State of Kansas, Appellee, v. Mark W. Hull, Appellant.	County Attorney Attorney General William K. Rork	Jefferson
66,772	City of Overland Park, Appellee, v. Edwin L. Morse, Appellant.	Steven A. Jensen Edwin L. Morse, <i>pro se</i>	Johnson

**Summary Calendar—No Oral Argument**

66,707	State of Kansas, Appellee, v. Jerome A. Glaspie, Appellant.	County Attorney Attorney General Jessica R. Kunen	Riley
66,724	State of Kansas, Appellee, v. Spencer Powell, Appellant.	County Attorney Attorney General Jessica R. Kunen	Riley

Before Brazil, P.J.; Gernon, J.; and Richard B. Walker,  
 District Judge, assigned.

11:00 a.m.

66,913	State of Kansas, Appellee, v. Allena M. Elliott, Appellant.	County Attorney Attorney General Gary L. Fuller	Leavenworth
66,936	In the Matter of the Marriage of Charles Howard Felt and Mickey Louise Felt.	Charles Howard Felt, <i>pro se</i> Lynn E. Martin	Leavenworth

1:30 p.m.

66,522	State of Kansas, Appellee, v. Berlin D. Falls, Jr., Appellant.	County Attorney Attorney General Don W. Lill	Lyon
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**Summary Calendar—No Oral Argument**

66,857	Gurney Gerald Bartley, Appellant, v. State of Kansas, Appellee.	Clyde M. Burns Attorney General County Attorney	Lyon
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66,649	State of Kansas, Appellee,  v. James Showers, Jr., Appellant.	County Attorney Attorney General  Jessica R. Kunen	Republic
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Before Larson, P.J.; Gernon, J.; and Richard B. Walker,  
District Judge, assigned.

2:30 p.m.

66,612	In the Matter of the Estate of Aileen Button, Deceased.	John S. Black Dana P. Ryan	Saline
67,200	In the Matter of the Marriage of Tammy Norris Strahley and Richard Dale Strahley, Sr.	R. Edgar Johnson Sharon Wright Kellstrom	Geary
66,941	The Olathe Bank, Appellee,  v. Morton Mann, <i>et al.</i> , Appellants.	Frederick B. Farmer  Ron Bodinson	Johnson
<b>Summary Calendar—No Oral Argument</b>			
67,080	City of Junction City, Appellee,  v. Lloyd L. Hawes, Appellant.	Gregory K. Barker  Kenneth M. Carpenter	Geary
67,073	Joe Rohr, Appellant,  v. Department of Revenue, Appellee.	Don C. Krueger  James G. Keller	Lyon

Wednesday, March 11, 1992

Before Brazil, P.J.; Larson, J.; and Richard B. Walker,  
District Judge, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
66,963	Laurin W. and Jane A. Schutter, Appellants.  v. Dennis M. Keegan, Appellee.	Lauren W. Schutter  Dennis M. Keegan, <i>pro se</i>	Shawnee
67,195	William T. Noon, Appellant,  v. Carol K. Smith and John D. Taylor, Jr., Appellees.	Steven M. Dickson  Thomas D. Billam	Johnson
66,870	Hazel Scott, Appellee,  v. State Farm Mutual Auto. Insurance Co., Appellant.	Roger W. McLean  Michael J. Dutton	Wyandotte

**Summary Calendar—No Oral Argument**

66,626	Eugene Madkins, Appellant,  v. State of Kansas, Appellee.	Jessica R. Kunen  Attorney General County Attorney	Geary
66,925	State of Kansas, Appellee,  v. Roxanne L. Howerton, Appellant.	County Attorney Attorney General  Edward S. Dunn	Jackson

(continued)

## Kansas Register

Kansas Court of Appeals  
Court of Appeals Courtroom, 3rd Floor, Old Sedgwick County Courthouse  
510 N. Main, Wichita, Kansas

Tuesday, March 10, 1992

Before Davis, P.J.; Rees and Rulon, JJ.

9:00 a.m.

Case No.	Case Name	Attorneys	County
66,547	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	David L. Williams, Appellant.	Kaye Messer	
66,584	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Douglas C. Jenkins, Appellant.	Pat Lawless	
66,235	Barbara and John Bannister, Appellees,	Michael B. Roach	Sedgwick
	v.		
	David E. Brewer, Appellant.	Ross B. Griggs	

Summary Calendar—No Oral Argument

66,610	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Curtis L. Mast, Appellant.	Jessica R. Kunen	
67,037	In the Interest of C.J.P. and A.W.P.	Gerald J. Domitrovic Michael Dunn Sheila C. Maksimowicz William R. Griffith	Sedgwick

Before Davis, P.J.; Rulon, J., and Steven P. Flood,  
District Judge, assigned.

11:00 a.m.

66,693	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Brett E. Cook, Appellant.	Ernest L. Tousley	
66,735 66,736	State of Kansas, Appellee,	County Attorney Attorney General	Finney
	v.		
	James Titus Shipley, Jr., Appellant.	Steven Zinn	

1:00 p.m.

66,868	John R. Kennon, Appellant,	Steven Zinn	Sedgwick
	v.		
	Mike Hill, Sheriff, Appellee.	Debra Byrd Wagner	

Summary Calendar—No Oral Argument

67,071	In the Interest of K.M.	Rene S. Young John S. Black County Attorney	Saline
65,891	In the Matter of the Marriage of Linda Jean Bailey and William Ralph Bailey.	N. Trip Shawver Ross D. Alexander	Sedgwick

Before Rees, P.J.; Rulon, J.; and Steven P. Flood,  
District Judge, assigned.

2:00 p.m.

66,600	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Percy B. Morse, Appellant.	Marvin R. Appling	
66,380	State of Kansas, Appellee,	County Attorney Attorney General	Reno
	v.		
	James F. Woodson, Jr., Appellant.	Steven Zinn	
66,728	Matthew Kennedy, Appellant,	Randall J. Price	Sedgwick
	v.		
	Wichita Wings and CIGNA Insurance Co., Appellees.	P. Kelly Donley	

Summary Calendar—No Oral Argument

66,402	State of Kansas, Appellee,	County Attorney Attorney General	Saline
66,403	v.		
	Troy Allan Rapp, Appellant.	Jessica R. Kunen	
66,874	In the Interest of A.L.L.B.	William R. Griffith Donald H. Legg Antonio Ortega	Sedgwick

Wednesday, March 11, 1992

Before Davis, P.J.; Rees, J.; and Steven P. Flood,  
District Judge, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
66,783	Home Royalty Association, Appellee,	Arthur B. McKinley Donald E. Wilson	Haskell
	v.		
	Ernestine Broadhurst Howard, <i>et al.</i> , Appellants.	Walker A. Hendrix C. Bruce Jones	
66,440	State of Kansas, Appellee,	County Attorney Attorney General	Finney
	v.		
	Billy Navarro, Appellant.	Rick Kittel	
66,222	State of Kansas, Appellee,	County Attorney Attorney General	Scott
	v.		
	Sean Boyer, Appellant.	Lucille Marino	

Summary Calendar—No Oral Argument

67,039	In the Interest of J.S.S., T.K.S. and M.S.S.	Don A. Hatfield Verlin A. Ingram Sheila C. Maksimowicz	Sedgwick
66,592	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Tony L. Culver, Appellant.	Jessica R. Kunen	

Carol G. Green  
Clerk of the Appellate Courts

State of Kansas

Department of Administration

Permanent Administrative  
Regulations

Article 2.—DEFINITIONS

**1-2-30. Designated position.** "Designated position" means positions in the classified service which are subject to the drug screening program established under K.S.A. 75-4362 and L. 1991, Chap. 146, Sec. 1. Designated positions shall be limited to:

(a) "safety-sensitive" positions, which means any position classified as:

(1) a state law enforcement officer authorized to carry firearms; or

(2) a state correctional officer; and

(b) positions in classes designated by the director which are used exclusively at the department of social and rehabilitation services' mental health and retardation facilities listed in K.S.A. 76-12a01(b). (Authorized by and implementing K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1; effective April 13, 1992.)

