

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 22

June 3, 1982

Pages 747-770

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State of Kansas

LEGISLATURE

INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of June 1 through June 18, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
June 4	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative Matters.
June 7	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Review of Certain Temporary Regulations Filed By the State Corporation Commission (Class II Wells); Begin 5-Year Review of Department of Revenue—Division of Motor Vehicles and Division of Taxation.
June 8	123-S	9:00 A.M.		
June 14	Parsons State Hospital and Training Center		Social and Rehabilitation Services Review Commission	Institutional Management and Program.
June 15	Parsons Area SRS Office			Area Office Management, Prescreening, and Alternate Services.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 000387

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
Publications Director

State of Kansas

SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1981 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1982 through June 30, 1982 shall be 17.752%.

In testimony whereof: I hereto set my hand and cause to be affixed my official seal. Done at the City of Topeka, this 27th day of May A.D. 1982.

JACK H. BRIER
Secretary of State

Doc. No. 000386

State of Kansas

STATE OF KANSAS STATE CORPORATION COMMISSION**NOTICE OF APPLICATION FOR A RAILROAD AGENCY TEST**

The Atchison, Topeka and Santa Fe Railway Company filed an application to proceed with a Service System Test and for an order authorizing and permitting it to discontinue the services of its Agents at its stations of Concordia; dualized agency at Ada and Barnard; and the dualized agency at Longford and Miltonvale. The test will become effective July 13, 1982. The Commission will examine Docket 133,562-R for protest on June 28, 1982, to determine if the application should be granted or set for hearing.

NOTICE OF APPLICATION FOR RAILROAD AGENCY TEST

The Atchison, Topeka and Santa Fe Railway Company filed an application to proceed with a Service System Test and for an order authorizing and permitting it to discontinue the services of its Agents at its stations of Conway; Little River; Lyons; the mobile agency operation that serves Holyrood, Beaver, Galatia and Chase; and the mobile agency operation that serves Marion, Lehigh, Hillsboro and Canton, Kansas. The test will become effective July 16, 1982. The commission will examine Docket 133,563-R for protest on July 1, 1982, to determine if the application should be granted or set for hearing.

JACK TIERCE
Compliance Administrator

Doc. No. 000375

State of Kansas

SECRETARY OF STATE

NOTICE

Please note the following price increases for state law books:

Pursuant to K.A.R. 7-30-1, effective May 1, 1982, the prices for the *Session Laws of Kansas* will be:

Clothbound	\$14.00
Paperbound	13.00

The 1982 *Session Laws* will be published July 1, and will be available at these prices. Watch the *Register* for notice of availability.

Pursuant to 1982 House Bill 2740, effective July 1, 1982, the prices of *Kansas Statutes Annotated* volumes will be:

Individual Hardbound Volumes (i.e.: Vol. 1, \$15; Vol. 1A, \$15; etc.)	\$15.00
General Index Volumes (when sold separately)	12.50
Individual Supplement Volumes	7.50
Annual Cumulative Supplement Sets (includes General Index)	30.00
Complete Set of Hardbound Volumes (not including supplement set)	210.00

The following list indicates the volumes which should be included in a current, complete set of *Kansas Statutes Annotated*, and the *current* (until July 1) prices:

Vol. 1 and 1A (1975 revision)	\$7.50 each
Vol. 2 and 2A (1981 revision)	7.50 each
Vol. 3 and 3A (1981 revision)	7.50 each
Vol. 4 and 4A (1976 revision)	7.50 each
Vol. 5 and 5A (1980 revision)	7.50 each
Vol. 6 and 6A (1977 revision)	7.50 each
Vol. 7 (Uniform Commercial Code) (original volume)	15.00
Constitutions (1979 revision)	15.00
1981 Supplement set (Individual supplements, \$5.00 each)	25.00

Any of these volumes may be purchased *prior to July 1* at the current prices. *Orders and payment must arrive in this office prior to July 1 for purchase at the current price.* (There is no change in the prices of Vol. 7 and the Constitutions volume.)

Any questions should be directed to the Legislative Matters division of the Secretary of State's Office (phone: 913/296-2236).

State of Kansas

SECRETARY OF STATE**NOTICE OF FORFEITURE**

In accordance with K.S.A. 17-7510, the authority of the following foreign corporations to do business in the State of Kansas was forfeited on April 15, 1982, for failure to file an annual report and pay the annual franchise tax, as required by the Kansas General Corporation Code.

Cancelled 4/15/82 for failure to file the 9/30/81 annual report:

Foreign for Profit

Amfood Industries, Inc., 505 W. Algonquin Road, Arlington Heights, IL.
 Auto Painting Corporation of America, 218 Madison Street, Oak Park, IL.
 Barnes Flowers, Inc., 2828 Johnson Drive, Shawnee Mission, KS.
 Bowrio Resources, Inc., 430-534 17th Avenue, S.W., Calgary, Alberta, Canada.
 Bugs Burger Bug Killers, Inc., 7801 N.W. 29th Street, Miami, FL.
 Central Parking System of Kansas City, Inc., 808 Church Street, Nashville, TN.
 Conceptual Financial Ideas, Inc., 1000 Locust Street, St. Louis, MO.
 Continental Cars Distributor, Inc., 818 Olive Street, Suite 1230, St. Louis, MO.
 Das Liquidating Company, 8900 Manchester Rd., St. Louis, MO.
 Deere Electric Co., 2531 Prospect, Kansas City, MO.
 Dena Pictures Incorporated, Suite 430, 9171 Wilshire, Beverly Hills, CA.
 Engineering Design, Inc., 745 North D Street, Fremont, NE.
 Gateway Audio Sales, Inc., 85 Oxford Drive, Moonachie, NJ.
 G. J. Payne Company, 400 West Victoria St., Carson, CA.
 Intermodal, Inc., 3600 S. Kostner Avenue, Chicago, IL.
 J. Edward Slankard, M.D., P.C., 4320 Wornall Road, Kansas City, MO.
 Kansas City British Motors, Inc., 818 Olive Street, Suite 1230, St. Louis, MO.
 Lead Resources, Inc., 1105 North Market St., Wilmington, DE.
 LRH Warehousing, Inc., 14 Wall Street, New York, NY.
 Malan Construction Company, 17356 Northland Park Court, Southfield, MI.
 Mareve Oil Corp., 450 Park Avenue, New York, NY.
 Milchem Incorporated, 3920 Essex Lane, Houston, TX.
 N. Donald & Company, Suite 1300, 1616 Glenarm Place, Denver, CO.
 N.E. Pierson Construction, Inc., Route 5, Box 22, Columbia, MO.
 Old Westport Medical Association, Inc., 305 W. 43rd St., Kansas City, MO.
 Paine, Webber, Jackson & Curtis Incorporated, 140 Broadway, New York, NY.

Professional Biological Laboratories, Inc., 1103 Broadway, Lamar, MO.

PWJC Insurance Sales Incorporated, 25 Broad Street, New York, NY.

R.D.S. Construction Co., 1203 Main, Grandview, MO.

R. E. Boyett Contractor, Inc., 2600 South Dallas Circle, Fort Smith, AR.

R. J. Baird and Associates, Inc., 6528 J Raytown Road, Raytown, MO.

R L T Construction Company, 10580 Barkley #86, Overland Park, KS.

Rocky Mountain Compression Services, Inc., 14530 Wunderlich, Houston, TX.

Schmitt Brothers Aerial Agricultural Service Co., 7841 Stuart Street, Westminster, CO.

Scott-Kinnear, Inc., 100 West Tenth Street, Wilmington, DE.

Software Design, Inc., 2855 Campus Drive, San Mateo, CA.

South Central Oil Company, 5959 West Loop South, Suite 600, Bellaire, TX.

S. Riekes & Sons, Inc., 1818 Leavenworth Street, Omaha, NE.

Subaru of Johnson County, Inc., 11867 Westline Industrial, St. Louis, MO.

Tae Corp., 505 West Algonquin Rd., Arlington Ht., IL.

Third Party Services, Inc., 3249 Broad Street, Dexter, MI.

TPEX Exploration, Inc., 1380 17th Street, Denver, CO.

U.D.E. Corporation, 77 West Port Plaza, St. Louis, MO.

Weinrich, Zitzmann & Whitehead, Inc., 1000 Locust Street, St. Louis, MO.

Cancelled 4/15/82 for failure to file the annual report due after 1/15/82 extension:

Foreign for Profit

Patricio Mexican Food, Inc., 12401 E. 43rd Street, Independence, MO.

Cancelled 4/15/82 for failure to correct and return annual report:

Foreign for Profit

Mid-States Supply Company, Inc., 1716 Guinotte, Kansas City, MO.

Pioneer Oil Co., Western Division, 3420 East Vickery Blvd., P. O. Box 1838, Fort Worth, TX.

Sun-Maid Growers of California, 13525 South Bethel Avenue, Kingsburg, CA.

Cancelled 4/15/82 for failure to submit a certificate of good standing with the annual report:

Foreign for Profit

Allen Travel Agency, Inc., 10 Allen's Alley, Clear Lake, IA.

Carpet City, Inc., 1207 S. Pittsburg, Tulsa, OK.

Central Crude Corporation, 108 West 10th Street, Wilmington, DE.

Grand Laboratories, Inc., Route 1, Irwin, MO.

J. A. Farrell Co., Inc., 1717 Madison, P.O. Box 637, Loveland, CO.

Larry's Food Products, Inc., 14725 South Broadway St., Gardena, CA.

(continued)

Mike Greene Painting Company, 9900 Flora, Kansas City, MO.

Rollins Protective Services Company, 2170 Piedmont Road N.E., Atlanta, GA.

Sound Control Systems, Inc., 9233 Ward Parkway, Suite 380, Kansas City, MO.

