

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 25

June 24, 1982

Pages 787-798

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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:

TUESDAY, JULY 6, 1982

#50771

Kansas State Industrial Reformatory, Hutchinson—**MEAT PRODUCTS**

#50772

Kansas State Industrial Reformatory, Hutchinson—**BAKING EQUIPMENT**

#50777

Department of Administration (Division of Information Systems and Computers), Topeka—**COAXIAL CABLE**

#50786

University of Kansas, Lawrence—**PUBLICATION OF "KANSAS IN COLOR"**

WEDNESDAY, JULY 7, 1982

#25208

Department of Transportation, Topeka—**GLASS BEADS FOR TRAFFIC LINE PAINT**

#25212

Statewide—**AUGUST (1982) MEAT PRODUCTS**

#50785

Kansas State Industrial Reformatory, Hutchinson—**CARBONATED BEVERAGES AND DISPENSING EQUIPMENT**

#50787

Kansas State Industrial Reformatory, Hutchinson—**MISCELLANEOUS GROCERIES**

#50788

Osawatomie State Hospital, Osawatomie—**SOAP AND DETERGENT**

#50791

Department of Administration (Division of Printing), Topeka—**COVER CLOTH**

#50795

Osawatomie State Hospital, Osawatomie—**MISCELLANEOUS GROCERIES**

#A-3743(c)

Wichita State University, Wichita—**PAINTING THE INTERIOR OF MULTI-PURPOSE COMPLEX**

THURSDAY, JULY 8, 1982

#50799

Kansas State University, Manhattan—**CORRUGATED MILK CARTONS**

#50801

Department of Transportation, Chanute—**HERBICIDE**

FRIDAY, JULY 9, 1982

#25209

Kansas State University, Manhattan—**RENTAL SERVICE FOR PERSONNEL CLOTHING, TOWELS, LINENS, AND MOPS**

#50800

University of Kansas, Lawrence—**PORTABLE AIR CONDITIONERS**

THURSDAY, July 22, 1982

#50780

Kansas State University, Manhattan—**SALE OF USED COMPUTER EQUIPMENT**

THURSDAY, JULY 29, 1982

#25210

University of Kansas, Lawrence—**SPORT BLANKET ACCIDENT POLICY**

TUESDAY, AUGUST 3, 1982

#25211

University of Kansas Medical Center, Kansas City—**PROFESSIONAL LIABILITY INSURANCE (For Medical School Students)**

JAMES I. TOLBERT
Director of Purchases

Doc. No. 000413

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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

LEGISLATURE**INTERIM AGENDA**

Following is a listing of meetings which are scheduled for the period of June 24 through July 16, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
June 24	519-S	10:00 A.M.	Special Committee on Commercial and Financial Institutions	Agenda Unavailable.
June 25	519-S	9:00 A.M.		
June 28	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Begin 5-Year Review of Department of SRS Concentrating at This Meeting on Medical Assistance and Public Assistance.
June 29	123-S	9:00 A.M.		
July 1	531-N	1:30 P.M.	Task Force on Applied Remote Sensing Program	Continue Work on Objectives and Mandate Established by the Legislature.
July 1	514-S	9:30 A.M.	Legislative Budget Committee	Staff Presentations on Proposals No. 20, 21 and 22.
July 1	519-S	10:00 A.M.	Special Committee on Judiciary	1st Day: Review of All Proposals, Also Conferees and Committee Discussion of Proposal No. 11—Defense of Property.
July 2	519-S	9:00 A.M.		2nd Day: Receive Testimony on Proposal No. 13—Revised Uniform Limited Partnership Act.
July 2	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative Matters.
July 6	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Five-Year Review of Department of Administration.
July 7	123-S	9:00 A.M.		
July 8	527-S	10:00 A.M.	Joint Committee on Special Claims Against the State.	Consideration of Claims Filed to Date.
July 9	527-S	9:00 A.M.		
July 8	519-S	10:00 A.M.	Special Committee on Assessment and Taxation	Agenda Unavailable.
July 9	519-S	9:00 A.M.		
July 12	123-S	9:00 A.M.	Special Committee on Data Processing	Review of DISC Operations.
July 15	519-S	10:00 A.M.	Special Committee on Commercial and Financial Institutions	Agenda Unavailable.
July 16	519-S	9:00 A.M.		