**1-2-31.** (Authorized by and implementing L. 1988, Chap. 325, Sec. 1; effective, T-1-10-28-88, Oct. 31, 1988; effective, Dec. 18, 1988; revoked April 13, 1992.)

Article 6.—RECRUITING  
AND STAFFING

**1-6-2. Recruitment.** (a) The order in which examinations are given shall be determined by the director. Public notice of each competitive examination shall be given by the director. Announcements shall be distributed to all agency personnel offices when recruitment is conducted on a service-wide basis. Appropriate and reasonable distribution within each agency shall be the responsibility of the agency. Positions may be advertised by the director in professional and trade publications and through any other methods of publicizing positions the director considers appropriate to attract a sufficient number of qualified persons to meet the needs of the classified service.

(b) Each agency shall provide appropriate and reasonable notice of existing or anticipated vacancies to employees within the agency prior to filling the vacancies. The notice shall not be required for vacancies to be filled by temporary or emergency appointments, by demotion, by transfer, by promotion of an employee whose position has been reallocated, by appointment from a reemployment list, or where the director determines that for good cause such notice is not necessary. Service-wide distribution of information may be required by the director for certain existing or anticipated vacancies.

(c) All job postings, announcements, and advertisements for vacancies in designated positions as defined in K.A.R. 1-2-30 shall include a statement regarding the drug testing requirements set forth in K.A.R. 1-6-

32 and K.A.R. 1-9-19a. (Authorized by K.S.A. 75-3747, K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1; implementing K.S.A. 75-2943, 75-4362 and L. 1991, Chap. 146, Sec. 1; effective May 1, 1979; amended May 1, 1981; amended May 1, 1983; amended, T-1-10-28-88, Oct. 31, 1988; amended Dec. 18, 1988; amended April 13, 1992.)

**1-6-32. Applicant drug screening test for designated positions.** (a) A drug test shall be administered to an applicant only when that applicant has been given a conditional offer of employment for a designated position.

(b) A conditional offer of employment for purposes of this regulation means the offer is contingent upon participating in the drug screening program established under K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1.

(c) Failure to participate in the required drug screening test or a confirmed positive result based upon a test sample obtained from the applicant shall:

(1) make the conditional offer of employment null and void; and

(2) subject the applicant to disqualification for designated positions in accordance with K.S.A. 75-2940 and K.A.R. 1-6-7 for a period of one year from the effective date of the disqualification action.

(d) All applicants who have been given a conditional offer of employment shall be informed of the provisions of subsection (b) in writing and shall sign a statement agreeing to participate in the test prior to the test being administered. Failure to accept this condition shall make the conditional offer of employment null and void.

(e) Each applicant required to submit to a drug screen shall be advised of:

(1) the methods of drug screening which may be used;

(2) substances which may be identified;

(3) consequences of a refusal to submit to a drug screening test or of a confirmed positive result; and

(4) reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

(f) Procedures and testing personnel used in collecting, analyzing and evaluating test samples shall meet the standards established by the director. Drug screening tests may screen for any substances listed in the Kansas controlled substances act. The substances to be identified by the tests and the threshold levels of those substances shall be determined by the director.

(g) Any applicant who has reason to believe that technical standards were not adhered to in deriving the applicant's confirmed "positive" result may appeal the result in writing to the director within 14 calendar days of receiving written notice of the result.

(h) A retest by the original or a different laboratory on the same or a new specimen may be authorized only by the director, if the director determines that the technical standards established for test methods or chain-of-custody procedures were violated in deriving

a confirmed "positive" result or there is other appropriate cause to warrant a retest.

(i) Any applicant who intentionally tampers with a sample provided for drug screening, violates the chain-of-custody or identification procedures or falsifies test results shall have the conditional offer of employment withdrawn and such actions shall be grounds for disqualification for all positions in state service in accordance with K.S.A. 75-2940.

(j) If the result of a drug screening test warrants disqualification action, an applicant shall be afforded due process in accordance with K.S.A. 1988 Supp. 75-2940 and K.A.R. 1-6-7 before any final action is taken.

(k) (1) Individual test results and medical information shall be considered confidential and shall not be disclosed publicly in accordance with K.S.A. 1990 Supp. 75-4362. An applicant shall be granted access to the applicant's information upon written request to the director.

(2) Each agency shall be responsible for maintaining strict security and confidentiality of drug screening records in that agency. Access to these records shall be restricted to the agency personnel officer, or a designee, persons in the supervisory chain of command, the agency legal counsel, the agency appointing authority, or a designee, the secretary of administration, or a designee, department of administration legal counsel, and the director, or a designee. Further access to these records shall not be authorized without the express consent of the director. (Authorized by and implementing K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1; effective, T-1-10-28-88, Oct. 28, 1988; effective Dec. 19, 1988; amended Feb. 19, 1990; amended April 13, 1992.)

#### Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

**1-9-19a. Drug screening test for employees in designated positions.** (a) Any employee in a designated position may be required to submit to a drug screening test in accordance with K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1 based upon reasonable suspicion of illegal drug use by that employee.

(1) Reasonable suspicion involves a judgment, supported by specific articulable facts or plausible inferences, made regarding the employee's behavior or evidence found or reported that indicate drug use by the employee. Reasonable suspicion may be based on, among other circumstances, one or more of the following:

(A) an on-the-job accident or occurrence where there is evidence to indicate:

(i) the accident or occurrence was in whole or in part the result of the employee's actions or inactions;

(ii) the employee exhibited behavior or in other ways demonstrated that the employee may have been using drugs or under the influence of drugs; or

(iii) a combination of these factors;

(B) an on-the-job incident that could be attributable to drug use by the employee including, but not limited to, a medical emergency;

(C) direct observation of behavior exhibited by the employee which may render the employee unable to perform the employee's job, in whole or part, or which may pose a threat to safety or health;

(D) information that the employee:

(i) may be using drugs or is under the influence of drugs and such is affecting on-the-job performance; or

(ii) exhibits behavior that may render the employee unable to perform the employee's job or may have posed a threat to safety or health. Such information shall be supported by documentation which has been verified by a person with the authority to determine reasonable suspicion;

(E) physical on-the-job evidence of drug use by the employee or possession of drug paraphernalia;

(F) documented deterioration in the employee's job performance that could be attributable to drug use by the employee; and

(G) any other circumstance providing an articulable basis for reasonable suspicion.

(2) Agencies may ask a current employee in a designated position to submit to a drug screening test under the circumstances of reasonable suspicion as a condition of employment. Refusal to comply with these requirements shall be considered the equivalent of receiving a confirmed positive result for referral or disciplinary purposes.

(b) Each employee required to submit to a drug screening test shall be notified of that requirement in writing. Each employee required to submit to a drug screen shall be advised of:

(1) the methods of drug screening which may be used;

(2) substances which may be identified;

(3) consequences of a refusal to submit to a drug screening test or a confirmed positive result; and

(4) reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

(c) Procedures and testing personnel used in collecting, analyzing and evaluating test samples shall meet the standards established by the director. Drug screening tests may screen for any substances listed in the Kansas controlled substances act. The substances to be identified by the tests and the threshold levels of those substances shall be determined by the director.

(d) Any employee who has reason to believe that technical standards were not adhered to in deriving the employee's confirmed "positive" result, may appeal the result in writing to the director within 14 calendar days of receiving written notice of the result.

(e) A retest by the original or a different laboratory on the same or a new specimen may be authorized only by the director, if the director determines that the technical standards established for test methods or chain-of-custody procedures were violated in deriving a confirmed "positive" result or has other appropriate cause to warrant a retest.