JACK H. BRIER
Secretary of State

BY: JOHN R. WINE, JR.
Chief Counsel

Deputy Assistant Secretary of State

Doc. No. 000372

State of Kansas

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER No. 82-57

**ESTABLISHING THE GOVERNOR'S
ADVISORY COMMITTEE ON
MINORITY BUSINESS**

WHEREAS, the State of Kansas is dedicated to the belief in the freedom and equality of all of its citizens; and

WHEREAS, our great State has always had a deep commitment to the advancement of its minority communities; and

WHEREAS, it is the role of state government to establish leadership in promoting policies to enhance equality and fairness; and

WHEREAS, in 1975, the State of Kansas established the Division of Minority Business Enterprise within the Department of Economic Development; and

WHEREAS, the Division is charged with encouraging, fostering, and assisting the development of minority business enterprises in the State; and

WHEREAS, the Division is further charged with aiding in the educational programs relative to aiding such development; and

WHEREAS, the Division is further directed to recommend necessary legislation to advance the interests of the State in development of minority business enterprises; and

WHEREAS, the Division is to represent the State in related matters before federal agencies, and to cooperate with and assist the federal government, the political subdivisions of this State, and other persons in such development; and

WHEREAS, there is a need for advice, communication, and exchange of ideas from the minority business community to the Division of Minority Business Enterprise and the Department of Economic Development.

NOW, THEREFORE, pursuant to the authority vested in me as Governor and chief executive of the State of Kansas, I hereby create and establish the Governor's Advisory Committee on Minority Business composed of not more than twenty-three members, who shall be appointed by the Governor and include individuals generally representative of the Black, Hispanic, and Indian business communities.

The Governor shall designate one of the members as Chairperson. The Committee shall meet on call of the

Chairperson. The Committee shall have the following charges:

- (1) Examine minority business conditions throughout the State of Kansas, taking under consideration problems involved in inadequate access to business opportunities, lack of access to resources, and the lack of a positive image in the business community;
- (2) Advise the Director of Minority Business Enterprise and the Secretary of Economic Development of conditions, both positive and negative, which can and will impact on the development of minority business in our State;
- (3) Assist the Division of Minority Business Enterprise in the establishment of procedures by which minorities and seeking to start, improve, or expand businesses may obtain technical assistance;
- (4) Advise the Director of Minority Business Enterprise and the Secretary of Economic Development on positive approaches to increasing minority business participation in the set-aside programs; and
- (5) Enhance and support existing efforts by the Division of Minority Business Enterprise in working with the Department of Administration, the Small Business Administration and the Farmers Home Administration to provide knowledge and expertise to minority businesses, which can assist them in obtaining financing through the programs which are administered by these agencies.

The Committee shall serve without compensation at the pleasure of the Governor. Staff support shall be provided by the Department of Economic Development and by such other agencies as may be designated by the Governor. Expenses of the Committee, including the costs of publication of this Order, shall be paid by the Department of Economic Development upon vouchers approved by the Secretary or his designee and the Governor or his designee.

The Committee shall compile and present, at least twice annually, to the Secretary of Economic Development and the Governor, its Study, Report and Recommendations.

This document shall be filed with the Secretary of State as Executive Order No. 82-57 and shall become effective immediately.

DATED May 21, 1982.

Filed with the Secretary of State, May 21, 1982.

JOHN CARLIN
Governor

Doc. No. 000371

State of Kansas

BOARD OF REGENTS**NOTICE TO ALL PERSONS HAVING AN INTEREST IN THE REGULATIONS GOVERNING TRAFFIC AND PARKING ON THE ROADS, STREETS, DRIVEWAYS AND PARKING FACILITIES AT THE STATE EDUCATIONAL INSTITUTIONS**

Notice is hereby given to all interested parties that on June 21, 1982, at 9:00 a.m. C.D.T., at the office of the Kansas Board of Regents, 1416 Merchants National Bank Tower, 8th and Jackson, Topeka, Kansas, a public hearing will be held concerning the adoption by the Board of Regents of regulations governing traffic and parking on the roads, streets, driveways and parking facilities at the state educational institutions. The following is a summary of the substance of the rules and proposed changes.

88-4-1: *Parking, effective when.* The current regulations specify the times and locations for parking restrictions at the Regents institutions. The proposed amendments to the existing rules would modify the limitations on parking in certain lots at the University of Kansas (Lawrence and Kansas City campuses), Kansas State University and Kansas Technical Institute.

88-4-2: *Same, prohibited when.* The current regulations specify locations in which parking is prohibited. The proposed amendment to the existing rules exempts certain vehicles from the requirement of displaying parking permits at Wichita State University and shall provide for a permit issued by the office of the Kansas Board of Regents.

88-4-3: *Same, visitors.* The current regulations specify conditions under which visitors may legally park on Regents institutions' campuses. The proposed amendment to the existing rules modifies visitor parking rights at the University of Kansas, Kansas State University, Wichita State University, Emporia State University and Kansas Technical Institute.

88-4-4: *Same, registration of vehicles.* The current regulations specify the conditions under which faculty members and students must register vehicles. The proposed amendment of the existing rules deletes the presumption of responsibility for violators at Kansas State University and eliminates the registration requirement at Emporia State University.

88-4-5: *Same, permits for.* The current regulations establish the procedure by which parking permits for vehicles may be obtained, the types of parking permits available, and the fees charged for such permits. The proposed amendment to the existing rules provides for a parking permit to be issued to the members of the Kansas Board of Regents and its staff, as well as increases the parking fees at the University of Kansas (Lawrence and Kansas City campuses), Kansas State University, Emporia State University, Fort Hays State University and Kansas Technical Institute.

88-4-6: *Same, acts prohibited.* The current regulations specify prohibited acts for which misuse penalties may be assessed. The proposed amendment to the existing rules defines parking at Kansas State Univer-

sity and specifies the manner in which vehicles and bicycles shall be parked and operated on the campus.

88-4-7: *Same, misuse of areas.* The current regulations specify the penalties for misuse of parking areas. The proposed amendment to the existing rules reorders the listing of violations at the University of Kansas (Lawrence and Kansas City campuses), provides for responsibility for violations at Kansas State University and Pittsburg State University and increases the penalty and types of violations at Kansas State University.

88-4-8: *Same, appeals.* The current regulations establish the procedure for appeals from a charge of misuse of a parking area. The proposed amendment to the existing rules further defines the appeal rights for an individual at the University of Kansas (Kansas City campus) and provides for the assessment of an additional fee for late payment of fines at Kansas State University.

88-4-9: *Same, permits or registration sticker.* The current regulations specify the location for parking permits on the vehicle and establish that an improperly placed parking permit constitutes misuse of a parking area. The proposed amendment to the existing rule provides for the removal of permits at Kansas State University and requires the display of parking permits on motorcycles, mopeds and scooters at Wichita State University.

88-4-10: *Same, signs and markings.* The current regulations authorize use of signs and markings, and establishment of other restrictions necessary to the best use of roads, streets, driveways, and parking facilities. No amendments are proposed.

88-4-11: *Speed limit.* The current regulations establish the legal speed limit for all vehicles operated on the campus of state educational institutions. The proposed amendment to the existing rule provides for the checking of speed by radar at all Regents institutions and establishes the speed limit at Kansas State University at not more than 20 miles per hour and not more than 15 miles per hour at Kansas Technical Institute.

88-4-12: *Vehicles and pedestrians, conduct.* The current regulations regulate the conduct of vehicles and pedestrians on state institutions' campuses. No amendments are proposed.

88-4-13: *Vehicles, operation and condition, traffic code.* The current regulations specify when the provisions of the state traffic code apply to the operation of vehicles on campuses of state institutions. No amendments are proposed.

88-4-14: *Parking permits and misuse of areas, disposition of fees for.* The current regulations specify who may issue parking tickets, where towing fees, misuse fees, and fees charged for parking permits shall be deposited, and how such fees shall be used. The proposed amendment to the existing rule provides for a change at Kansas State University in the title of the account from traffic fund to parking fee account.

88-4-15: *Parking, misuse of, removal of vehicles.* The current regulations specify the conditions under which a vehicle may be removed from an institution's campus. The proposed amendment to the existing rule provides for the removal of vehicles at the University of Kansas (Lawrence and Kansas City campuses) for an

(continued)

additional class of violations and deletes the existing provision concerning Kansas State University.

Interested persons will be given a reasonable opportunity at the hearing to present their views concerning the adoption of the proposed amendments to the existing regulations. Written comments may also be submitted but must be received prior to the hearing. Written comments or a request for a copy of the proposed regulations and a copy of the financial impact statement of such changes should be submitted to William R. Kauffman, Staff Attorney, Kansas Board of Regents, 1418 Merchants National Bank, 8th and Jackson, Topeka, Kansas 66612.

WILLIAM R. KAUFFMAN
Staff Attorney
Kansas Board of Regents

Doc. No. 000383

State of Kansas
SOCIAL AND REHABILITATION SERVICES

**METHODS AND STANDARDS FOR
ESTABLISHING PAYMENT RATES
INPATIENT HOSPITAL CARE**

For claims with service dates beginning on or after July 1, 1982, third party payment will be applied in the following manner:

If a third party payment is greater than the reasonable cost which is reimbursable under the Medicaid (Medical Assistance) Program, SRS will allow the provider of the services (the hospital to keep the excess over the reasonable cost where the circumstances are similar to the following example:

Assume the reasonable cost for the patient's stay was \$800 (as determined by the RCCAC formula utilized for determining total program costs) and the charges were \$1000 and the patient had third party coverage of \$900, the hospital would be allowed to retain the \$100 excess over reasonable cost. SRS would not be liable for any payment to the hospital since the first \$800 of the third party payment would satisfy SRS' obligation.

If any portion of services in a hospital stay is charged to SRS, the patient is considered a program patient for the entire stay and the related charges and costs are reflected as program reimbursement data.

Furthermore, this policy is only applicable to a patient's total hospital stay and not to a portion thereof. Assume a patient is hospitalized for 11 days and the allowable charges are \$1,100 and average costs are \$880 and the third party payments are \$90 per day for 10 days, the excess amount of third party payments retained by the hospital would be \$20 (\$900 in third party payments determined to relate to the individual in accordance with the RCCAC formula). This policy may not be interpreted to apply on a daily basis i.e., the provider retains \$10 per day of third party payments

for ten days (\$100) and SRS is responsible for the total costs of \$80 for the 11th day.