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

State of Kansas

SOCIAL AND REHABILITATION SERVICES**OPEN MEETING NOTICE**

Notice is hereby given to all interested parties that the Department of Social and Rehabilitation Services will hold an Open Meeting on July 6, 1982, at 9:00 a.m. in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

- Public hearing with clients and providers regarding SRS budget for 1984.
- Public hearing on the Social Services block grant, Energy Assistance block grant, the Community Services block grant, and the Alcohol, Drug Abuse and Mental Health block grant.
- Kansas Weatherization Volunteer Effort

Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Ottawa, Parsons, Pittsburg, Pratt, Salina, Topeka (Area Office and State Office Building), Wichita, and Winfield.

ROBERT C. HARDER, Secretary
Social and Rehabilitation Services

Doc. No. 000408

State of Kansas

DEPARTMENT ON AGING**REQUEST FOR PROPOSALS
OLDER KANSANS EMPLOYMENT PROGRAM**

Applications to the Kansas Department on Aging are now being accepted for funding of three (3) employment programs. Applications will be accepted through July 15, 1982. Necessary application forms may be obtained by writing or calling Nell Culver, Kansas Department on Aging, 610 West 10th, Topeka, Kansas 66612—Phone (913) 296-4986.

In response to elderly employment needs, the Kansas Department on Aging has been directed by the legislature, in the enactment of SB 693 and its funding in SB 898, to establish three (3) Older Kansans employment programs. One program will be established in a city which is a major population center of the state, one program will be established in a city which in population is intermediate in size, and one program will be established in a city which in population is small in size.

Program emphasis will be placed upon private sector employment for shared jobs, flex-time and part-time jobs. Further, programs shall provide training in job seeking skills to potential employees and assistance to potential employers in utilizing older workers.

Statement of Purposes**Program Objectives**

1. To identify employment opportunities for older Kansans;
2. To train potential employees in job seeking skills;

3. To provide assistance to potential employers in utilizing the contributions of older Kansans in their work forces;
4. To place older Kansans in satisfactory employment experiences;
5. To emphasize the type of work many older people need: part-time, flex-time, and temporary work.

Scope of Work

- I. Promotion of Employment Program
 - A. Become linked to the communications network among local employers, through the local Chamber of Commerce and other business organizations, to accomplish the following:
 1. Determine employer needs;
 2. Explain alternative work arrangements;
 3. Explain the benefits of hiring the older worker;
 4. Explain what services the coordinator will provide to participants.
 - B. Quarterly, publicize the existence and status of the program.
 - C. Advertise the program through public media, area agencies on aging, nutrition sites, senior centers, and other advertising vehicles.
- II. Services to Employers
 - A. Perform job analysis or cooperate with the employer's personnel department to develop job descriptions.
 - B. Engage in consulting and problem solving.
 1. Provide suggestions on how to utilize older workers;
 2. Closely work with supervisors to gain their support;
 3. Suggest means to facilitate communication between older workers, supervisors, and other employees;
 4. Suggest alternative means to administer employee benefits for older workers on alternative work schedule.

III. Services to Older Persons

- A. Skills assessment and resume development.
- B. Attend senior citizen group meetings to promote and explain the program.
- C. Ensure adequate transportation is available.

Older persons have special needs; for instance, for many elderly, transportation poses a significant barrier in getting to and from work. Detail the activities your agency will take to meet older persons' special needs.

The program is scheduled to begin July 26, 1982, and to be completed June 30, 1983. With this time frame as a guide, provide a schedule of work in your proposal in the form of a Gantt Chart, milestone chart, PERT network, or some other programing technique.

Special Conditions

- I. The grantee will be expected to provide the following reports:
 - A. Monthly Program Report (furnished);
 - B. Monthly Financial Report (furnished);
 - C. Quarterly Performance Report Based On Schedule of Work;
 - D. Annual Report.