(f) An employee who receives a confirmed "positive" drug screen result shall be subject to dismissal

(continued)

in accordance with K.S.A. 75-2949d, K.S.A. 1990 Supp. 75-4362 and K.A.R. 1-10-8 as follows.

(1) The employee shall not be subject to dismissal solely on the basis of the confirmed positive result if the employee has not previously had a confirmed positive result or the equivalent and the employee successfully completes an appropriate and approved drug assessment and recommended education or treatment program.

(2) The employee shall be subject to dismissal pursuant to K.A.R. 1-10-8 if the employee is on probation, other than for a promotional appointment, at the time the employee was given written notice of the drug screen requirement.

(3) The employee shall be subject to dismissal in accordance with K.S.A. 75-2949f if the employee fails to successfully complete an appropriate and approved drug assessment and recommended education and treatment program.

(4) The employee shall be subject to dismissal, in accordance with K.S.A. 75-2949f, if the employee has previously had a confirmed "positive" result or the equivalent.

(5) This regulation shall not preclude the agency appointing authority from proposing disciplinary action in accordance with K.S.A. 75-2949d for other circumstances that occur in addition to a confirmed "positive" result and which are normally grounds for discipline.

(g) Any current employee who intentionally tampers with a sample provided for drug screening, violates chain-of-custody or identification procedures, or falsifies a test result shall be subject to dismissal pursuant to K.S.A. 75-2949f.

(h) If the result of a drug screening test warrants disciplinary action and before any final action is taken, a permanent employee shall be afforded due process in accordance with K.S.A. 75-2949 and K.A.R. 1-10-6 and a probationary employee shall be afforded due process in accordance with K.A.R. 1-10-8.

(i) (1) Individual results and medical information shall be considered confidential and shall not be disclosed publicly in accordance with K.S.A. 1990 Supp. 75-4362. An employee shall be granted access to the employee's information upon written request to the director.

(2) Each agency shall be responsible for maintaining strict security and confidentiality of drug screening records in that agency. Access to these records shall be restricted to the agency personnel officer, or a designee, persons in the supervisory chain of command, the agency legal counsel, the agency appointing authority, or a designee, the secretary of administration, or a designee, department of administration legal counsel and the director, or a designee. Further access to these records shall not be authorized without the express consent of the director. (Authorized by and implementing K.S.A. 1990 Supp. 75-4362 and L. 1991, Chap. 146, Sec. 1; effective, T-1-10-28-88, Oct. 28, 1988; effective Dec. 19, 1988; amended Feb. 19, 1990; amended April 13, 1992.)

James R. Cobler  
Secretary of Administration

Doc. No. 011631

(Published in the Kansas Register, February 27, 1992.)

**Notice of Redemption  
Shawnee County, Kansas  
Single Family  
Mortgage Revenue Bonds  
1980 Series A**

Notice is hereby given that \$755,000 principal amount of bonds, as listed below, are called for redemption on April 1, 1992, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. The outstanding amount for this issue remaining after this call is \$6,275,000.

The serial and term bonds to be redeemed are as follows:

**Serial Bonds**

April 1, 1993: 1169 1174 1197 1211 Cusip: 820624-AM-6  
April 1, 1994: 1353 1374 1380 1386 1394 Cusip: 820624-AN-4  
April 1, 1995: 1544 1589 1600 1603 Cusip: 820624-AP-9

**Term Bonds**

April 1, 2011 Cusip: 820624-AR-5  
2451 2487 2655 2709 2781 3225 3351 3399 3714 3967 4005 4017 4022  
4054 4256 4354 4661 4710 4782 5003 5016 5031 5526 5769 6011 6012  
6030 6321 7047 7164 7379 7603 7910 8098 8439 8500 8535 8670 8693

The serial numbers of the registered bonds to be redeemed April 1, 1992, are as follows:

Cusip	Bond Number	Current Amount	Called Amount	Amount Remaining
820624-AR-5	R101	10,000	10,000	-0-
	R172	5,000	5,000	-0-
	R230	5,000	5,000	-0-
	R278	5,000	5,000	-0-
	R286	5,000	5,000	-0-
	R292	5,000	5,000	-0-
	R295	5,000	5,000	-0-
	R360	10,000	5,000	5,000
	R421	935,000	390,000	545,000
	R422	20,000	15,000	5,000
	R424	25,000	25,000	-0-
	R425	30,000	15,000	15,000
	R252	5,000	5,000	-0-

Registered bonds are to be presented to Merchants National Bank of Topeka only. On April 1, 1992, all bonds designated for redemption will become due and payable upon presentation thereof at the addresses given below. On and after April 1, 1992, interest on the principal amount called for redemption shall cease to accrue. The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following addresses:

The Merchants National Bank of Topeka  
ATTN: Corporate Trust  
P.O. Box 178  
Topeka, KS 66601-0178  
or  
Morgan Guaranty Trust Company of New York  
30 N. Broadway, 12th Floor  
Coupon Paying Section  
New York, NY 10015

Shawnee County, Kansas

Doc. No. 011668

(Published in the Kansas Register, February 27, 1992.)

**Summary Notice of Bond Sale  
City of Pretty Prairie, Kansas  
\$285,000**

**Waterworks Utility System Revenue Bonds  
Series 1992**

**Sealed Bids**

Subject to the notice of bond sale and preliminary official statement dated February 27, 1992, sealed bids will be received by the city clerk of the city of Pretty Prairie, Kansas, on behalf of the governing body at City Hall, Pretty Prairie, KS 67570, until 2 p.m. C.S.T. on March 5, 1992, for the purchase of \$285,000 principal amount of Waterworks Utility System Revenue Bonds, Series 1992.

**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 March 1, 1992, and will become due on February 1 in the years as follows:

Year	Principal Amount
1993	5,000
1994	10,000
1995	10,000
1996	10,000
1997	10,000
1998	10,000
1999	10,000
2000	10,000
2001	10,000
2002	15,000
2003	15,000
2004	15,000
2005	15,000
2006	15,000
2007	15,000
2008	20,000
2009	20,000
2010	20,000
2011	25,000
2012	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 semiannually on August 1 and February 1 in each year, beginning on August 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 \$5,700 (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 March 25, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

**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, (316) 459-6392, or from the financial advisor, Hanifen, Imhoff, Inc., Lakeside Plaza Building, 250 N. Rock Road, Suite 213, Wichita, KS 67206, Attention: Gale W. Doner, (316) 264-0701.

Dated February 27, 1992.

City of Pretty Prairie, Kansas

Doc. No. 011661

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the owners of  
Grant County, Kansas  
Airport Facilities Revenue Bonds  
Series 1975, Dated March 1, 1975**

Notice is hereby given to the holders of certain Series 1975 bonds of Grant County, Kansas, that the county hereby calls for redemption on April 8, 1992, the following bonds of said series:

\$75,000 Airport Facilities Revenue Bonds of Grant County, Kansas, Series 1975, Dated March 1, 1975.

Bond Numbers	Principal Amount	Maturity March 1	Interest Rate
57-62	\$6,000	1993	8%
63-68	6,000	1994	8%
69-75	7,000	1995	8%

On the redemption date there shall become due and payable, upon the presentation and surrender of each such called bond, the redemption price thereof together with interest to the redemption date plus a premium of \$30 per bond, upon the presentation and surrender of the bonds and all unmatured coupons appertaining thereto. Interest shall cease to accrue on the called bonds so called for redemption from and after the redemption date, provided such funds for redemption are on deposit with the paying agent. The bonds so called for redemption should be presented for payment and redemption at the office of the Kansas State Treasurer, Landon State Office Building, 900 S.W. Jackson, Suite 201, Topeka, KS 66612-1235, on or after April 8, 1992.

Dated February 18, 1992.

Grant County, Kansas  
By: Linda McHenry  
Grant County Clerk

Doc. No. 011649

(Published in the Kansas Register, February 27, 1992.)