L. KATHRYN KLASSEN, DIRECTOR
Division of Medical Programs
State Department of Social and
Rehabilitation Services

Doc. No. 000377

State of Kansas
SOCIAL AND REHABILITATION SERVICES

**NOTICE OF PUBLIC HEARINGS OF THE
GOVERNOR'S COMMITTEE ON
DRINKING AND DRIVING**

The Governor's Committee on Drinking and Driving will hold Public Hearings in Salina and Manhattan, June 17.

The Salina hearing is from 9:30 a.m. to 11:30 a.m. at the City/County Building, 300 W. Ash, Room 300.

In Manhattan, the hearing begins at 7:00 p.m. at the Riley County Courthouse, 5th and Poyntz.

For additional information, contact Judy Whitworth, 913-296-3925.

LORNE A. PHILLIPS, Ph.D.
Commissioner
Alcohol and Drug Abuse Services
State Department of Social and
Rehabilitation Services

Doc. No. 000378

State of Kansas
SOCIAL AND REHABILITATION SERVICES

**KANSAS PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES**

INVITATION

The Kansas Planning Council on Developmental Disabilities invites community agencies for MR/DD and MR/DD organizations to submit Letters of Intent to provide services in the two priority areas of Case Management and Alternative Community Living, as soon as possible. Projects must begin before September 30, 1982.

JOHN CONWAY
Executive Secretary

Doc. No. 000380

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****PUBLIC NOTICE**

The following Certificate of Need Applications have been filed by the Kansas Department of Health and Environment for initiation of the formal ninety (90) day review cycle. These applications will be available for public examination at the Health Systems Agency of Northeast Kansas, 1195 SW Buchanan, Suite 101, Topeka, Kansas, and the Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas.

DATE FILED: May 24, 1982

NAME OF

APPLICANT: Rossville Valley Manor
TYPE OF: Addition of 35 Intermediate
PROJECT: Care Facility Beds
LOCATION: Rossville, Kansas

DATE FILED: May 24, 1982

NAME OF

APPLICANT: St. Mary's Hospital
TYPE OF:
PROJECT: Acquisition of Ct. Scanner
LOCATION: Emporia, Kansas

JOSEPH F. HARKINS
Secretary

Doc. No. 000381

State of Kansas

**DEPARTMENT OF HEALTH
AND ENVIRONMENT****PUBLIC NOTICE**

The following Certificate of Need Application has been filed by the Kansas Department of Health and Environment for initiation of the formal ninety (90) day review cycle. The application will be available for public examination at the Health Systems Agency of Southeast Kansas, Inc., 355 North Waco, Suite 209, Wichita, Kansas, and the Kansas Department of Health and Environment, Forbes Field, Topeka, Kansas.

DATE FILED: May 25, 1982

NAME OF

APPLICANT: Southeast Kansas Lutheran, Inc.
TYPE OF: Addition of Ten Intermediate
PROJECT: Care Facility Beds
LOCATION: Independence, Kansas

JOSEPH F. HARKINS
Secretary

Doc. No. 000382

State of Kansas

ATTORNEY GENERAL**OPINION NO. 82-104**

Townships and Township Officers—Township Treasurer—Duties. Dorothy Shearer, Norton County Clerk, Norton, May 24, 1982.

The duties of a township treasurer are set forth in Article 4 of Chapter 80, Kansas Statutes Annotated, and include the custody of all moneys of the township, the keeping of account books and voucher files and the publishing of notices concerning the financial position of the township. Furthermore, if the payment of money by the township is made by a warrant issued pursuant to K.S.A. 10-801 *et seq.*, the treasurer must sign the warrant before it may be presented to the payee. Interference by other township officials with such duties can, if necessary, be the subject of a *quo warranto* action initiated by the county attorney. Cited herein: K.S.A. 10-803, 10-804, 60-1203, 80-401, 80-402, 80-403, 80-404, 80-405, 80-410. JSS.

OPINION NO. 82-105

Cities and Municipalities—Planning and Zoning—Plats, Submission for Approval or Disapproval. Glenn O. Crum, Haysville Mayor, Haysville, May 24, 1982.

The procedure for approval and filing of plats is set forth in K.S.A. 12-705b, and changes or corrections in a plat filed with the register of deeds may only be accomplished through preparation of a corrected plat and submission thereof to the city planning commission for approval. Cited herein: K.S.A. 12-705b. TRH.

OPINION NO. 82-106

Cities of the Third Class—Mayor-Council Form of Government—Incompatibility of Officers Doctrine; City Councilman Serving as Fire Chief. Marvin W. Barkis, La Cygne City Attorney, La Cygne, May 24, 1982.

The doctrine of incompatibility of offices precludes one person from holding the position of fire chief while at the same time serving as city councilman in a city of the third class having the mayor-council form of government. Cited herein: K.S.A. 15-101, 15-204, 15-301, 15-1201, 15-1402, 15-1407. TRH.

OPINION NO. 82-107

Taxation—Mortgage Registration Fee—Instruments Subject Thereto; Contracts For Deed. Leonard L. Buddenbohm, Atchison County Counselor, Atchison, May 24, 1982.

Executory contracts for the sale of real estate having the characteristics specified in K.S.A. 79-3101 are mortgages covered by the Mortgage Registration Fee Act, and \$.25 on every one hundred dollars (\$100) of principal debt or obligation secured by any such contract must be collected by the Register of Deeds before recording the instrument. However, an affidavit of equitable interest, filed by the purchaser pursuant to K.S.A. 1981 Supp. 79-3102(5), may be recorded with-

(continued)

out payment of the mortgage registration fee on the executory contract which gives rise to the affidavit of equitable interest. If the contract itself is offered for filing, the fee collected should reflect the total debt secured, and not merely the amount outstanding at the time of filing. Cited herein: K.S.A. 79-3101, K.S.A. 1981 Supp. 79-3102, K.S.A. 79-3107. JSS.

OPINION NO. 82-108

Cities of the Third Class—Public Utilities—Disposition of Proceeds from Sale of Municipal Utility.

Oil and Gas—Lease of Lands by Municipal Corporations—Exercise of Home Rule Power. Robert Osborn, Stockton City Attorney, Stockton, May 24, 1982.

A city of the third class may, pursuant to its constitutional home rule powers, exempt itself, by charter ordinance, from that portion of K.S.A. 15-809 which requires that the excess proceeds from the sale of a city-owned utility be paid into the city's general fund.

The provisions of K.S.A. 55-211a are uniformly applicable to all cities, and a city may not exempt itself from that portion of the statute which prescribes that moneys arising from the lease of lands for drilling for oil or gas, or from the production of oil or gas, shall become a part of the city's general fund. Cited herein: K.S.A. 15-809, 55-211a, Kan. Const., Art. 12, § 5. TRH.

OPINION NO. 82-109

Corporations—Religious, Charitable and Other Organizations—Exemptions from Registration Under Charitable Solicitation Act. The Honorable Jack H. Brier, Secretary of State, Topeka, Kansas, May 25, 1982.

Pursuant to K.S.A. 17-1740, every charitable organization which solicits contributions from persons in Kansas must register with the secretary of state unless specifically exempted. While unified school districts and educational institutions accredited by a regional accrediting association or by an organization affiliated with the National Commission on Accrediting are afforded an exemption by K.S.A. 17-1741, the Institute of Logopedics, under the facts presented, does not qualify for such exemption. Consequently, the Institute is not an educational institution that is exempt from the registration requirements of the Kansas Charitable Solicitation Act. Cited herein: K.S.A. 17-1739, 17-1740, 17-1741, 17-1742. LPJ.

OPINION NO. 82-110

Civil Procedure—Costs—Filing Fees for Collection of Delinquent University of Kansas Medical Center Bills. Benjamin J. Neill, Special Assistant Attorney General, Mission, May 25, 1982.

District court clerks may not require Special Assistants of the Attorney General filing actions to collect delinquent debts for the University of Kansas Medical Center to deposit court costs or docket fees, as the State of Kansas is exempted from such filing fees by K.S.A. 60-2005. Cited herein: K.S.A. 60-2001, 60-2005. BJS.

OPINION NO. 82-111

Counties and County Officers—County Commission-

ers; Powers and Duties—Eligibility of County Employee to Serve as County Commissioner. Johnnie Brown, Crawford County Commissioner, Girard, May 25, 1982.

The common law doctrine of incompatibility of offices may be utilized to scrutinize the propriety of one person simultaneously being a public officer and public employee, where such person is compensated for both positions from public funds. Application of such doctrine to the situation where an individual is a county commissioner and simultaneously an employee of the county creates an incompatibility in the functions and duties of such positions.

Therefore, a county employee, serving as a part-time sewer inspector, may not simultaneously serve as a county commissioner of the county by which he is employed. There is an inherent functional incompatibility between the two positions because the prospective county commissioner would be in a position to, *inter alia*, determine the rate of compensation and supervise his own work as a sewer inspector. Cited herein: K.S.A. 19-205. RVE.

OPINION NO. 82-112

Elections—Primary Elections—Filing Fees of Candidates for State Offices. Jack H. Brier, Secretary of State, Topeka, May 26, 1982.

Pursuant to K.S.A. 25-206, the filing fees required of candidates for the various state offices are to be computed on the basis of the salaries in effect for these offices at the time the declarations of candidacy for these offices are filed in the office of the secretary of state. However, the salary used to compute the filing fee required of any person filing a declaration of candidacy for state office on or after June 18 and prior to the filing deadline of noon on June 21, 1982, shall not include any cost of living increase made in such salary on June 18, 1982, by section 26 of 1982 Senate Bill No. 893. Cited herein: K.S.A. 25-205, 25-206; Section 26 of 1982 Senate Bill No. 893. WRA.

OPINION NO. 82-113

Kansas Constitution—Legislative Article—Qualification of Candidates for Nomination or Election to Legislature. Representative Ben Foster, Wichita, May 26, 1982.

A person who is a candidate for nomination or election to the legislature must be a qualified elector, which requires *inter alia* that such person has attained the age of eighteen. Thus, a person who will not attain the age of eighteen until March of 1983 may not be a candidate for nomination or election as a state representative at the 1982 primary or general election. Cited herein: K.S.A. 25-2306, Kan. Const., Art. 2, § 4; Art. 5, § 1. WRA.