(continued)

II. The grantee will be subject to program evaluation.

Budget

Include in your proposal a budget, with a justification of how you arrived at the figures. Costs should be necessary and relate to program objectives.

Target Group

Persons age 55 and over.

Eligible Applicants

Public and private non-profit organizations may apply for grants under this announcement.

Available Funds

KDOA has available \$125,000 for 3 employment projects. The program period ends June 30, 1983. Future funding will depend upon project performance and legislative action.

Allowable Grant Costs

Funds are to cover administrative costs only. Costs may include personnel, travel, advertising, training, and other operational costs.

Criteria for Proposal Selection

- I. The organization's experience with employment and other related personnel activities
- II. Previous contact or affiliation with major private sector employers
- III. Carefully formulated objectives and methods for meeting objectives, including staff qualifications, that address program purposes
- IV. Feasibility of proposed budget and justification of costs; support for future funding of service delivery by the applicant agency
- V. The organization's experience with meeting needs of the elderly
- VI. Realistic schedule of work
- VII. Ability to provide in-kind services or share in the cost to accomplish objectives
- VIII. Adherence to equal employment opportunity guidelines

SYLVIA HOUGLAND
Secretary of Aging

Doc. No. 00410

(Published in the KANSAS REGISTER, June 24, 1982.)

NOTICE OF BOND SALE
\$165,774.74
GENERAL OBLIGATION BONDS
SERIES 1982A
OF THE
CITY OF ATCHISON, KANSAS
DATED: JULY 1, 1982

Sealed bids will be received by the City Clerk of the City of Atchison, Kansas, at the City Hall in said City on

TUESDAY, JULY 6, 1982

until 4:30 o'clock P.M., C.D.T., at which time said bids will be publicly opened, read and considered by the Board of Commissioners for the purchase at not less than par and accrued interest of a series of negotiable coupon general obligation bonds of the City of Atchi-

son, Kansas, being \$165,774.74 principal amount of General Obligation Bonds, Series 1982A (hereinafter referred to as the "Bonds"). The Bonds will be numbered from 1 consecutively upward and will be in the denomination of \$5,000 each, except for bond numbered 1 in the denomination of \$5,774.74. The Bonds will be dated July 1, 1982, and will become due serially on September 1 in each of the years and in the amounts set forth below. Interest on the Bonds will be payable on March 1, 1983, and thereafter semiannually on September 1 and March 1 in each year. Both principal and interest will be payable at the office of the State Treasurer in the City of Topeka, Kansas.

Maturity September 1	Principal Amount	Maturity September 1	Principal Amount
1983	\$10,774.74	1988	\$15,000.00
1984	15,000.00	1989	20,000.00
1985	15,000.00	1990	20,000.00
1986	15,000.00	1991	20,000.00
1987	15,000.00	1992	20,000.00

Interest Rates and Terms of Bid

Bidders are invited to name the rate or rates of interest which the Bonds are to bear expressed in multiples of one-eighth ($\frac{1}{8}$) or one-twentieth ($\frac{1}{20}$) of one percent (1%). All Bonds maturing in the same year shall bear the same rate of interest. No interest rate shall exceed the most recent 20 bond index, as published in The Weekly Bond Buyer on the Monday next preceding the date of sale, by more than 2%. The difference between the highest interest rate bid and the lowest interest rate bid shall not exceed two and one-half percent (2½%) per annum. No bid providing for supplemental coupons or for cancellation of coupons will be considered. A bid for the purchase of less than all of the Bonds or a bid at a price less than par will not be considered. All bids must state the total interest cost of the bid, the premium bid, if any, and the net interest cost of the bid, as well as the average annual net interest rate.

Bid Form and Award of Bonds

Each bid submitted must be on the "Official Bid Form" furnished by the City and should be addressed to Mark Thelen, City Clerk, City Hall, Atchison, Kansas 66002. No bid will be considered if made on other than the "Official Bid Form" and no bid will be considered if such form is amended or modified, except that the City reserves the right to waive any irregularity or informality. Each bid must be presented in an envelope clearly marked "BID FOR BONDS", and must be accompanied by a certified or cashier's check in the amount of \$3,315.49 payable to the City Treasurer, City of Atchison, on which no interest will be allowed.