**NOTICE OF REDEMPTION  
SEDGWICK COUNTY, KANSAS**

**Single Family Mortgage Revenue Bonds  
(Multiple Originators and Servicers)**

**1980 Series A**

**Due April 1, 1993/1995 and April 1, 2011**

NOTICE IS HEREBY GIVEN that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1980, and as amended by the First Supplemental Trust Indenture, dated as of September 1, 1986, \$1,415,000 principal of Bonds has been drawn pro-rata among maturities and by lot within each maturity, for redemption at par on April 1, 1992.

**Coupon Bonds of \$5,000 Denominations, called in full, bearing CUSIP No. 815618 and Suffix:**

<b>AM5</b>	1828	3804	4476	4984	5842	6249	6907	7359	7873	8442	9257	9667	10253		
	1320	1846	3853	4494	5063	5847	6331	6917	7437	7887	8514	9277	9727	10254	
	1336	1858	3858	4512	5080	5849	6332	6919	7443	7933	8603	9278	9741	10271	
	1363	1907	3878	4589	5122	5867	6337	6958	7445	7934	8618	9285	9783	10280	
	1365	1949	3882	4612	5166	5873	6430	6968	7449	7974	8650	9405	9789	10383	
	1372	1954	3906	4616	5199	5876	6433	6974	7519	8023	8653	9423	9921	10404	
	1436	<b>AQ6</b>	3978	4620	5216	5908	6435	7154	7562	8038	8693	9441	10014	10439	
	1469		2470	4167	4627	5222	5925	6479	7165	7576	8054	8697	9451	10047	10446
<b>AN3</b>	2487	4311	4680	5359	5927	6517	7171	7577	8127	8889	9506	10049	10450		
	1531	2523	4312	4701	5576	5973	6557	7241	7579	8173	9026	9549	10054	10463	
	1546	2603	4328	4734	5679	6041	6605	7274	7624	8230	9029	9570	10065	10497	
	1586	3035	4363	4890	5687	6045	6623	7283	7640	8272	9041	9571	10068	10517	
	1645	3495	4364	4925	5741	6111	6836	7290	7649	8288	9063	9609	10128	10521	
	1674	3788	4402	4926	5750	6172	6837	7343	7739	8315	9067	9634	10129	10522	
	1683	3790	4405	4940	5777	6181	6896	7347	7746	8368	9142	9637	10151	10525	
<b>AP8</b>	3791	4423	4971	5834	6248	6897	7350	7808	8391	9249	9639	10213			

The serial numbers of the Registered Bonds, bearing CUSIP No. 815618, to be redeemed in whole or in part, and the principal amount to be redeemed are as follows:

Bond Number	Par Amount	Amount Called	Suffix	Bond Number	Par Amount	Amount Called	Suffix
R409	\$ 5,000	\$ 5,000	AN3	R408	\$ 25,000	\$ 5,000	AQ6
R479	10,000	10,000	AP8	R413	500,000	270,000	AQ6
R19	5,000	5,000	AQ6	R449	20,000	5,000	AQ6
R143	10,000	5,000	AQ6	R456	10,000	5,000	AQ6
R316	10,000	5,000	AQ6	R461	20,000	5,000	AQ6

Coupon Bonds with the April 1, 1992 and all subsequent coupons attached and all Registered Bonds should be presented to one of the offices of the Paying Agents:

**BY HAND DELIVERY:**

**Continental Bank, National Association**  
Attention: Corporate Trust Operations  
230 South Clark Street-19th Floor  
Chicago, Illinois 60697

**Morgan Guaranty Trust Company of New York**  
Attention: Corporate Trust Department  
30 West Broadway-12th Floor  
New York, New York 10015

**BY MAIL:**

**Continental Bank, National Association**  
Attention: Corporate Trust Operations  
231 South LaSalle Street-19th Floor  
Chicago, Illinois 60697

**Southwest National Bank of Wichita**  
Attention: Corporate Trust Department  
P.O. Box 1401  
Wichita, Kansas 67201

Where a fully Registered Bond is redeemed in part, a new fully Registered Bond for the unredeemed portion will be issued and returned without charge. While registered bondholders have the option of presenting Bonds to any of the above-mentioned Paying Agents, there will be a delay in the issuance of Bonds for any unredeemed portion unless such presentment is made to the principal Paying Agent in Chicago at the above given address.

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before April 1, 1992 to one of the above given addresses. The method of delivery of the Bonds for payment is at the election and risk of the holder but, if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

Interest on the Bonds or portions of Bonds called for redemption will cease to accrue on April 1, 1992.

To avoid a 20% backup withholding tax required by the Interest and Dividend Tax Compliance Act of 1983, holders must submit a properly completed IRS Form W-9 with their bonds, unless such form has been previously provided.

**By: Continental Bank, National Association**  
Trustee for Sedgwick County, Kansas

February 28, 1992

(Published in the Kansas Register, February 27, 1992.)

**Sedgwick County, Kansas  
Industrial Revenue Bonds  
(Evans Building Company, Inc. Project)  
Series I, 1983**

Notice is hereby given that the tenant, Evans Building Company, Inc., has placed funds with the fiscal agent, The Southwest National Bank of Wichita, to redeem all bonds maturing March 1, 1994, and thereafter on March 1, 1993.

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond and unmatured coupons, the redemption price thereof equal to 3 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds so called for redemption from and after March 1, 1993.

Coupons and bonds maturing March 1, 1992, and coupons maturing September 1, 1992, should be submitted for payment on the normal payment dates.

The Southwest National Bank of Wichita  
Fiscal Agent for  
Sedgwick County, Kansas  
P.O. Box 1401  
Wichita, KS 67201

Doc. No. 011638

(Published in the Kansas Register, February 27, 1992.)

**Notice of Redemption  
City of McPherson, Kansas  
Industrial Revenue Bonds, Series A  
(Johns-Manville Project)  
Dated as of April 1, 1973  
Cusip No. 582681AZ5**

Notice is hereby given pursuant to Section 4 of the ordinance of the city of McPherson, Kansas (the issuer), that there shall be redeemed at the office of the United Bank of Denver National Association, Denver, Colorado (the trustee), the total principal amount of \$150,000 of the city of McPherson, Kansas, Industrial Revenue Bonds, Series A (Johns-Manville Project), dated as of April 1, 1973, on April 1, 1992 (the redemption date), at a price equal to the principal amount thereof plus interest accrued thereon through March 31, 1992. On and after the redemption date, interest shall cease to accrue on the portion of your bonds called for redemption.

The following numbered bonds in the following principal amounts shall be redeemed:

Cusip	Bonds Numbered	Principal Called	Rate	Maturity Date
582681AZ5	41, 42, 46, 48, 61, 62, 64, 165-167, 170, 176, 185, 187-189, 196	\$5,000	5.625%	04/01/93

**Registered Bonds**

R-52 (\$5,000)      R-53 (\$40,000)      R-56 (\$20,000)

Bonds may be redeemed at the office of the trustee, United Bank of Denver National Association, Corporate Trust Operations, 1700 Broadway, Denver, CO 80274-8682 (mailing address), or One United Bank Center, 7th Floor, southwest window, 1700 Lincoln St., Denver (delivery address). All holders submitting their bonds must also submit a form W-9 in order to avoid a 20 percent backup withholding under the Interest and Dividend Tax Compliance Act of 1983. Failure to do so will result in a 20 percent backup withholding to the bondholder. The form W-9 may be obtained from the Internal Revenue Service.

Dated February 26, 1992.

By: United Bank of Denver  
National Association, as Trustee

Doc. No. 011639

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
City of Dodge City  
Industrial Revenue Bonds, Series 2 1973  
(Lynch Feed Yard, Inc.)**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 2028 of the city of Dodge City, Kansas, all of the above mentioned bonds maturing on and after April 1, 1992, and all unmatured coupons appertaining thereto, have been called for redemption and payment on April 1, 1992, at the office of Fidelity State Bank and Trust Company, 510 2nd Ave., P.O. Box 1120, Dodge City, KS 67801 (the paying agent).