OPINION NO. 82-114

Townships and Township Officers—Fire Protection—Power to Levy Taxes.

Counties and County Officers—Fire Protection—County Fire Districts; Effective Date of Inclusion of

(continued)

Township Territory. Stephen Jones, Fire District No. 5, Lyndon, May 26, 1982.

Apart from a specific statute, a township has no general power to impose a levy for fire protection. Unless a township can meet the criteria of one of the special acts contained in Chapter 80, Article 15 of Kansas Statutes Annotated, it may proceed only under K.S.A. 80-1501 *et seq.*, or K.S.A. 80-1540 *et seq.* Under the latter act, a township may form a fire district which may contract for fire protection with other townships, cities or fire districts. Such a district constitutes a "fire protection benefit district" for the purposes of inclusion within a county fire district organized pursuant to K.S.A. 19-3601 *et seq.* However, even in the absence of such a township fire district, township territory may be included within a county fire district pursuant to K.S.A. 19-3601 *et seq.* No new territory may be included within such a county fire district after July 1. Cited herein: K.S.A. 19-3601, 19-3602, 19-3606, 19-3611, 19-3612, 80-1502, 80-1503, 80-1543, 80-1545, K.S.A. 1981 Supp. 79-1801. JSS.

ROBERT T. STEPHAN
Attorney General

Doc. No. 000379

(Published in the KANSAS REGISTER, June 3, 1982.)

**NOTICE OF BOND SALE
UNIFIED SCHOOL DISTRICT NO. 300
COMANCHE COUNTY, KANSAS
GENERAL OBLIGATION SCHOOL
BUILDING BONDS
CAPITAL OUTLAY SERIES A, 1982**

Pursuant to K.S.A. 1981 Supp. 10-106, as amended, written SEALED BIDS will be received by the Board of Education of Unified School District No. 300, Comanche County, Kansas, at the office of the Board of Education, P.O. Box 721, Coldwater, Kansas 67029, on

JUNE 28, 1982

at 8:00 P.M. Local Time, for the sale of 66 General Obligation School Building Bonds, Capital Outlay Series A, 1982, of said School District in the aggregate amount of \$330,000.00 at which time said bids will be publicly opened. Said bonds will be in the amount of \$5,000.00 each. All of said bonds will be coupon bonds, dated July 1, 1982, and will mature serially as follows:

October 1, 1983	\$60,000.00
October 1, 1984	\$65,000.00
October 1, 1985	\$65,000.00
October 1, 1986	\$70,000.00
October 1, 1987	\$70,000.00

No bond shall be callable prior to its stated maturity. Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders, provided, however, that not more than five (5) different rates shall be specified in any bid and the same rate shall apply to all bonds of the same maturity. The repetition of a rate will not constitute one of said maximum number of rates. Each interest rate specified shall be a multiple of one-eighth ($\frac{1}{8}$) or one-twentieth

($\frac{1}{20}$) of one percent (1%) and no interest rate shall exceed the maximum permitted by law. The difference between the highest and lowest rate on the bonds shall not exceed two percent (2%). No bid of less than par and accrued interest will be considered. Any bid specifying the use of supplemental coupons or more than one interest rate within a single maturity will not be considered.

Each bid shall specify the total interest cost to the School District during the life of the bond issue on the basis of such bid; the premium, if any, offered by the bidder; the total net interest cost, and the average annual net interest rate to the School District on the basis of such bid. It shall be understood that the School District may rely upon the representation as to the total net interest cost in awarding said bonds to the bidder submitting the best bid.

Interest on said bonds will be payable on April 1, 1983, and thereafter semi-annually on October 1 and April 1 in each year. Both principal of and interest on said bonds will be payable at the office of the State Treasurer, in the City of Topeka, Kansas.

The cost of printing said bonds will be paid by the School District. Said bonds duly executed and registered, will be delivered by the School District and said bonds will be sold subject to the unqualified legal opinion of Fred W. Rausch, Jr., Municipal Bond Counsel, Topeka, Kansas, whose unqualified approving opinion will be printed on each bond. Other legal services in connection with the issuance of said bonds will be paid by the School District.

All of said bonds will constitute general obligations of said School District, payable under present law both as to principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all tangible, taxable property, real and personal, within the territorial limits of said School District.

Said School District has an assessed taxable, tangible valuation of \$45,774,602.00 (including motor vehicle valuation of \$280,000.00), and a bonded indebtedness of \$330,000.00, including this issue of \$330,000.00. Said bonds are being issued for the purpose of paying costs of school building improvements in said School District.

Said bonds will be delivered to the purchaser on or before August 27, 1982, at any bank in Wichita or Topeka, Kansas, or Kansas City, Missouri, at the expense of the School District. Delivery elsewhere will be made at the expense of the purchaser.

The successful bidder will be furnished, without cost, with the approving opinion of Fred W. Rausch, Jr., Municipal Bond Counsel, Topeka, Kansas, to the effect that the bonds are valid and legally binding general obligations of said School District, and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable, tangible property within the School District without limitation as to rate or amount. Bond Counsel will also furnish a statement in such approving opinion, that he has taken into account litigation recently instituted in certain states, such as *Serrano v. Priest* in California, *Rodriguez v.*

(continued)

San Antonio in Texas, *Robinson v. Cahill* in New Jersey and *Caldwell v. State of Kansas, et al* and *Knowles v. State Board of Education, et al*, in Kansas, challenging the constitutionality of the present system of levying taxes and applying funds for public school purposes and that it does not modify or qualify the conclusions stated in his opinion. The obligations hereunder to deliver or accept the bonds pursuant hereto shall be conditioned on the availability and delivery at the time of delivery of the bonds of the said approving opinion, and a certificate, in form and tenor satisfactory to said Bond Counsel and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signor or signors thereof) threatened relating to the bonds, which certificate will make reference to the litigation referred to above and will state the issuer is not a party to such litigation.

Each bid shall be accompanied by a certified or cashier's check made payable to the School District in an amount equal to two percent (2%) of the total amount of such bid. The School District reserves the right to reject any and all bids. Bids will be submitted in writing, sealed and marked "Bond Bid." In the event any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the School District as liquidated damages. The checks of unsuccessful bidders will be returned. No interest will be paid by the School District on any such good faith bid deposit.

Bids will be submitted on official bid forms (or their equivalent) which may be obtained from the Clerk of the Board of Education, P.O. Box 721, Coldwater, Kansas 67029.

DONE BY ORDER of the Board of Education of U.S.D. No. 300, Comanche County, Kansas.

THE BOARD OF EDUCATION
OF U.S.D. No. 300,
COMANCHE COUNTY, KANSAS
BARBARA G. DEEWALL
President
DOROTHY M. ZONGKER
Clerk

Doc. No. 000369

(Published in the KANSAS REGISTER, June 3, 1982.)

NOTICE OF BOND SALE
\$3,320,448 SPECIAL ASSESSMENT AND
GENERAL OBLIGATION BONDS (TWO SERIES)
OF THE
CITY OF OVERLAND PARK, KANSAS
(Payable from unlimited ad valorem taxes)

Sealed bids will be received by the Mayor and City Council of the City of Overland Park, Kansas, in Courtroom B of the Justice Center of said City, located at 8500 Antioch, Overland Park, Kansas, at 7:00 p.m. C.D.S.T. on Tuesday, June 15, 1982, at which time said bids will be publicly opened for the purpose of the following issues of bonds of Overland Park, Kansas. Each bid shall be for bonds hereinafter described. All of said bonds will be negotiable coupon bonds, each in the denomination of \$5,000 except as follows:

Bond No. 1 of the Street and Intersection Improvement Bonds will be in the denomination of \$2,448.
Bond No. 1 of the Storm Drainage Improvement Bonds will be in the denomination of \$3,000.
Said bonds will be dated July 1, 1982, and will be issued in series designated and maturing as follows:

Year	Series I Street and Intersection Improvement Bonds	Series II Storm Drainage Improvement Bonds	TOTAL
1982	\$ 162,448	\$ 93,000	\$ 255,448
1983	225,000	85,000	310,000
1984	225,000	85,000	310,000
1985	225,000	85,000	310,000
1986	200,000	85,000	285,000
1987	200,000	85,000	285,000
1988	200,000	85,000	285,000
1989	200,000	85,000	285,000
1990	200,000	85,000	285,000
1991	200,000	85,000	285,000
1992		85,000	85,000
1993		85,000	85,000
1994		85,000	85,000
1995		85,000	85,000
1996		85,000	85,000
	<u>\$2,037,448</u>	<u>\$1,283,000</u>	<u>\$3,320,448</u>

(and shall not be subject to call for prior payment).

One bid shall be submitted for the two series of bonds hereinbefore described. Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders subject to the following conditions: Not more than five different rates shall be specified and the same rate will apply to all bonds of the same maturity of all of said series. Each interest rate specified shall be in an even multiple of one-eighth of one percent, or one-tenth of one percent.

No bid of less than par and accrued interest will be considered. Each bid shall specify the total interest cost to the City during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, the net interest cost to the City on the basis of such bid, and the average annual net interest rate on the basis of such bid. The net interest cost to the City shall be determined by subtracting the amount of the premium, if any, from the total interest cost to the City and shall be stated as a dollar amount in the bid. The City shall be entitled to rely on such dollar amount, as stated in the bid, as the basis of determining the lowest net interest cost bid. If there is any discrepancy between said net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the coupon rates specified in the bid shall be adjusted accordingly.

Interest on all of said bonds will be payable beginning on September 1, 1982, and semi-annually thereafter on March 1 and September 1 in each year. The first principal payment on each of the two series will be due on September 1, 1982, and annually thereafter on said date. Both principal and interest on said bonds will be payable in lawful money of the United States of America at the office of the State Treasurer in the City of Topeka, Kansas. Note that these are not registrable bonds.