The Bonds will be sold to the lowest and best bidder or bidders. Determination of the lowest and best bid will be made by deducting the premium bid (if any) from the total interest cost and the Bonds will be awarded to the bidder bidding the lowest net interest cost to the City. The City shall be entitled to rely on the stated net interest cost in awarding the Bonds. If there is any discrepancy between said lowest net interest cost and the coupon rates specified in said bid or the average annual net interest rate specified in said bid,

(continued)

the net interest cost figure shall govern and the coupon rates specified in the bid shall be adjusted accordingly.

The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of his contract to purchase the Bonds; but in the event that the successful bidder shall fail to comply with the terms of his bid, said check or the proceeds thereof shall then be forfeited and retained by the City as and for full liquidated damages.

The City reserves the right to determine who is the successful bidder for the Bonds and to reject any or all of the bids for the Bonds. Unless all bids are rejected, the Bonds will be awarded by the City on the day the bids are received.

Delivery

Said Bonds shall be delivered to the purchaser within 45 days from the date of sale at such bank located in Atchison, Kansas, or in Kansas City, Missouri, as may be specified by the purchaser, or elsewhere at the expense of the purchaser. The purchaser will be furnished with a certified transcript of the proceedings authorizing the issuance of the Bonds, as well as the usual closing certificates including one certifying that there is no litigation pending or threatened at the time of the delivery of the Bonds affecting their validity.

Legal Opinion

The Bonds will be sold subject to the unqualified final approving opinion of Stinson, Mag & Fizzell, Kansas City, Missouri, Bond Counsel. Manually signed originals will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds will be paid by the City of Atchison, Kansas. Said legal opinion will state that the principal of an interest on the Bonds is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of said City; and that, under existing law, the interest on said Bonds is exempt from federal income taxation.

Assessed Valuation and Outstanding Bonded Debt

The assessed valuation of all taxable tangible property within the City of Atchison for the year 1981 is \$21,162,062. The total general obligation bonded indebtedness of the City of Atchison, Kansas, excluding all revenue bonds but including the Bonds described in this Notice of Bond Sale, is \$1,225,036.73. The City has no temporary notes outstanding other than the notes that will be retired from the proceeds of the Bonds.

Dated this 17th of June, 1982.

MARK THELEN
City Clerk
City Hall
Atchison, Kansas 66002

Doc. No. 000416

(Published in the KANSAS REGISTER, June 24, 1982.)

NOTICE OF BOND SALE
\$555,000
CHASE COUNTY, KANSAS
GENERAL OBLIGATION COUNTY BRIDGE
BONDS
SERIES A, 1982

Pursuant to K.S.A. 10-106, written SEALED BIDS will be received by the Board of County Commissioners of Chase County, Kansas, at the office of the County Clerk, Chase County Courthouse, Cottonwood Falls, Kansas 66845, on

July 19, 1982

at 10:00 A.M., local time, for the sale of 111 General Obligation Bridge Bonds, Series A, 1982, of said County in the aggregate amount of \$555,000.00, at which time said bids will be publicly opened. All of said bonds will be negotiable coupon bonds; be in the denomination of \$5,000.00 each, be dated August 1, 1982, and mature serially as follows:

October 1, 1983	\$55,000
October 1, 1984	55,000
October 1, 1985	55,000
October 1, 1986	55,000
October 1, 1987	55,000
October 1, 1988	55,000
October 1, 1989	55,000
October 1, 1990	55,000
October 1, 1991	55,000
October 1, 1992	60,000

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 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 or one-twentieth of one percent and no interest rate shall exceed the maximum permitted by law. 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 within a single maturity will not be considered.