Bond Numbers	Maturity Date	Principal Amount	Interest Rate
73-80	April 1, 1993	\$40,000	8%

On such redemption date there shall become due and payable, upon presentation and surrender of each such bond and unmatured coupons, the redemption price which is par plus accrued interest to the date of call (April 1, 1992), plus a premium of 3 percent or \$150 for each \$5,000 bond called. Interest shall cease to accrue on the bonds so called for redemption from and after April 1, 1992.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the Series 1973 Bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated February 27, 1992.

City of Dodge City, Kansas  
By: Fidelity State Bank & Trust  
Company of Dodge City  
Dodge City, Kansas  
as Trustee

Doc. No. 011632

(Published in the Kansas Register, February 27, 1992.)

**Notice of Redemption  
to the holders of  
Finney County, Kansas  
Single Family Mortgage Revenue Bonds  
1980 Series A**

Notice is hereby given that pursuant to Section 3.01 of the Trust Indenture dated as of January 1, 1980, \$505,000 principal amount of bonds has been drawn pro rata between maturities and by lot within each maturity, for redemption at par on April 1, 1992.

Coupon bonds in \$5,000 denominations, called in full, bearing CUSIP No. 318037 and Suffix:

AL2	AP3	999	1409	1782	2046	3385
535	796	1058	1411	1784	2099	
575	851	1062	1415	1786	2127	
591	863	AS7	1427	1792	2171	
AM0	872	1122	1456	1806	2172	
630	AQ1	1192	1519	1809	2569	
654	905	1238	1525	1863	2604	
679	939	AT5	1556	1908	2694	
AN8	980	1240	1575	1934	2897	
706	988	1246	1696	1996	2926	
774	AR9	AU2	AV0	2026	3238	

The serial numbers of the registered bonds to be redeemed bearing Cusip No. 318037, in whole or in part, and the principal amount to be redeemed are as follows:

Bond Number	Par Amount	Amount Called	Suffix
R232	\$ 10,000	\$ 5,000	AN8
R367	40,000	5,000	AS7
R252	30,000	5,000	AT5
R372	40,000	5,000	AT5
R272	80,000	5,000	AV0
R286	200,000	180,000	AV0
R331	15,000	5,000	AV0
R359	70,000	5,000	AV0
R365	30,000	5,000	AV0

Coupon bonds with the April 1, 1992, and all subsequent coupons attached, and registered bonds called in full or in part, should be presented to:

**By Mail:**

Continental Bank, National Association  
Attn: Corporate Trust Operations  
231 S. LaSalle St., 19th Floor  
Chicago, IL 60697

**By Hand:**

Continental Bank, National Association  
Attn: Corporate Trust Operations  
230 S. Clark, 19th Floor  
Chicago, IL 60697

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before April 1, 1992, to the above address. Sending certificates by registered mail is suggested.

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. Interest on the bonds or portion of bonds called for redemption will cease to accrue on April 1, 1992.

To avoid a 20 percent backup withholding tax required by the Interest and Dividend Tax Compliance Act of 1983, holders must submit a properly completed

IRS Form W-9, unless such form has been previously provided.

Dated February 27, 1992.

Finney County, Kansas  
By: Continental Bank, National Association  
as Trustee

Doc. No. 011654

(Published in the Kansas Register, February 27, 1992.)

**Notice of Redemption  
Shawnee County, Kansas  
GNMA Collateralized Home Mortgage  
Revenue Bonds  
1987 Series A**

Notice is hereby given that \$155,000 principal amount of bonds, as listed below, are called for redemption on April 1, 1992, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. The outstanding amount for this issue remaining after this call is \$7,292,306.84.

Registered bond numbers to be redeemed are as follows:

Cusip	Bond Number	Current Amount	Called Amount	Amount Remaining
820558-AK-0	CIR152	5,000	5,000	-0-
820558-AM-6	CIR845	40,000	5,000	35,000
820558-AQ-7	CIR1331	30,000	5,000	25,000
820558-AR-5	CIR1445	20,000	5,000	15,000
820558-AS-3	CIR294	5,000	5,000	-0-
820558-AT-1	CIR1118	25,000	5,000	20,000
820558-AU-8	CIR333	5,000	5,000	-0-
820558-AV-6	CIR1305	50,000	5,000	45,000
820558-AW-4	CIR1454	40,000	5,000	35,000
820558-AX-2	CIR1268	5,000	5,000	-0-
820558-AY-0	CIR1453	5,000	5,000	-0-
820558-AZ-7	CIR1448	90,000	5,000	85,000
820558-BA-1	CIR737	10,000	5,000	5,000
820558-BB-9	CIR1376	5,000	5,000	-0-
820558-BC-7	CIR858	15,000	5,000	10,000
820558-BD-5	CIR749	20,000	5,000	15,000
820558-BE-3	CIR668	20,000	10,000	10,000
	CIR996	10,000	5,000	5,000
	CIR1300	10,000	5,000	5,000
	CIR1392	15,000	5,000	10,000
	CIR1444	1,875,000	50,000	1,825,000

Registered bonds are to be presented to Merchants National Bank of Topeka. On April 1, 1992, all bonds designated for redemption will become due and payable upon presentation thereof at the address given below. On and after April 1, 1992, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the following address: The Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601-0178.

Shawnee County, Kansas

Doc. No. 011660

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
City of Winfield, Kansas  
General Obligation Bonds  
Series 136, Dated April 1, 1983**

Notice is hereby given that pursuant to the provisions of Section 1 of Ordinance No. 3024 of the city, duly adopted March 21, 1983, that those of the above mentioned bonds maturing April 1, 1993, and thereafter, and all unmatured coupons appertaining thereto, have been called for redemption and payment on April 1, 1992, at the office of the Kansas State Treasurer, Topeka, Kansas (the paying agent).

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
21-25	4-1-93	\$25,000	8.30%
26-34	4-1-94	45,000	8.30%
35-45	4-1-95	55,000	8.30%
46-57	4-1-96	60,000	8.50%
58-70	4-1-97	65,000	8.50%
71-85	4-1-98	75,000	8.50%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 102 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after April 1, 1992, in that sufficient funds for redemption are on deposit with the paying agent.

City of Winfield, Kansas  
By Security Bank of Kansas City  
Kansas City, Kansas  
as Escrow Trustee

Doc. No. 011662

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
City of Topeka, Kansas  
Industrial Revenue Bonds, Lee Project  
(Robert E. Lee & Sallee R. Lee)**

Notice is hereby given that pursuant to Section 5 of Ordinance No. 14786 of the city of Topeka, Kansas, all of the above-mentioned bonds maturing on and after April 1, 1997, and all unmatured coupons appertaining thereto, have been called for redemption and payment on April 1, 1992, at the office of Commerce Bank & Trust, Topeka, Kansas (the paying agent).

Maturity Date	Term Bonds Principal Amount	Interest Rate
04-01-97	\$560,000	11.50%
04-01-02	855,000	12.00%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond and unmatured coupons, the redemption price thereof equal to 103 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds so called for redemption from and after April 1, 1992, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent from the proceeds of refunding bonds to be issued by the city.

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

Dated February 27, 1992.

City of Topeka, Kansas  
By: Commerce Bank & Trust  
Topeka, Kansas  
as Fiscal Agent

Doc. No. 011640

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
City of McPherson, Kansas  
Water System Revenue Bonds  
Series 1980, Dated July 1, 1980**

Notice is hereby given that pursuant to the provisions of Section 301 of Ordinance No. 2035 of the city of McPherson, Kansas (the issuer), duly passed July 28, 1980, that the above mentioned bonds maturing April 1, 1993, and thereafter, as described herein, and all unmatured coupons appertaining thereto, have been called for redemption and payment on April 1, 1992 (the redemption date), at the principal corporate trust office of BANK IV Kansas, National Association, Wichita, Kansas (formerly The Fourth National Bank & Trust Company), the paying agent.