(continued)

The series of bonds hereinbefore described have been duly authorized as provided by law for the general statutory purposes of providing funds for the purpose of (1) improving streets and intersections; and, (2) improving storm drainage. All of said bonds will constitute general obligations of the City of Overland Park, Kansas. Street and Intersection Improvement Bonds, Series 1982-I, in the principal amount of \$2,037,448, and Storm Drainage Improvement Bonds, Series 1982-II, in the principal amount of \$1,283,000, being payable in part from special assessments levied on property benefited, and if not so paid, then from ad valorem taxes which may be levied without limitations so to rate or amount on all taxable, tangible property, real and personal, within the territorial limits of said City.

The outstanding general obligation bonds of the City of Overland Park, Kansas, are currently rated "Aal" by Moody's Investors Service, Inc., and the City has applied for a rating on the Bonds herein offered for sale.

It is anticipated CUSIP identification numbers will be printed on said bonds, but neither the failure to print such number on any bond or any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery and payment for said bonds in accordance with the terms of the purchase contract. All expense in relation to the printing of CUSIP numbers on said bonds will be paid for by the City. The CUSIP Service Bureau charge for the assignment of said numbers will be the responsibility of, and must be paid for, by the purchaser.

Said bonds will be printed at the expense of the City of Overland Park, Kansas, and will be sold subject to the legal opinion of Gaar and Bell, Bond Counselors, Overland Park, Kansas, Kansas City, Missouri, and Wichita, Kansas, whose unqualified approving opinion will be furnished to the successful bidder; and the cost of this legal opinion shall be at the expense of the City of Overland Park, Kansas. The successful bidder will be furnished with said opinion together with a certified transcript of proceedings evidencing the authorization and issuance of said bonds and the usual closing proofs which will include a certificate that there is no litigation pending or, to the knowledge of the signers thereof, threatened at the time of delivery of the issue affecting the validity of the bonds. Said bonds duly printed, executed, and registered will be delivered on or before July 16, 1982, to such bank located within the United States, as the purchaser may specify at the expense of the City. The purchaser will not be required to pay the expense of legal services rendered to the City on said bonds. Payment will be made in Federal Reserve Funds.

Each bid shall be accompanied by a certified or cashier's check equal to two percent of the total par value of the bonds. In case any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the municipality as liquidated damages. The checks of the unsuccessful bidders will be returned promptly.

Such sealed bids shall be opened publicly and only at the time and place specified in this notice and will

be sold to the best bidder; however, the municipality reserves the right to waive errors in the bid and any or all bids may be rejected. The assessed valuation of the City of Overland Park, Kansas, for the year 1982 is \$331,874,472. Such valuation is used in determining debt limitation. The total outstanding bonded indebtedness of the municipality in bonds and notes as of the date on which the bonds being sold are dated, including the bonds submitted for bid, is \$18,476,118*. The City's current total unused debt capacity is \$43,493,660.

All bids must be made on forms which may be procured from the undersigned and no additions or deletions in said form shall be made. Proposals should be addressed to the City of Overland Park, Kansas, City Hall, 8500 Santa Fe Drive, Overland Park, Kansas 66212, and marked "Proposal for Purchase of Bonds."

DATED at Overland Park, Kansas, this 24th day of May, 1982.

* Includes temporary notes totaling \$1,666,670 which will be retired using proceeds of this bond issue.

BERNICE CRUMMETT
Finance Director/City Clerk
Overland Park, Kansas

Doc. No. 000374

(Published in the KANSAS REGISTER, June 3, 1982.)

NOTICE OF BOND SALE
\$199,360.00
GENERAL OBLIGATION SEWER BONDS
SERIES D-1982
SEDGWICK COUNTY
STATE OF KANSAS

Written sealed bids only will be received by the Board of County Commissioners of Sedgwick County, state of Kansas, at the office of the Board of County Commissioners of Sedgwick County, state of Kansas, Sedgwick County Courthouse, Wichita, Kansas 67203, on June 16, 1982, at 10:00 A.M., Daylight Saving Time, for the sale of \$199,360.00 par value of General Obligation Sewer Improvement Bonds, at which time and place said bids will be publicly opened. No oral or auction bids will be considered.

All of said bonds will be negotiable coupon bonds in the denominations of \$5,000.00 each, except No. 1 \$4,360.00. All bonds will be dated July 1, 1982, and will mature serially as follows:

NUMBER	AMOUNT	INTEREST RATE	MATURITY
1	\$ 4,360.00		September 1, 1983
2	5,000.00		September 1, 1983
3-4	10,000.00		September 1, 1984
5-6	10,000.00		September 1, 1985
7-8	10,000.00		September 1, 1986
9-10	10,000.00		September 1, 1987
11-12	10,000.00		September 1, 1988
13-14	10,000.00		September 1, 1989
15-16	10,000.00		September 1, 1990
17-18	10,000.00		September 1, 1991
19-20	10,000.00		September 1, 1992
21-24	20,000.00		September 1, 1993

(continued)

25-28	20,000.00	September 1, 1994
29-32	20,000.00	September 1, 1995
33-36	20,000.00	September 1, 1996
37-40	20,000.00	September 1, 1997

First interest is due March 1, 1983, and semiannually thereafter on September 1 and March 1 in each year until the principal sum is paid. Both principal and interest on said bonds will be payable at the office of the State Treasurer in the city of Topeka, Kansas. These bonds are to be paid primarily from special assessments on the property benefited; however, the entire Sedgwick County will stand behind the payment of these bonds if necessary. They are a general obligation of Sedgwick County, Kansas. Said bonds are being issued for the purpose of certain county sewer improvements, all as provided by law by Sections 19-2704, 19-2704a, and 19-2705 K.S.A., and any amendments thereto.

Proposals will be received on bonds bearing such rate or rates of interest not exceeding five different interest rates as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of one-eighth or one-tenth of one percent. No interest rate shall exceed the rate allowed by law and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental coupons will not be considered.

Bids shall be submitted on a contract form with the usual information thereon and should be addressed to: "Board of County Commissioners, Sedgwick County Courthouse, Wichita, Kansas 67203", plainly marked, "Bond Bid". All bids must state the total interest cost of the bid, the premium bid, if any, the net interest cost of the bid and the average annual interest rate, all certified by the bidder to be correct, and the County will be entitled to rely upon such representations. Each bid must be accompanied by a certified or cashier's check in the amount of \$3,987.20, payable to Sedgwick County, state of Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the County as liquidated damages. The checks of unsuccessful bidders will be returned.

Said bonds, duly printed, executed and registered, will be furnished and paid for by said County, and the said bonds will be sold subject to the legal opinion of William P. Timmerman, Attorney and Bond Counsel, 400 North Woodlawn, Wichita, Kansas 67208, whose unqualified approving opinion will be furnished and paid for by the County. Delivery of said bonds will be made to the successful bidder on or about August 1, 1982, at any bank in the state of Kansas, or Kansas City, Missouri, at the expense of the County. Delivery elsewhere will be made at the purchaser's expense. The bond opinion will be printed on the back of each bond. CUSIP numbers will be printed on said bonds. The County will apply for a Mood's Rating for these bonds. The last Moody's Rating was "AA".

Said bonds will be paid by a general ad valorem levy on all of the taxable, tangible property located within the boundaries of Sedgwick County, if necessary, and as such constitute a general obligation of said County.

Such sealed bids shall be opened publicly and only

at the time and place specified in this notice, and the bonds will be sold to the highest bidder. The County reserves the right to reject any and/or all bids and to waive any and all irregularities. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the issuer, and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all bonds from their date until their respective maturities.

The assessed valuation of Sedgwick County, Kansas, for the year 1981 is \$1,379,133,812.00 (30% of full value). Estimated full value \$4,597,112,707.00. Population of the County is approximately 366,531.

The total bonded indebtedness of Sedgwick County, Kansas, is \$20,895,860.20, including this issue. Said County also has outstanding Temporary Notes of \$10,700,389.80, all exempt.

(\$14,201,560.00 of the above bond debt is exempt by law).

Underlapping debt is:

(As of July 1, 1981)

School Districts in the County \$38,649.00

All cities in the County including the city of Wichita, \$138,171,589.14 Bonds. (This includes G. O. and Specials). Temporary notes of all cities \$52,541,566.46.

Special Improvement Districts in the County of which the County is not liable are \$2,514,548.15 Bonds, \$1,430,229.80 Notes.

JACK SPRATT
Chairman, Board of County
Commissioners
Sedgwick County, State of Kansas
DOROTHY K. WHITE
County Clerk

Doc. No. 000376

(Published in the KANSAS REGISTER, June 3, 1982.)

**NOTICE OF BOND SALE
CITY OF EMPORIA, KANSAS
\$895,000
GENERAL OBLIGATION BONDS
SERIES "1982-A"**

The City of Emporia, Lyon County, Kansas, the "City", on the 16th day of June, 1982, at 4:30 p.m., Central Daylight Saving Time, at the office of the City Manager in the Civic Building, Emporia, Kansas, will receive and consider written sealed bids for the sale of \$895,000.00 of General Obligation Bonds for cash at not less than par and accrued interest. Such bonds will constitute general obligations of the City, payable from unlimited ad valorem taxes, and are being issued for the purpose of paying the cost of certain improvement projects in the City of Emporia, Kansas.

Such bonds will be dated June 1, 1982. The issue shall consist of bonds in the denomination of \$5,000.00 each. Interest on the bonds will be payable on December 1 and June 1 of each year with the first coupon payable December 1, 1982. Both principal and interest will be payable at the office of the State Treasurer, Topeka, Kansas. Said bonds will mature as follows:

**SERIES "1982-A"
\$895,000.00**

YEAR	MONTH	BOND NO.	AMOUNT
1983	June 1	1— 17	\$ 85,000
1984	June 1	18— 35	90,000
1985	June 1	36— 53	90,000
1986	June 1	54— 71	90,000
1987	June 1	72— 89	90,000
1988	June 1	90—107	90,000
1989	June 1	108—125	90,000
1990	June 1	126—143	90,000
1991	June 1	144—161	90,000
1992	June 1	162—179	90,000

TOTAL SERIES "1982-A" 179 \$895,000

(None of the bonds shall be subject to call and redemption prior to their respective stated dates of maturity.)