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

Interest on said bonds will be payable 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 County. Said bonds, duly executed and registered, will be delivered by the County and said bonds will be sold

(continued)

subject to the unqualified legal opinion of Fred W. Rausch, Jr., Municipal Bond Counsel, Topeka, Kansas, whose unqualified approving opinion will be furnished and paid for by the County. The legal opinion will be printed on each bond. Other legal services in connection with the issuance of said bonds will be paid by the County.

All of said bonds will constitute general obligations of said County 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 County.

Said County has an assessed taxable tangible valuation, computed according to K.S.A. 79-1440, of \$29,534,259.00 including motor vehicle valuation of \$1,620,973.00, and a bonded indebtedness of \$1,430,000.00, including this issue of \$555,000.00, none of which issue is subject to bonded debt limitations. Such bonds are being issued for the purpose of paying costs of county bridge repair or reconstruction, under the authority of K.S.A. 68-1103.

Said bonds will be delivered to the purchaser on or before September 17, 1982, at any bank in Wichita or Topeka, Kansas, or Kansas City, Missouri, at the expense of the County. 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 County and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable, tangible property within the County without limitation as to rate or amount. The obligation 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, of 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.

Each bond shall be accompanied by a certified or cashier's check made payable to the County in an amount equal to two percent (2%) of the total amount of such bid. The County 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 County as liquidated damages. The checks of unsuccessful bidders will be returned.

Bids will be submitted on official bid forms (or their equivalent) which may be obtained from the County Clerk, Chase County Courthouse, Cottonwood Falls, Kansas 66845.

THE BOARD OF COUNTY COMMISSIONERS
CHASE COUNTY, KANSAS
VERNE FANKHAUSER
Chairman

(SEAL)

ATTEST: DARWIN K. REYER
County Clerk

(Published in the KANSAS REGISTER, June 24, 1982.)

NOTICE OF BOND SALE
\$360,000.00
GENERAL OBLIGATION MENTAL HEALTH
FACILITY BONDS
OF THE
COUNTY OF FINNEY, STATE OF KANSAS

The BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF FINNEY, STATE OF KANSAS will receive sealed bids at the OFFICE OF THE COUNTY CLERK, FINNEY COUNTY COURTHOUSE, GARDEN CITY, KANSAS, until 1:30 o'clock P.M., C.D.T., on

MONDAY, JUNE 28, 1982

for \$360,000.00 par value GENERAL OBLIGATION MENTAL HEALTH FACILITY BONDS of the County, and said bids will be publicly opened immediately thereafter in the COUNTY COMMISSION ROOM of said FINNEY COUNTY COURTHOUSE. No oral or auction bids will be considered.

All of the Bonds will be negotiable coupon bonds, will be in denominations of \$5,000.00 each, and the Bonds will be dated JULY 1, 1982. The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$15,000.00	November 1, 1983
20,000.00	November 1, 1984
25,000.00	November 1, 1985
25,000.00	November 1, 1986
30,000.00	November 1, 1987
35,000.00	November 1, 1988
35,000.00	November 1, 1989
40,000.00	November 1, 1990
45,000.00	November 1, 1991
45,000.00	November 1, 1992
45,000.00	November 1, 1993

Interest on the Bonds will first be payable on MAY 1, 1983, and thereafter semiannually on the first days of NOVEMBER and MAY in each year until the Bonds are fully paid. Both the principal of and interest on the Bonds will be payable to bearer at the Office of the State Treasurer in the City of Topeka, Kansas.

Proposals will be received on the Bonds bearing such rate or rates of interest, not exceeding four (4) different interest rates, as may be specified by the bidder. The repetition of a rate will not constitute one of said maximum number of rates. 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 (1/8th) or one-twentieth (1/20th) of one per cent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two per cent (2%). No interest rate shall exceed the maximum amount authorized by Kansas Law, said amount to be the 20 Bond Index of tax exempt municipal bonds published in the weekly Bond Buyer in New York, New York on the Monday next preceding the day on which the bonds are sold (June 7, 1982), plus 2%, and no bid of less than par and accrued interest will be

(continued)

considered. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the County, and shall be addressed to BOARD OF COUNTY COMMISSIONERS, FINNEY COUNTY COURTHOUSE, GARDEN CITY, KANSAS 67846, ATTENTION: CAROL BROWN, COUNTY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, 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 on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two per cent (2%) of the total amount of the bid, and shall be payable to TREASURER, COUNTY OF FINNEY, 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 promptly.