Maturity Date	Principal Amount	Interest Rate
4-1-93	\$10,000	8.000%
4-1-94	10,000	8.000%
4-1-95	10,000	8.250%
4-1-96	10,000	8.250%
4-1-97	15,000	8.250%
4-1-98	15,000	8.250%
4-1-99	15,000	8.250%
4-1-00	15,000	8.250%
4-1-01	20,000	8.250%
4-1-02	20,000	7.875%
4-1-03	70,000	7.875%
4-1-04	75,000	7.875%
4-1-05	85,000	7.875%

On the redemption date there shall become due and payable, upon the presentation and surrender of each such bond and appropriate coupons appertaining

(continued)

thereto, the redemption price thereof equal to 102 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds and all unmatured coupons appertaining thereto so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

City of McPherson, Kansas  
By: William J. Goering, City Clerk

Doc. No. 011663

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
Coffeyville Community Junior College District  
Montgomery County (Coffeyville), Kansas  
Junior College Building and  
Construction Revenue Bonds  
Series of 1977, Dated June 1, 1977**

Notice is hereby given that pursuant to the provisions of Section 2 of a resolution adopted June 13, 1977, of Coffeyville Community Junior College District, Montgomery County (Coffeyville), Kansas (the issuer), that the above mentioned bonds maturing October 1, 1993, and thereafter and all unmatured coupons appertaining thereto (the refunded bonds), have been called for redemption and payment on April 1, 1992 (the redemption date), at the principal office of the Kansas State Treasurer (the paying agent).

Maturity Date	Principal Amount	Interest Rate
10/01/1993	\$15,000	7.00%
10/01/1994	20,000	7.00%
10/01/1995	20,000	7.25%
10/01/1996	20,000	7.25%
10/01/1997	25,000	7.25%
10/01/1998	25,000	7.50%
10/01/1999	30,000	7.50%
10/01/2000	35,000	7.50%

On the redemption date there shall become due and payable, upon the presentation and surrender of each such refunded bond, the redemption price thereof equal to 103 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the refunded bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Coffeyville Community Junior College District  
Montgomery County (Coffeyville), Kansas  
By Kansas State Treasurer  
Topeka, Kansas

Doc. No. 011664

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
City of Garden City, Kansas  
Industrial Revenue Bonds  
Series B, 1980  
(Specman, Bealmear & Bowling,  
a General Partnership)**

Notice is hereby given that pursuant to Section 5 of Ordinance No. 1366 of the city of Garden City, Kansas, that all of the above mentioned bonds maturing on and after April 1, 1993, and all unmatured coupons appertaining to such of the bonds as are coupon bonds, have been called for redemption and payment on April 1, 1992, at the office of Fidelity State Bank, Garden City, Kansas (the paying agent).

Bonds Numbers (Inclusive)	Maturity Date	Principal Amount	Interest Rate
58-67	April 1, 1993	50,000	10%
68-78	April 1, 1994	55,000	10 <sup>1</sup> / <sub>4</sub> %
79-90	April 1, 1995	60,000	10 <sup>1</sup> / <sub>2</sub> %

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond and unmatured coupons, at Fidelity State Bank, 215 N. Main, P.O. Box F, Trust Department, Garden City, KS 67846, the redemption price thereof equal to 103 percent of the principal amount of each bond together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds so called for redemption from and after April 1, 1992, subject to the condition that sufficient funds for redemption are then on deposit with the paying agent.

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

Dated February 19, 1992.

City of Garden City, Kansas  
By: Fidelity State Bank  
Garden City, Kansas  
as Paying Agent

Doc. No. 011648

## State of Kansas

## Secretary of State

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

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

Bill Graves  
Secretary of State

(Published in the Kansas Register, February 27, 1992.)

## SENATE BILL No. 83

AN ACT relating to elections; amending K.S.A. 25-409, 25-604, 25-2808, 25-2811, 25-4503, 25-4607 and 25-4608 and K.S.A. 1991 Supp. 25-4609 and repealing the existing sections.

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

Section 1. K.S.A. 25-409 is hereby amended to read as follows: 25-409. (a) If any person challenged pursuant to K.S.A. 25-414, and amendments thereto, shall refuse to subscribe the oath tendered pursuant to K.S.A. 25-410, and amendments thereto, the judges shall reject such person's vote.

(b) If the person challenged pursuant to K.S.A. 25-414, and amendments thereto, subscribes the oath prescribed by K.S.A. 25-410, and amendments thereto, and the judges are satisfied that such person is a legal voter, the person shall be allowed to vote in the same manner as any other voter. If the judges are not satisfied that such person is a legal voter, such person shall be permitted to mark an absentee ballot, which shall thereupon be sealed in an envelope, and the judges shall endorse on the envelope the word "challenged" and a statement of the reason for the challenge, ~~attested by two of the judges~~, and that the ballot contained in the envelope is the same ballot which was challenged pursuant to K.S.A. 25-409 et seq. and amendments thereto. Such statement shall be attested by two of the judges. The envelope shall be numbered to correspond to the number of the challenged voter's name in the poll book, and the word "challenged" shall be written following the voter's name in the poll book. Such challenged ballots, together with objected to and void ballots packaged in accordance with K.S.A. 25-3008, and amendments thereto, shall be opened and reviewed by the county board of canvassers, and such board shall determine the acceptance or rejection of the same.

Sec. 2. K.S.A. 25-604 is hereby amended to read as follows: 25-604. (a) Except as otherwise provided in subsection (b), the county election officers shall have charge of the printing of the ballots for all elections, primary, special and general. The county election officer shall let the contract for the printing of any such ballots to some newspaper printed in Kansas and published with the original entry of such newspaper in the mail in the county or to any printer within the county, or if there be no such newspaper or printer, then to some newspaper printed in Kansas of general circulation in the county at rates established by the secretary of state by rules and regulations. The director of printing and the director of accounts and reports shall advise and assist the secretary of state in preparation of the above establishment of rates. The rates shall reflect prevailing economic conditions in the printing and publishing industries in Kansas for similar work of this type and scope. The rates shall consider, but not be limited to, labor costs, printing costs, paper costs, printing quantities, changes per ballot, size and scope of election ballots, costs per additional orders, regional cost variances and other relevant factors.

(b) The secretary of state may provide for the printing of all or any portion of the ballots for a presidential preference primary election. The secretary of state shall determine, with the advice of the director of printing, the most efficient manner in which to print ballots for a presidential preference primary election for any county in the state of Kansas.

(c) Nothing in this subsection shall apply to the printing of ballot labels for use on voting machines.

The ballots shall be printed on paper of sufficient strength as not to be punctured by ordinary pencil marking. Ballots shall be put in the possession of the county election officer at least five days before the election, accompanied by sufficient number, not to exceed 50 for each precinct or area, of exact copies of such ballots, printed on paper of any color, except white, as authorized by rules and regulations adopted by the secretary of state, for the inspection of candidates and their agents and for distribution through each of the party organizations. If any mistakes are discovered they shall be corrected without delay. County election officers may also obtain and distribute ballots on paper of any color authorized by rules and regulations adopted by the secretary of state stamped "SAMPLE BALLOT" in large letters, and these ballots shall be used for kindergarten through grade 12 school educational purposes and the distribution shall be for such purpose. The county election officers shall cause to be delivered to the supervising judges, not less than 12 hours before the time fixed by law for the opening of the polls, a number of properly printed ballots fully sufficient to meet the demands and needs of all the voters. Such ballots shall be put in separate sealed packages of 25, 50 or 100 ballots each, with marks on the outside clearly designating the voting place for which they are intended and the number of ballots enclosed. The county election officer shall retain at the county election office an additional supply of ballots to meet any emergency need for such ballots that might arise from loss or destruction of ballots, enlarged vote or any other legitimate cause.