Said bonds will be printed at the expense of the City and said bonds will be sold subject to the legal opinion of Nichols and Wolfe, Chartered, Bond Attorneys, First National Bank Tower, Suite 1120, Topeka, Kansas, 66603 whose unqualified approving opinion will be furnished to the successful bidder and the cost of this legal opinion shall be at the expense of the City. A certified Transcript of the Proceedings will be furnished to the successful bidders.

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders provided that not more than five different rates shall be specified in any bid and the same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of one-eighth of one percent or one-twentieth of one percent. No interest rate shall exceed the maximum rate allowed by Kansas Law. Purchasers shall submit their bids in writing, sealed and marked "Bond Bid". All bids must state the average annual interest rate, the total interest cost, the premium, if any, and the net interest cost, all certified by the bidder to be correct, and the municipality will

be entitled to rely on such representations. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total par value of the bonds. In case any purchaser whose bid is accepted shall fail to carry out his contract, said deposit shall be paid to the municipality as liquidated damages. The checks of unsuccessful bidders will be returned.

Such sealed bids shall be opened publicly and only at the time and place specified in this notice, and will be sold to the highest and best bidder or bidders; however, the municipality reserves the right to waive errors in the bid and any or all bids may be rejected.

The assessed valuation of the City of Emporia, Kansas, for the year 1981 was \$63,847,460.00. The 1982 assessed valuation is not available as of this date. The total bonded indebtedness of the municipality, as of the date on which the bonds being sold are dated, including the bonds submitted for bid is \$13,715,699.66, of which \$3,200,000.00 are Revenue Bonds. No Temporary Notes, included in the indebtedness, will be paid from the proceeds of this bond sale.

Said bonds, duly printed, executed and registered, will be delivered to the successful bidder or bidders within sixty (60) days from the date of sale. Bonds will be delivered at any bank in Emporia or at the place specified by the buyer, provided the buyer agrees to reimburse the City for reasonable costs incurred in making out of town delivery.

Bid forms and detailed information may be obtained at the City Offices at Sixth Avenue and Mechanic Street, Emporia, Kansas.

DONE at Emporia, Lyon County, Kansas, this 19th day of May, 1982.

(SEAL)

DONALD D. BLAYLOCK
Mayor

ATTEST: STEPHEN L. ANDERSON
City Clerk

Doc. No. 000385

State of Kansas

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

Sealed bids for items hereinafter listed will be received by James I. Tolbert, Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., C.S.T., or D.S.T., whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, JUNE 14, 1982

#25174

Kansas Correctional Industries, Lansing—**ACRYLIC EMULSION**

#25178

Statewide—**BASIC CLOTHING**

#25179

Department of Health and Environment, Topeka—**PHARMACEUTICAL SERVICES/FAMILY PLANNING**

#25182

Department of Transportation—**ROCK SALT FOR SNOW AND ICE REMOVAL**, Statewide

#50556

Department of Revenue, Topeka—**MAILING OF TAX BOOKLETS/PACKETS**

#50586

Kansas State University, Manhattan—**BOILER REPAIR, LABOR AND MATERIAL**

#50587

Kansas State University, Manhattan—**CORRUGATED METAL AND ACCESSORIES**

#50589

Department of Transportation, Salina—**TRUCK**

#50590

Department of Transportation—**PLANT MIX, BITUMINOUS MIXTURE, COMMERCIAL GRADE**, for Wichita, Augusta, Winfield, Hutchinson, Great Bend, Wellington, El Dorado, and Newton

#50663

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Lawrence

#50666

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Wichita

#50679

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Pittsburg

#50681

Department of Revenue, Topeka—**STEEL SHELVING**

TUESDAY, JUNE 15, 1982

#25116

University of Kansas Medical Center, Kansas City—**SHEEP AND RABBIT WHOLE BLOOD**

#25172

University of Kansas Medical Center, Kansas City and University of Kansas, Lawrence—**REPAIR SER-**

VICE FOR AIR CONDITIONING AND REFRIGERATION EQUIPMENT AND CONTROLS

#25180

University of Kansas, Lawrence—**DRY ICE**

#25181

Department of Health and Environment, Topeka—**PHARMACEUTICALS AND SUPPLIES, FAMILY PLANNING PROGRAM**

#25183

University of Kansas Medical Center, Kansas City—**DOOR CLOSERS**

#25184

Department of Transportation, Topeka Division—**AUTOMOTIVE IGNITION PARTS**

#50588

Department of Transportation, Hutchinson—**TOOL SHED—TRAILER**

#50591

Department of Transportation, Hutchinson—**SNOW PLOW**

#50592

Department of Transportation, Hutchinson—**GUARD RAIL**

#50593

Department of Transportation, Topeka—**TRUCK**

#50623

Department of Transportation—**READY MIX CLASS "A" CONCRETE**, for Wichita, Augusta, and Hutchinson

#50624

Kansas Correctional Industries, Lansing—**LEAD PIGMENT AGENT**

#50625

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Iola

#50667

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Wichita

#50680

Adjutant General's Department, Topeka—**LABOR, MATERIALS FOR REMODELING DRIVER'S LICENSE OFFICE**, at Norton

#50703

Wichita State University, Wichita—**SCHOOL FURNITURE**

#50711

Department of Revenue—**REFLECTIVE SHEETING FOR VALIDATION DECALS**, Wichita

#A-4189(a)

Kansas State University, Manhattan—**CONVERTING FREIGHT ELEVATOR TO PASSENGER SERVICE, SEATON HALL**

#A-4422

University of Kansas Medical Center, Kansas City—**FLOORING REPLACEMENT, ANIMAL CARE UNIT**

#A-4426

University of Kansas Medical Center, Kansas City—**COOLING TOWER REPAIR, APPLGATE ENERGY CENTER**

(continued)

#A-4454

Kansas State Historical Society, Topeka—ROOF-
ING REPAIRS, MEMORIAL BUILDING

WEDNESDAY, JUNE 16, 1982

#25112

Kansas Park and Resources Authority—CHEMI-
CALS, Statewide

#25189

University of Kansas Medical Center, Kansas City—
FEEDING FORMULA

#25190

Kansas State University, Manhattan—SAND AND
READY MIX CONCRETE

#25191

Kansas State Library, Topeka—LIBRARY NET-
WORK UNION COM CATALOG

#49995

Kansas State University, Manhattan—LABOR, MA-
TERIAL TO REPLACE EAST LOWER ROOF ON
UMBERGER HALL

#50626

Adjutant General's Department, Topeka—LABOR,
MATERIALS FOR REMODELING DRIVER'S LI-
CENSE OFFICE, at Wellington

#50627

Adjutant General's Department, Topeka—LABOR,
MATERIALS FOR REMODELING DRIVER'S LI-
CENSE OFFICE, at Ottawa

#50628

Department of Transportation, Topeka—BOX
BEAM BARRIER, for Olathe

#50682

Adjutant General's Department, Topeka—LABOR,
MATERIALS FOR REMODELING DRIVER'S LI-
CENSE OFFICE, at Junction City

#50683

Adjutant General's Department, Topeka—LABOR,
MATERIALS FOR REMODELING DRIVER'S LI-
CENSE OFFICE, at Fort Scott

#50684

Adjutant General's Department, Topeka—LABOR,
MATERIALS TO INSTALL HEATING AND AIR
CONDITIONING IN DRIVER'S LICENSE OF-
FICE, Belleville

#A-4356 (Revised for 1st Rebid)

Kansas State School for the Deaf, Olathe—PAINT-
ING OF ADMINISTRATION BUILDING

THURSDAY, JUNE 17, 1982

#50668

Department of Transportation—CRACK SEAL MA-
CHINE, for Norton, Hutchinson, Chanute, and Salina

#50669

Department of Transportation—VIBRATORY
PLATE COMPACTOR, for Topeka, Hutchinson, and
Garden City

#50685

Adjutant General's Department, Topeka—LABOR,
MATERIAL TO INSTALL HEATING AND AIR
CONDITIONING, at Driver's License Office, Man-
kato

#50686

Department of Transportation—PUSH TYPE
LAWN MOWER, for Salina, Norton, and Topeka

#50687

Department of Transportation—BACKPACK
POWER BLOWER, for Garden City, Hutchinson,
Chanute, Norton, Salina, and Topeka

#50688

Department of Transportation—ROUTING AND
JOINT CLEANING MACHINE, for Garden City,
Hutchinson, Chanute, Norton, Salina, and Topeka

FRIDAY, JUNE 18, 1982

#25156

Statewide—COARSE AND INDUSTRIAL PAPERS

#50699

Kansas Public Employees Retirement System, To-
peka—MOVING SERVICES

#50704

Department of Transportation—TRUCK, for Garden
City, and Norton

#50705

Department of Transportation—GASOLINE
DRILL BREAKERS, for Hutchinson, Topeka, and
Garden City

#50706

Department of Transportation—UTILITY TRAIL-
ERS, for Garden City, Hutchinson, Chanute, Topeka,
Salina, and Norton

#50707

Pittsburg State University, Pittsburg—LABOR, MA-
TERIALS FOR ASPHALTIC REPAIR TO McPHER-
SON DRIVE, Pittsburg State University

#A-4444

Kansas State University, Manhattan—RECON-
STRUCTION OF PARKING LOTS #3 and #30

#A-4491

Kansas Fish and Game Commission—CON-
STRUCT BIG SUGAR CREEK CROSSING AT
MARAI DES CYGNES WILDLIFE AREA

MONDAY, JUNE 21, 1982

#25186

Statewide—TOWELS AND WASHCLOTHS

#25187

Statewide—BEDDING

WEDNESDAY, JUNE 23, 1982

#25136

University of Kansas Medical Center, Kansas City—
HOME DIALYSIS KITS

FRIDAY, JUNE 25, 1982

#25188

Statewide—PRINTING AND OFFSET DUPLI-
CATING SUPPLIES

MONDAY, JUNE 28, 1982

#50665

Department of Corrections—DRAPERIES AND
RODS, for El Dorado Honor Camp

THURSDAY, JULY 15, 1982

#25185

Department of Transportation—AIRCRAFT IN-
SURANCE

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000384

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET

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

Monday, June 7, 1982

Case Caption	Attorneys	Originating County
	9:30 a.m.	
53,711 State of Kansas, Appellee, v. Donald Ray Moses, Appellant.	Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,884 State of Kansas, Appellee, v. David R. Brown, Appellant.	Robert L. Mitchell. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,863 State of Kansas, Appellee, v. David L. Lilley, Appellant.	Harold E. Flaigle. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,805 State of Kansas, Appellee, v. Randy Lynn Mahlandt, Appellant.	Andrew E. Busch. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
	1:30 p.m.	
53,038 State of Kansas, Appellee, v. Eddie Jaso, Appellant.	Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,862 State of Kansas, Appellee, v. Jessie D. Simpson, Appellant.	ON PETITION FOR REVIEW Kiehl Rathbun. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,789 State of Kansas, Appellee, v. Tracy B. Korbel, Appellant.	David Michael Rapp. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,743 State of Kansas, Appellant, v. Bowman National Security Agency, Dan J. Loveland, James E. McAdams and Garry Tally, Appellees.	Dennis L. Phelps. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
	Mel L. Gregory; Kiehl Rathbun.	