The Bonds, duly printed, executed and registered, will be furnished and paid for by the County; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas, whose opinion will be paid for by the County. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Delivery of the Bonds will be made to the successful bidder on or before AUGUST 12, 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 expense of the purchaser.

The Bonds will constitute general obligations of the County, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the County. The proceeds of the Bonds will be used for the purpose of paying the costs of building and equipping a mental health facility in the County of Finney, State of Kansas.

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The County reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the County; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

Assessed valuation figures for the County of Finney, State of Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$219,774,513.00
---	------------------

Tangible Valuation of Motor Vehicles ..	\$ 14,050,993.00
Tangible Valuation of Motor Vehicle Dealers Inventory	\$ 1,413,270.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$235,238,776.00

The total bonded indebtedness of the County of Finney, State of Kansas, at the date hereof, including this \$360,000.00 proposed issue of Bonds, is in the amount of \$3,360,000.00.

DATED June 14, 1982.

CAROL BROWN, County Clerk
County of Finney, State of Kansas

Doc. No. 000411

State of Kansas

ATTORNEY GENERAL

OPINION NO. 82-121

State Boards, Commissions and Authorities—Law Enforcement Training Center—Certification For Permanent Appointment As Part-Time Officer. Maynard L. Brazeal, Director, Kansas Law Enforcement Training Center, Hutchinson, June 10, 1982.

Section 4 of 1982 Senate Bill No. 499, which requires prescribed training for part-time police officers or law enforcement officers, must be applied prospectively. Thus, officers who received appointments as part-time police officers or law enforcement officers prior to the effective date of the act need not complete the required training in order to continue employment in that capacity. Cited herein: Section 4 of 1982 Senate Bill No. 499. JEF

OPINION NO. 82-122

Bonds and Warrants—General Bond Law—Temporary Notes for Improvements. Michael F. Willcott, Lansing City Attorney, Lansing, June 10, 1982.

A temporary note, issued by a municipality under the provisions of K.S.A. 1981 Supp. 10-123, constitutes a "bond" of that municipality for the purposes of K.S.A. 10-131, governing investment of the proceeds of certain bond issues. Pursuant to K.S.A. 10-131 the governing body of a municipality may make deposits of temporary note proceeds in commercial banks or trust companies located in the county or counties in which the municipality is located. Cited herein: K.S.A. 1981 Supp. 10-123, 10-131. DEJ

OPINION NO. 82-123

Intoxicating Liquors and Beverages—Cereal Malt Beverages—Issuance of Retailers' Licenses. Craig D. Kershner, Lane County Attorney, Dighton, June 10, 1982.

The authority of a township concerning the issuance of licenses for the retail sale of cereal malt beverages is limited to the powers specifically enumerated in K.S.A. 41-2702. That statute provides the township board's only authority regarding the issuance of any such license for premises situated within the township. Such authority is limited to the submission of advisory rec-

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ommendations thereon to the board of county commissioners. Accordingly, a township board has no express or implied authority to prohibit or restrict the issuance of such licenses. Similarly, since there is no express or implied authority for calling or holding an election of the township's electors to consider the question of prohibiting or restricting the issuance of licenses for the retail sale of cereal malt beverages in the township, the issuance of such licenses may not be prohibited or restricted by a vote of the township's electors. Cited herein: K.S.A. 41-2701, 41-2702. WRA

OPINION NO. 82-124

Counties and County Officers—Clerk of District Court—Board of Trustees of County Law Library. Robert L. Gernon, Associate District Judge, Hiawatha, June 11, 1982.