Sec. 3. K.S.A. 25-2808 is hereby amended to read as follows: 25-2808. The county election officer in counties not using electronic or electromechanical voting systems shall determine for each election for each voting place whether the election board thereof will have three members, five members, seven members or some greater odd number of members.

The county election officer in those counties using electronic and electromechanical voting systems shall determine for each election, for each voting place, whether the election board thereof will have three members or some greater number of members.

Sec. 4. K.S.A. 25-2811 is hereby amended to read as follows: 25-2811. Judges and clerks of election shall receive the following fees and no more:

(a) Each judge and clerk of election where voting machines are not in use shall receive as compensation an amount to be fixed by resolution of the board of county commissioners which shall not be less than \$3 per hour for each hour of work as a judge or clerk of an election.

(b) Judges and clerks of election where voting machines are used shall receive for their services an amount to be fixed by resolution of the board of county commissioners which shall not be less than the sum of \$40 per day.

(c) In addition to other compensation authorized under subsections (a) and (b), the supervising judge shall receive the sum of not less than \$2 and the mileage allowance established pursuant to K.S.A. 75-3203a, and amendments thereto, for each mile necessarily traveled in the course of such service.

(d) Any judge or clerk of an election may, upon written consent, decline to accept compensation for work as a judge or clerk of an election.

Sec. 5. K.S.A. 25-4503 is hereby amended to read as follows: 25-4503. (a) The names of the candidates for nomination for president of the United States by a political party eligible to participate in a state primary election shall be printed on the official ballots for the presidential preference primary elections of their respective parties along with the choice of "none of the names shown." The ballots shall be marked, returned and canvassed in the same manner and under the same conditions, so far as the same are applicable, as in the case of the primary election of candidates for nomination for state offices.

(b) The official presidential preference primary election ballots shall be printed in a single column and shall have the following heading:

OFFICIAL PRESIDENTIAL PREFERENCE PRIMARY ELECTION BALLOT  
\_\_\_\_\_ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square to the right of the name of the person for whom you desire to

(continued)

vote. To vote for "none of the names shown" make a cross or check mark in the square to the right of such words.

This shall be followed by the names of the candidates for president of the United States of such party in the manner and order certified by the secretary of state.

(c) As soon as possible after February 12, the secretary of state shall certify to each county election officer the name of each person who is a candidate for nomination to be president of the United States of each party authorized to participate in the presidential preference primary election. ~~The county election officer shall forthwith, upon receipt thereof, publish for three (3) consecutive weeks in the official paper, a notice which shall set forth under the proper party designation, the names and addresses of all persons certified by the secretary of state as candidates for president, the day of the presidential preference primary election, the hours during which the polls will be open and stating that the election will be held at the regular voting places. Where such voting places are not well established and customarily known the published notice herein provided for shall give the location of such voting places. The secretary of state shall publish, not less than 21 days prior to the presidential preference primary, a notice in one newspaper in each county of the state where a newspaper is published, that the official list of candidates and the date of the election can be acquired in the office of the secretary of state or the office of the county election officer.~~

(d) When a party participating in the presidential preference primary election has more than one candidate, the secretary of state shall divide the state or appropriate part thereof, into as many divisions as there are names to go on such party ballot. Such divisions shall be as nearly equal in number of members of such party as is convenient without dividing any one county. In making such division the secretary of state shall take the alphabetical list of counties in regular order until he or she gets the required proportion of party members of such party based upon the party affiliation lists as shown by the certificates of the respective county election officers, and so on through the list of counties until he or she gets the proper proportion of party members in each division. The secretary of state shall take the list of candidates and shall place one name at the head of the list in the first division of counties, another in the second division, and so on with all the candidates; so that every candidate shall be at the head of the list in one division of the state and second in another division thereof, and so forth determine by lot the order in which the candidates' names will appear on the ballot. The order of names, as established by the secretary of state, shall be uniform in each county throughout the state.

Sec. 6. K.S.A. 25-4607 is hereby amended to read as follows: 25-4607. The ballot information shall be in the order of arrangement provided for in article 6, chapter 25 of Kansas Statutes Annotated for official ballots, except that such information may be printed on both sides of one ballot. Nothing in this act shall be construed as prohibiting the use of multiple ballots when the information for any election exceeds the capacity of a single ballot. Voting squares may be before or after the names of candidates and statements of questions, and shall be of such size as is compatible with the system used. Ballots shall be printed on paper and with ink compatible with the system used and the information printed in as plain clear type and size as the ballot spaces will reasonably permit. ~~Tear-off stubs shall be of a size suitable for the ballots used. At the bottom of each ballot shall be printed a box, which shall be placed on the ballot in such a manner so as not to interfere with the scanning of the ballot.~~

Sec. 7. K.S.A. 25-4608 is hereby amended to read as follows: 25-4608. Insofar as applicable, the procedures provided for voting on regular paper ballots shall apply when optical scanning equipment is to be used. *Prior to delivering any ballot to the voter, the board worker should place a unique mark in the box printed at the bottom of the ballot. A unique mark shall be of such a manner so as not to identify any individual ballot and shall be consistent on every ballot delivered to a voter in the voting place.*

Sec. 8. K.S.A. 1991 Supp. 25-4609 is hereby amended to read as follows: 25-4609. (a) When a voter is handed a ballot, such voter shall be instructed to mark the ballot as directed, and to not mark the ballot in any other way. The voter shall also be instructed to

place such person's ballot or ballots in a ballot sleeve or other container after voting, in order that no ballot upon which a choice is indicated is exposed.

(b) In case any elector after entering the voting booth asks for further instruction concerning the manner of voting, two judges of opposite political parties shall give such instruction to such elector, but no judge or other election officer or person assisting an elector shall in any manner request, suggest or seek to persuade or induce any elector to vote for or against any candidate, question or ticket. After receiving such instruction, such elector shall vote as in the case of an unassisted voter.

(c) After the voter has marked the ballot or ballots, the voter shall place it or them in the ballot sleeve provided for this purpose and return it to the judge. ~~The judge shall remove the ballot stub or stubs and deposit them in a separate envelope and deposit the ballot or ballots inside the ballot box. The judge shall verify the unique mark on the ballot and deposit the ballot in the ballot box.~~

Sec. 9. K.S.A. 25-409, 25-604, 25-2808, 25-2811, 25-4503, 25-4607 and 25-4608 and K.S.A. 1991 Supp. 25-4609 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, February 27, 1992.)

**Notice of Call for Redemption  
to the holders of  
Coffeyville Community Junior College District  
Montgomery County (Coffeyville), Kansas  
Junior College Student Dormitory  
System Revenue Bonds  
Series of 1980, Dated May 1, 1980**

Notice is hereby given that pursuant to the provisions of Section 2 of a resolution adopted April 7, 1980, of Coffeyville Community Junior College District, Montgomery County (Coffeyville), Kansas (the issuer), that the above mentioned bonds maturing October 1, 1993, and thereafter and all unmatured coupons appertaining thereto (the refunded bonds), have been called for redemption and payment on April 1, 1992 (the redemption date), at the principal office of the Kansas State Treasurer (the paying agent).

Maturity Date	Principal Amount	Interest Rate
10/01/1993	\$15,000	8.75%
10/01/1994	15,000	8.75%
10/01/1995	15,000	8.75%
10/01/1996	5,000	8.75%
10/01/1997	5,000	8.75%
10/01/1998	5,000	8.75%
10/01/1999	5,000	8.75%
10/01/2000	5,000	8.75%

On the redemption date there shall become due and payable, upon the presentation and surrender of each such refunded bond, the redemption price thereof equal to 103 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the refunded bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Coffeyville Community Junior College District  
Montgomery County (Coffeyville), Kansas  
By Kansas State Treasurer  
Topeka, Kansas

Doc. No. 011665

(Published in the Kansas Register, February 27, 1992.)