Tuesday, June 8, 1982

9:30 a.m.

53,624 Ernest W. Marsh, Appellant, v. State of Kansas, Appellee.	Barry L. Arbuckle. Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
53,292 Alfreda Micheaux and Willie Cotton, Appellees, v. Amalgamated Meatcutters and Butcher Workmen of North America, etc., Appellants.	Frank Hylton. Reid Stacy, Asst. Atty. Gen.	Sedgwick
53,772 State of Kansas, Appellee, v. Michael Agee, Appellant.	Robert T. Stephan, Atty. Gen.; J. Dexter Burdette, Asst. Dist. Atty.	Wyandotte
	Paul M. Dent.	

(continued)

54,077	Vivian Richards, Appellee, v. Larry Etzen, Appellant.	James Yates; Jon Willard. Robert DeCoursey.	Wyandotte
1:30 p.m.			
53,850	State of Kansas, Appellee, v. Sylvester Tyrone Bradley, Appellant.	Robert T. Stephen, Atty. Gen.; Stephen L. Opat, Co. Atty.	Geary
53,454	State of Kansas, Appellee, v. David Paul Archer, Appellant.	Lloyd R. Graham. Robert T. Stephan, Atty. Gen.; Larry McClain, Asst. Dist. Atty.	Johnson
52,808	State of Kansas, Appellee, v. Harold E. Neff, Appellant.	Douglas C. Beach. Robert T. Stephan, Atty. Gen.; Bate R. Hamilton, Asst. Dist. Atty.	Johnson
ON PETITION FOR REVIEW			
54,134	Patrons Mutual Insurance Association, Appellants. v. Charles Norwood, Appellee.	James L. Eisenbrandt. Allen R. Slater. Donald W. Vasos.	Wyandotte
Wednesday, June 9, 1982			
9:30 a.m.			
52,962	First National Bank and Trust Company, Appellee, v. Lowell Lygrisse, et al., Appellants.	Michael G. Coash; O. J. Connell, Jr.; James W. Pattinson; Carl L. Wettig; Richard King.	Butler
ON PETITION FOR REVIEW			
54,314	Xanthippe Stevens, et al., Appellees, v. Mary Connie Stevens, Appellant.	Daniel J. Strausbaugh.	Johnson
53,778	State of Kansas, Appellee, v. Glen M. McCann, Appellant.	Kris L. Arnold; Carl E. Cornwell. Robert T. Stephan, Att. Gen.; Douglas L. Baker, Co. Atty.	Crawford
52,759	State of Kansas, Appellee, v. William Lamont Green, Appellant.	Richard D. Loffswold, Jr. Robert T. Stephan, Atty. Gen.; Joseph L. McCarville III, Co. Atty.	Reno
David L. Brown.			
1:30 p.m.			
53,844	State of Kansas, Appellant, v. James C. Burkett, Sr., Appellee.	Robert T. Stephan, Atty. Gen.; John K. Bork, Co. Atty.	Jefferson
52,044	Doris M. Schmeck, Appellant, v. City of Shawnee, Kansas, et al., Appellees.	Clinton Marker. Victor A. Bergman; John E. Shamberg. J. Roy Holiday, Jr.; John J. Alder; N. Jack Brown; Gerald L. Rushfelt; Marvin E. Rainey; Donald W. Vasos; J. Eugene Balloun; Dan Watkins.	Wyandotte

(continued)

- 53,035 Theresa D. Sweet and
Harvey L. Ludwick
Secretary of Human Resources, Appellants.
v.
Stormant-Vail Regional
Medical Center, Appellee.
- Reid Stacey, Asst. Atty. Gen. Shawnee
- ON PETITION FOR REVIEW
- Charles R. Hay.

Thursday, June 10, 1982

9:30 a.m.

- 54,240 Diana L. Mason, individually and
as administrator of the Estate
of Otis W. Mason, Deceased, Plaintiff.
v.
Gerin Corporation, a Corporation,
et al., Defendants.
- Richard D. Cordry. Original
- CERTIFIED QUESTION
- Ken M. Peterson;
Jack M. Short;
Alvin D. Herrington;
Eugene B. Ralston.
Donald E. Shultz. Ford
- 53,852 Gary Dean Gobin, Appellee,
v.
Globe Publishing Company, Appellant.
- Harry A. Waite;
Gerrit Wormhoudt.
- 53,780 State of Kansas, Appellee,
v.
Elmore Marks, Jr., Appellant.
- Robert T. Stephan, Atty. Gen.; Lyon
Jay Vander Velde, Co. Atty.
- 53,834 Donald L. McGinnis, Appellee,
v.
Kansas City Power and Light
Company, Appellant.
- Cortland E. Berry.
Orville J. Cole; Anderson
Anne L. Baker.
Carl W. Hartley.

1:30 p.m.

- 53,760 D. William Provance,
Shawnee Mission Unified School
District 512, et al., Appellees,
v.
Jack Balsinger and Ronald G. Blecke,
Appellants.
- D. William Provance; Johnson
John L. Vratil;
Lyndus Henry.
- 53,482 State of Kansas, Appellee,
v.
Don Michael Dever, Appellant.
- Robert T. Stephan, Atty. Gen.; Douglas
Michael J. Malone, Dist. Atty.
- 53,249 State of Kansas, Appellee,
v.
Jeffrey Lynn Ashworth, Appellant.
- Wesley M. Norwood.
Robert T. Stephan, Atty. Gen.; Osage
Calvin K. Williams, Co. Atty.
Leonard W. McAnarney.

Friday, June 11, 1982

9:30 a.m.

- 54,025 State of Kansas, Appellant,
v.
Charles K. Wood, Appellee.
- Robert T. Stephan, Atty. Gen.; Shawnee
Kenneth R. Smith, Asst. Dist. Atty.
- 54,023 Daniel Carpenter, Appellant,
v.
Damon V. Johnson, Shawnee County,
Kansas; Jefferson County, Kansas;
and State of Kansas, Appellees.
- John C. Humpage.
Jerry R. Palmer. Shawnee
- Thomas Wright;
Russell K. Ash.

(continued)

53,097	Teresa L. Schmeck, Appellee, v. City of Shawnee, Kansas, A Municipal Corporation, et al., Appellants.	Victor A. Bergman. J. Eugene Balloun; J. Roy Holliday, Jr.; Donald Vasos, N. Jack Brown; Gerald Rushfelt; Marvin E. Rainey; Dan Watkins.	Johnson
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COURT OF APPEALS DOCKET
(NOTE: Dates and times of arguments are subject to change.)
KANSAS COURT OF APPEALS
DISTRICT COURTROOM, 3rd FLOOR, MEMORIAL BUILDING
CHANUTE, KANSAS.
Before SPENCER, P.J., ABBOTT and SWINEHART, JJ.
Monday, June 28, 1982

Case No.	Case Name	Attorneys	County
		9:00 a.m.	
53,471	Candace K. Knight, Appellant, v. S.C. Harold H. Knight and Janice D. Knight, State Farm Insurance Co., Leo Myers, Union Indemnity Ins. Co., Appellees.	Pro se. Richard Skoog. Douglas Hudson. Monte Heasty.	Neosho
53,514	State of Kansas, Appellee, v. John Harvey Earls and Robert Steven Brown, Appellant.	Jeffrey A. Chubb, Co. Atty.; Atty. Gen. David L. Thompson.	Montgomery
53,598	State of Kansas, Appellee, v. Shelman Smith, Appellant.	Jeffrey Chubb, Co. Atty.; Atty. Gen. Thomas A. DeVore.	Montgomery
53,611	State of Kansas, Appellee, v. Steven Wayne Friend, Appellant.	Adrian Farver. David A. Brace, Co. Atty.; Atty. Gen. Patrick F. Forbes.	Elk
53,446	State of Kansas, Appellee, v. James R. Dodge, Appellant.	Douglas A. Price, Co. Atty.; Atty. Gen. Alan D. Weber.	Allen
		1:00 p.m.	
53,927	Walter J. Medlin and Ruth M. Medlin, Appellees. v. Mainline, U.S.A., Inc., Appellant.	Craig Powell. Walter A. Hendrix.	Miami
53,350	State of Kansas, Appellee, v. Floyd Allen Giger, Appellant.	Charles Scott Gray, Co. Atty.; Atty. Gen. Edward W. Dosh.	Labette
53,391	State of Kansas, Appellee, v. Michael Robert Williams, Appellant.	Charles Scott Gray, Co. Atty.; Atty. Gen. Edward W. Dosh.	Labette

(continued)

53,499	Wester Fire Ins. Co., Appellee, v. Jack L. Edens, Marlene Edens, Carolyn M. Eck, by her father John Eck, Bill Bowen, Janet Bowen, Alfred Erbe, Appellants,	Charles E. Henshall. Mike Glover Charles F. Forsyth; Richard L. Hines. R. L. White.	Wilson
	v. Natl. Farmers Union Prop. & Cas. Co., et al, Intervenor Appellees.	Christopher Randall.	
53,754	J. L. Duncan and Michael Duncan, Appellants, v. City of Galena and Mike Sumpter, Appellees.	Timothy A. Short. Charles Menghini. Larry Prauser.	Cherokee

KANSAS COURT OF APPEALS

COURT OF APPEALS COURTROOM, 3rd FLOOR, OLD SEDGWICK COUNTY COURTHOUSE

541 NORTH MAIN, WICHITA, KANSAS

Before FOTH, C.J., REES and MEYER, JJ.