Associate district judges are not members of the board of trustees of the county law library established by K.S.A. 19-1320. The only judges who are members of such board are district judges. Cited herein: K.S.A. 19-1320, 20-301a, 20-302, Kan. Const., Art. 3, § 6. WRA

OPINION NO. 82-125

Grain and Forage—Grain Storage; Terminal and Local Warehouses—Authority to Collect Interest on Storage Charges. Marvin R. Webb, Director, Grain Inspection Department, Topeka, June 11, 1982.

The Kansas Grain Inspection Department lacks authority pursuant to K.S.A. 34-235 to authorize public warehouses licensed by the Department to charge and collect interest charges in addition to approved grain storage charges. Cited herein: K.S.A. 34-235, K.A.R. 25-1-7, 25-1-8. BJS

OPINION NO. 82-126

Infants—Detention Homes—Public Youth Residential Facilities; Levy of County Therefore Subject to Tax Lid. William D. Rustin, Sedgwick County Counselor, Wichita, June 11, 1982.

Pursuant to K.S.A. 38-554, in a county such as Sedgwick with a population in excess of 300,000, the board of county commissioners is required to levy a tax and to expend general fund moneys for the operation of public youth residential facilities. While the annual budget for such facilities is administered by the administrative judge of the district court, it is set initially by the board of county commissioners, and is subject to the board's control in all areas but that of salaries, which are set by the district court. As is the case with expenses of the district court, the fact that a county is mandated by statute to fund public youth residential facilities does not in and of itself remove this expense from the aggregate tax levy limitation (*i.e.* "tax lid") statutes. Rather, a county can seek to exempt such expenses from the tax lid, either by legislative action or by an exercise of home rule authority under K.S.A. 19-101b. Cited herein: K.S.A. 19-101b, 20-349, 20-613a, 38-554, 79-5003, 79-5004, 79-5011, 79-5012. JSS

OPINION NO. 82-127

Taxation—Mortgage Registration Fee—Instruments

Not Subject Thereto; Pledge of Real Estate Mortgages and Notes. Susie Parmer, Leavenworth County Register of Deeds, Leavenworth, June 11, 1982.

An instrument, by which several promissory notes and real estate mortgages securing those notes are assigned to a lending institution for the purpose of securing a loan, is not itself a mortgage of real property. It is a mortgage of intangible personal property. Thus, any such instrument should be filed together with other instruments that create liens on personal property.

However, if the instrument is proved or acknowledged, and certified in accordance with the provisions of K.S.A. 58-2211 to K.S.A. 58-2219, inclusive, the instrument also may be recorded in the real estate records. Since such instruments are not mortgages of real property, said instruments may be filed without payment of the mortgage registration fee. Cited herein: K.S.A. 58-2211, 58-2219, 58-2221, K.S.A. 1981 Supp. 84-9-401. RJB

OPINION NO. 82-128

Consumer Credit Code—Consumer Loans—Finance Charge; Exemption of Adjustable Rate Loans From Maximum Finance Charge Limits. Donald O. Phelps, Consumer Credit Commissioner, Topeka, June 11, 1982.

Loans secured by an interest in land subordinate to a prior mortgage and held by a lender other than the lender of the first mortgage are subject to the Consumer Credit Code, K.S.A. 16a-1-101 *et seq.*, and may be made by a supervised lender. Pursuant to K.S.A. 16a-2-401 (as amended by 1982 Senate Bill No. 559), after July 1, 1982 a supervised lender may make such loans in which the rate of interest may be periodically adjusted. If such an adjustable rate feature is included, the maximum finance charge limits established by K.S.A. 16a-2-401 are applicable only if the loan is made subject thereto by the parties. Prior to July 1, 1982, however, a lender making such loans pursuant to a license issued under the Code is without the authority to include an adjustable rate provision. Cited herein: K.S.A. 16-207, 16a-1-301 (both as amended by 1982 Senate Bill 539), 16a-2-401 (as amended by 1982 Senate Bill 559), 1982 Senate Bill 539, 1982 Senate Bill 559. JSS

OPINION NO. 82-129

Taxation—Mortgage Registration Fee—Mortgage of Oil and Gas Leasehold Interest.