(Published in the Kansas Register, February 27, 1992.)

**NOTICE OF REDEMPTION**

**NOTICE OF REDEMPTION**

**Riley County, Kansas  
Single Family Mortgage Revenue Bonds  
1980 Series A**

**Geary County, Kansas  
Single Family Mortgage Revenue Bonds  
1980 Series A**

Notice is hereby given by Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101, (the "Trustee") that, pursuant to Section 3.01 of the Trust Indenture of Riley County, Kansas, Single Family Mortgage Revenue Bonds, 1980 Series A, that a total of \$510,000 principal amount of the Bonds are being called for redemption on April 1, 1992 at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, February 27, 1992 in the Kansas Register and the Bond Buyer.

Notice is hereby given by Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101, (the "Trustee") that, pursuant to Section 3.01 of the Trust Indenture of Geary County, Kansas, Single Family Mortgage Revenue Bonds, 1980 Series A, that a total of \$350,000 principal amount of the Bonds are being called for redemption on April 1, 1992 at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, February 27, 1992 in the Kansas Register and the Bond Buyer.

**Bearer Bonds**

**Bearer Bonds**

CUSIP No. 766642 AM4, Maturity Date 04/01/1993  
(\$5,000 each)  
259

CUSIP No. 368342 AN1, Maturity Date 04/01/1994  
(\$5,000 each)  
193

CUSIP No. 766642 AN2, Maturity Date 04/01/1994  
(\$5,000 each)  
305 312

CUSIP No. 368342 AP6, Maturity Date 04/01/2011  
(\$5,000 each)

CUSIP No. 766642 AP7, Maturity Date 04/01/2011  
(\$5,000 each)

262	272	274	296	303	333	421	422	454	480	490	502
512	547	621	626	641	654	694	716	812	814	849	875
977	999	1009	1018	1051	1059	1086	1098	1128	1154	1159	1188
1207	1231	1244	1268	1271	1281	1332	1338	1347	1410	1421	1455
1489	1530	1567	1660	1720	1751	1782	1823	1870	1914	1930	

372	469	570	581	604	803	820	1195	1272	1356	1397	1400
1425	1466	1558	1989	2285	2330	2496	2499	2713	2714	2781	

**Registered Bonds**

**Registered Bonds**

CUSIP No. 766642 AP7, Maturity Date 04/01/2011

CUSIP No. 368342 AM3, Maturity Date 04/01/1993

Certificate Amount Numbers	Certificate Amount Called						
203	\$5,000	223	\$365,000	208	\$5,000	224	\$5,000

Certificate Numbers Amount Called  
R-116 \$5,000

CUSIP No. 368342 AP6, Maturity Date 04/01/2011

Certificate Amount Numbers	Certificate Amount Called						
R-95	\$5,000	R-126	\$20,000	R-122	\$5,000	R-139	\$5,000
R-123	5,000	R-140	5,000				

**INSTRUCTIONS**

**INSTRUCTIONS**

1. Send your bond by registered or certified mail, return receipt requested or present it to:

1. Send your bond by registered or certified mail, return receipt requested or present it to:

Security Bank of Kansas City  
Corporate Trust Division  
One Security Plaza  
Kansas City, Kansas 66101  
Attn: Bond Redemption Desk

Security Bank of Kansas City  
Corporate Trust Division  
One Security Plaza  
Kansas City, Kansas 66101  
Attn: Bond Redemption Desk

2. Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20% tax from remittances to individuals who have failed to furnish the paying agent with a valid Taxpayer Identification Number.

2. Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20% tax from remittances to individuals who have failed to furnish the paying agent with a valid Taxpayer Identification Number.

3. Interest on the bond shall cease to accrue on and after April 1, 1992.

3. Interest on the bond shall cease to accrue on and after April 1, 1992.

**Security Bank of Kansas City**  
Corporate Trust Division

**Security Bank of Kansas City**  
Corporate Trust Division



Doc. No. 011666

Doc. No. 011667

INDEX TO ADMINISTRATIVE REGULATIONS

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36-1-28	through	
36-1-34	New	V. 10, p. 88-91

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40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584
40-4-35	Amended	V. 11, p. 82
40-4-37	Amended	V. 10, p. 1695

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
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44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
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**AGENCY 51: DEPARTMENT OF HUMAN RESOURCES— DIVISION OF WORKERS' COMPENSATION**

Reg. No.	Action	Register
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51-24-4	Amended	V. 11, p. 212
51-24-8	New	V. 11, p. 213
51-24-9	New	V. 11, p. 213
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**AGENCY 60: BOARD OF NURSING**

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60-4-101	Amended	V. 11, p. 83
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1041
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 11, p. 83
60-9-106	New	V. 10, p. 1041
60-9-107	New	V. 11, p. 83
60-9-109	New	V. 10, p. 1041
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60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042
60-11-114	New	V. 10, p. 1042, 1497
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60-11-118	New	V. 10, p. 1042
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60-12-102	Revoked	V. 10, p. 1043
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60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
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60-15-104	Amended	V. 10, p. 1046

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63-3-19	Amended	V. 10, p. 1700
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63-6-1	Amended	V. 10, p. 1701

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74-5-403	Amended	V. 10, p. 842

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81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
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81-5-9	New	V. 10, p. 1440
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82-3-106	Amended	V. 11, p. 38
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82-3-600	Amended	V. 10, p. 890
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82-3-602	Amended	V. 10, p. 891	99-32-6	Revoked	V. 10, p. 1323	111-4-111	Amended	V. 9, p. 1366
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111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 11, p. 36, 86
112-4-4	Amended	V. 11, p. 165
112-4-14b	New	V. 10, p. 162
112-4-21	New	V. 10, p. 162
112-6-1		
through		
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-6	Amended	V. 10, p. 165
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-41	Revoked	V. 11, p. 134
112-9-41a	New	V. 11, p. 134
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 10, p. 170
112-10-36	Revoked	V. 11, p. 165
112-10-36a	New	V. 11, p. 37, 135
112-11-21	Amended	V. 10, p. 263, 531
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170
112-13-4	New	V. 10, p. 171

112-13-5	New	V. 10, p. 171
112-16-1		
through		
112-16-14	New	V. 10, p. 1316-1318

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 10, p. 1818
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 10, p. 458
115-4-5	Amended	V. 10, p. 782
115-4-7	Amended	V. 10, p. 460
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-9	Amended	V. 10, p. 1820
115-12-3	New	V. 10, p. 1821
115-13-1		
through		
115-13-5	New	V. 10, p. 917-919
115-14-1		
through		
115-14-10	New	V. 10, p. 1441-1443
115-17-10		
through		
115-17-13	New	V. 10, p. 461, 462
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

AGENCY 117: REAL ESTATE APPRAISAL BOARD

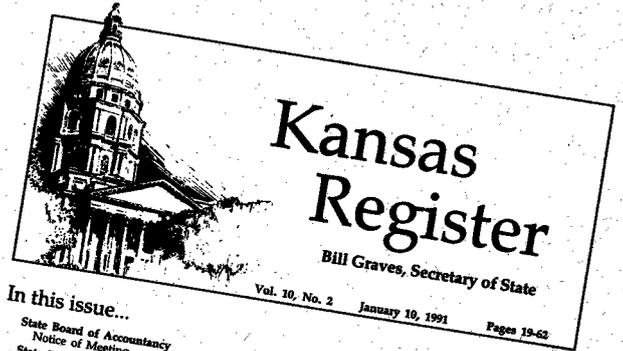
Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1		
through		
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 10, p. 916, 956
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956

AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

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