Monday, June 28, 1982

11:00 a.m.

54,060	State of Kansas, Appellant, v. Danny L. Brittain, Appellee.	R. Scott McQuin, Co. Atty.; Atty. Gen.	Barber
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53,655	State of Kansas, Appellee, v. Christopher Jay Nobles, Appellant.	John M. Gaffney. Morgan Metcalf, Asst. Co. Atty.; William P. Ronan, Co. Atty., Atty. Gen.	Butler
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1:00 p.m.

53,775	Jerry D. Clites, Appellant, v. Getty Refining & Marketing Co., Appellee.	George L. McCullough. James L. Hargrove.	Butler
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53,495	In the Matter of the Estate of SARA REMMERT, Deceased.	Robert J. Gilliland. Granville M. Bush. Don C. Foss.	Rice
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53,600	In the interest of BABY GIRL LANAM, aka VELMA MAE PICKERILL, a child under the age of 18 years, alleged to be deprived.	James S. Oswald. William F. Bradley, Jr. Robert E. Nugent. Francis E. Meisenheimer, Asst. Co. Atty.; Atty Gen. Thomas D. Arnold.	Reno
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53,640	Paul E. Graber and Norma J. Graber, Appellants, v. Crossroads Cooperative Asso., Appellees.	James P. Johnston. Alan L. Rupe.	Harvey
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53,435	James M. Jones and Carol Christine Jones, Appellees, v. Robert A. Graves and Graves Builders, Inc., Appellants.	Victoria Kumorowski. Kent G. Voth.	Reno
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(continued)

Tuesday, June 29, 1982

9:00 a.m.

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|--------|---|--|----------|
| 53,400 | State of Kansas, Appellee, | David Moses, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | Charles E. Cole, Appellant. | Richard L. Hilton; Stuart Gribble. | |
| 53,266 | State of Kansas, Appellee, | Douglas R. Roth, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | Debra L. Davis and David Davis, Appellants. | Daniel E. Monnat. | |
| 53,708 | Craig M. Bryant, Appellant, | Mark Mellor. | Sedgwick |
| | v. | | |
| | State of Kansas, Appellee. | Jack Peggs, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | |
| 53,750 | State of Kansas, Appellee, | Jack Peggs, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | William C. Kirkes aka Billy Peaches, Appellant. | David Michael Rapp. | |
| 53,512 | State of Kansas, Appellee, | Jack Peggs, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | Minh Nguyen; Lam Buoi, Appellants. | David M. Bryan. David Michael Rapp. | |
| 53,502 | State of Kansas, Appellee, | Jack Peggs, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | Clayton Logan, Appellant. | Lyle W. Britt. | |

1:00 p.m.

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|--------|---|-------------------------|----------|
| 53,652 | Mary L. Haack, Appellee, | Glenn I. Kerbs. | Ford |
| | v. | | |
| | Robert E. Haack, Jr., Appellant. | Jack W. Shultz. | |
| 53,582 | Barbara Jean Studley, Appellee, | J. Taylor Neuschwander. | Finney |
| | v. | | |
| | Stephen C. Studley, Appellant. | Michael J. Friesen. | |
| 53,408 | State Bank of Satanta, Appellee, | Robert J. Frederick. | Stevens |
| | v. | James A. Kuharic. | |
| | AG-Pellets, Inc.; Moscow Alfalfa Product Co. and Carl Brollier, Appellants. | Paul A. Wolf. | |
| 53,867 | Harry E. Lattimer, Appellant, | Kenneth Boelte. | |
| | v. | | |
| | The Boeing Company and Aetna Cas. & Surety Co., Appellee. | James B. Zongker. | Sedgwick |
| 53,707 | Mary Kaye Heuberger, Appellant, | Frederick L. Haag. | |
| | v. | | |
| | Central Thriftway and Casualty Reciprocal Exch., Appellee. | James S. Phillips. | Sedgwick |
| | | Harry L. Eddy. | |

Wednesday, June 30, 1982

9:00 a.m.

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|--------|---------------------------------|--|----------|
| 53,586 | State of Kansas, Appellee, S.C. | David Moses, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen. | Sedgwick |
| | v. | | |
| | Curtis L. Doile, Appellant. | Stephen M. Joseph. | |

(continued)

53,667	State of Kansas, Appellee,	Richard Ballinger, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen.	Sedgwick
	v.		
53,445	Kirby E. Coleman, Appellant. Diana R. Edwards, Appellant, State of Kansas, Appellee.	Daniel T. Brooks. Willard L. Thompson, Jr.	Sedgwick
	v.		
53,440	State of Kansas, Appellee,	Jack Peggs, Asst. D.A.; Clark V. Owens II, D.A.; Atty. Gen.	Sedgwick
	v.		
53,576	Alfonzo J. Fisher, Appellant. State of Kansas, Appellee,	Willard L. Thompson. Jack Peggs, Asst. D.A.; Clark V. Owens II D.A.; Atty. Gen.	Sedgwick
	v.		
53,198	Shaun P. Johnson, Appellant. State of Kansas, Appellee,	Andrew E. Busch. Michael Jennings, Asst. D.A.; Clark V. Owens II D.A.; Atty. Gen.	Sedgwick
	v.		
	Charles J. Jaso, Appellant.	David L. Nelson.	

**KANSAS COURT OF APPEALS
JOHNSON COUNTY COURTHOUSE, DIV. 6, COURTROOM 300
OLATHE, KANSAS**

Before SPENCER, P. J., PARKS and SWINEHART, JJ.

Wednesday, June 30, 1982

9:00 a.m.

53,791 S.C.	Cora Lee Robertson, Appellant, v. Ray Walters and Gerry Walters, Appellees.	John Bukaty. Thomas R. Hill.	Wyandotte.
53,459	Lakeview Village Inc., et al, Appellees, v. Bd. of County Comm. of Johnson County, et al, Appellants.	Robert C. Londerholm.	Johnson
53,277	Safety Fed. Sav. & Loan Assoc., Appellee, v. John S. Thurston, Betty Thurston, Lenexa State Bank, U.S.A., Bill Woods Auto Leasing Inc., Commerce Bank, et al., Appellants.	Lyndus A. Henry. Bernis G. Terry. Gerald E. Williams.	Johnson
53,968	Clara A. Barnett, Appellant, v. Security Benefit Life Ins. Co., Appellee.	Nathan C. Harbur. Paul Hasty, Jr.	Wyandotte
53,578	State of Kansas, Appellant, v. Mary S. Potter, Appellee.	James Yates. Edmund S. Gross. Robert E. Davis, Co. Atty.; Atty. Gen.	Leavenworth
		Edward P. Schneeberger.	
53,614 S.C.	State of Kansas, Appellee, v. Michael T. Jackson, Appellant.	1:00 p.m. James Foster, Asst. D.A.; Nick Tomasic D.A.; Atty. Gen. Robert W. Harris.	Wyandotte

(continued)

54,201	In the Interest of SEAN F. BRADISH, a minor child.	Ed. Brunk, Asst. D.A.; Nick Tomasic D.A.; Atty. Gen. Carl S. Black.	Wyandotte
53,800	Ralph Craig, Appellant, v. Havens Steel Company, and American Mutual Ins. Co., Appellees.	Gary L. Jordan. Daniel B. Denk.	Franklin
53,508	Mary Jo Johnson, Appellant, v. L. W. Johnson, Appellee.	LaVone A. Daily. Laurence M. Jarvis.	Wyandotte
<i>Thursday, July 1, 1982</i> <i>9:00 a.m.</i>			
53,491 S.C.	Charley Tillman and Clara Tillman, Appellants, v. Westside Construction Company, Inc., and Greystone Develop. Corp., Appellees.	J. R. Russell. Joseph McDowell; Thomas E. Nutter.	Wyandotte
53,670 S.C.	Mary Jane Keele, Wife (Billy C. Keele, Deceased) Appellee. v. Pittman Construction Company, Appellant.	Hugh H. Kreamer. Richmond M. Enochs.	Johnson
53,522	Anna Bond, surviving heir-at-law of Michael Bond, Decd.; Anna Bond, Adm. of Estate of Michael Bond, Plaintiff-Appellees, v. James M. Purinton, Jr., Appellee v. Lumbermans Mutual Cas. Co., Appellant (Intervenor.)	James Yates; Muriel Harris. Darrel W. Frogley. Thomas R. Buchanan.	Wyandotte
53,671	State of Kansas, Appellee, v. Howard David Otwell, Appellant.	Larry McClain, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen. Stephen Mirakian.	Johnson
52,963	State of Kansas, Appellee, v. Mike DePriest, Appellant.	Larry McClain, Asst. D.A.; Dennis Moore, D.A.; Atty. Gen. Joseph Anderson.	Johnson
<i>1:00 p.m.</i>			
53,501 S.C.	State of Kansas, Appellee, v. Chuck P. Vollmer, Appellant.	Frank E. Kohl, Asst. Co. Atty.; Co. Atty.; Atty. Gen. Eugene W. Hiatt.	Atchison
53,759	Vaughn James Henry, Appellant. v. Kansas State Board of Pharmacy, Appellee.	David R. Gilman. Robert E. Davis.	Johnson
53,603	Samuel Leighty and Gertrude Leighty, Appellees, v. Michael Behon, Appellant.	Joseph L. Cox. Frank D. Weidling.	Leavenworth
53,469	Mildred Davis, Appellant, v. Unified School District #449, et al. Appellee.	Martin Asher. Edward J. Chapman, Jr. Frank C. Weidling; Kenneth E. Holm.	Leavenworth

LEWIS C. CARTER
Clerk of the Appellate Court

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