Uniform Commercial Code—Secured Transactions—Security Interests in Oil or Gas After Extraction. Susie Parmer, Leavenworth County Register of Deeds, Leavenworth, June 11, 1982.

Article 9 of the Uniform Commercial Code (UCC), which governs secured transactions, is applicable to a security interest in oil or gas *after* such minerals are extracted from the earth. The UCC is not applicable, however, to mortgages of oil and gas leasehold interests, and recordation of such mortgages is governed by the real estate recordation statutes in Chapter 58 of the

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Kansas Statutes Annotated and the mortgage registration fee statutes, K.S.A. 79-3101 *et seq.* Cited herein: K.S.A. 1981 Supp. 79-3102, 84-9-402. RJB

OPINION NO. 82-130

Drainage and Levies—Watershed Districts—Open Meetings of Directors; Exception for Attorney-Client Discussions. Thomas J. Toepfer, Counsel, Wet Walnut Creek Joint Watershed District No. 58, Hays, June 17, 1982.

Pursuant to K.S.A. 24-1212, a watershed district board may not go into executive session at any time. However, as a watershed district is also governed by the terms of the Open Meetings Act, K.S.A. 75-4317 *et seq.*, a conflict arises between the two enactments, in that the latter permits executive sessions for certain specified purposes. Among these purposes is consultation with an attorney which is privileged under the attorney-client relationship. As the two enactments cannot be reconciled, that portion of K.S.A. 24-1212 proscribing such executive sessions is repealed by implication. Cited herein: K.S.A. 24-1212, K.S.A. 1981 Supp. 75-4318, 75-4319. JSS

OPINION NO. 82-131

Crimes and Punishments—Crimes Against Property—Giving a Worthless Check. Tim Karstetter, McPherson County Attorney, McPherson, June 17, 1982.

In a prosecution for the crime of giving a worthless check, the presumption of notice that results when the holder of a check that has been returned by the drawee sends written notice in compliance with K.S.A. 21-3707(2) is a conclusive presumption. Actual receipt of the written notice need not be shown by the prosecution, if the holder has satisfied the requirements of K.S.A. 21-3707(2). However, evidence that defendant did not receive the formal written notice is admissible pursuant to K.S.A. 60-460(m), as an exception to the hearsay rule of evidence, but merely as mitigating evidence at the time of sentencing. Cited herein: K.S.A. 8-255, 21-3707, 60-460. JMF

OPINION NO. 82-132

Fees and Salaries—Fees, All Counties; Salaries, Certain Counties—Fees for Publication of Legal Notices. John E. Chandler, State Senator, First District, Holton, June 17, 1982.

1982 House Bill No. 2694 authorizes publishers of legal notices to charge an amount not to exceed either the amounts authorized by the schedule contained in Section 4(a)(2) or an amount less than or equal to the lowest regular classified advertising rate for commercial customers. If the latter option is selected and the lowest regular commercial advertising rates increase in a given year beyond 15% of the legal notice rate from the immediately preceding year, the rate for legal notices shall not increase more than 15% per year. Cited herein: K.S.A. 28-137, as amended by 1982 House Bill No. 2694. BJS

OPINION NO. 82-133

State Departments; Public Officers, Employees—Open Public Meetings—Attending Retreats and Conventions. Marci Francisco, Mayor, Lawrence, June 17, 1982.

The majority of a quorum of the governing body of a Kansas municipality may not conduct a retreat to the Colorado mountains to discuss the business or affairs of the body. Such gathering is unreasonably inaccessible to residents of the municipality and constitutes a meeting which is not open to the public in violation of the Kansas Open Meetings Act.

Members of a city governing body may attend and participate in annual conventions of the League of Kansas Municipalities, so long as members do not use such occasions to discuss among themselves the specific business or affairs of the body. Such discussion would subvert the purposes of the Kansas Open Meetings Act and should occur only at meetings held in strict compliance with the Act. Cited herein: K.S.A. 75-4317, K.S.A. 1981 Supp. 75-4318, K.S.A. 75-4320. BJS

ROBERT T. STEPHAN
Attorney General

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