

# KANSAS REGISTER

State of Kansas

**JACK H. BRIER**  
Secretary of State

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State of Kansas

LEGISLATURE

INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of July 26 through August 6, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
July 26	519-S	10:00 A.M.	Special Committee on Agriculture and Livestock	Review and background of grain warehousing in Kansas.
July 27	519-S	9:00 A.M.		
August 5	Wichita Hutchinson	8:30 A.M.	Joint Committee on State Building Construction	Capital Improvements: Wichita State University, E. B. Allen Hospital, USGS Well Sample Library, Industrial Reformatory, State Fair.
August 6		8:30 A.M.		
August 6	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative matters.
August 6	527-S	1:00 P.M.	Legislative Budget Committee	Agenda not yet determined.
August 6	Hutchinson	8:30 A.M.	Special Correctional Review Committee	A.M.: Tour of Industrial Reformatory and review of operations.

WILLIAM R. BACHMAN  
Director of Legislative Administrative Services

Doc. No. 000482

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PHONE: 913/296-2236

Carol A. Bell  
Publications Director

## State of Kansas

**PARK AND RESOURCES AUTHORITY****NOTICE TO BIDDERS**

Sealed bids for the Development, Construction, Operation, and Maintenance of a Sailboat Concession Facility (Bid Identification No. 503-ELD-7031B) at El Dorado State Park, Butler County, Kansas, will be received by the Kansas Park and Resources Authority, Room 520, 503 Kansas Avenue, P.O. Box 977, Topeka, Kansas 66601, until 2:00 p.m., September 8, 1982, and then will be publicly opened and read aloud.

Bid forms, plans, specifications, and other project information may be obtained from the Kansas Park and Resources Authority, Park Planning and Development Division, at the address given above.

There will be a charge of \$10.00 per set for the documents, with no refund.

LYNN BURRIS, JR.  
Director

Doc. No. 000484

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES****NOTICE OF PUBLIC HEARING**

A public hearing pertaining to the State Economic Opportunity Office's FY 1982 State Plan for weatherization assistance for low-income persons will be held at 10 a.m., August 4, 1982, at 535 Kansas Avenue, Room 800, Topeka, Kansas. The State Economic Opportunity Office of the Department of Social and Rehabilitation Services will conduct the hearing and administer the Weatherization Program for the State of Kansas.

The hearing is for the purpose of announcing the proposed selection of subgrantee agency(ies) to operate the Weatherization Program in the following counties: Dickinson, Marion, Chase, Morris, Wabaunsee, Geary and Riley. Comment about the selection(s) can be made at the Public Hearing. The State Economic Opportunity Office will consider these comments before making the final selection and submitting this information to the Department of Energy as an Amendment to its 1982 State Weatherization Plan.

If information is desired about applying to become a weatherization subgrantee, contact should be made no later than July 30, 1982 to Ms. Susan M. Rodgers, Director, State Economic Opportunity Office, (913) 296-2458.

SUSAN M. RODGERS, Director  
State Economic Opportunity Office  
State Department of Social and  
Rehabilitation Services

Doc. No. 000480

## State of Kansas

**PARK AND RESOURCES AUTHORITY****NOTICE TO BIDDERS**

Sealed bids for the Development, Construction, Operation, and Maintenance of a Marina Concession Facility (Bid Identification No. 503-ELD-7031A) at El Dorado State Park, Butler County, Kansas, will be received by the Kansas Park and Resources Authority, Room 520, 503 Kansas Avenue, P.O. Box 977, Topeka, Kansas 66601, until 2:00 p.m., October 26, 1982, and then will be publicly opened and read aloud.

Bid forms, plans, specifications, and other project information may be obtained from the Kansas Park and Resources Authority, Park Planning and Development Division, at the address given above.

There will be a charge of \$10.00 per set for the documents, with no refund.

LYNN BURRIS, JR.  
Director

Doc. No. 000485

## 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 August 3, 1982, at 9:00 a.m., in the Staff Development Training Center, Topeka State Hospital.

The scheduled agenda for the Open Meeting includes:

- Report of general conclusions related to FY 1983 and FY 1984 budgets.
- 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.
- Review of budget reductions for FY 1983.

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. 000479

State of Kansas

FISH AND GAME COMMISSION

OPEN MEETING NOTICE

A meeting of the Kansas Fish and Game Commission is scheduled for Tuesday, July 27, 1982, 9:00 a.m., at the Commission Headquarters in Pratt. General business matters will be discussed.

RON HOPKINS, Chairman

Doc. No. 000460

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

PUBLIC NOTICE

The application for the Governor's Special Grant, funded by the U.S. Department of Labor, for Federal Fiscal Year 1983, has been submitted to the U.S. Department of Labor on July 16, 1982. The grant application is for \$814,496, based on Federal Fiscal year 1983 planning estimates provided by the U.S. Department of Labor.

The application is for programs and activities authorized under the Comprehensive Employment Training Act (CETA), Title II. Special Governor's Programs under Title II include: (a) Vocational Education Services to supplement Title II prime sponsor's vocational education activities; (b) State Employment and Training Council and its statutory activities; (c) State Coordination and Special Services to provide special services through coordination of local and statewide employment and training programs; and (d) Educational Linkages services encouraging coordination and establishing linkages between prime sponsors and appropriate educational agencies and institutions.

The grant application may be reviewed and performance comparisons made against last year's plan through the most recent quarter between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Special Grant Unit, Department of Human Resources, 512 West 6th Street, Topeka, Kansas 66603 (Telephone: 913-296-3893).

Interested groups, organizations, or individuals may notify the Governor's Special Grant in writing of their desire to review any subsequent modifications to this grant that may be forthcoming throughout the grant year. Subsequent modifications will not be given public notification otherwise.

Comments regarding the annual application must be made within the next 30 days and are to be sent to the above address and to Mr. Richard G. Miskimins, Regional Administrator, Employment and Training Administration, Federal Office Building, Suite 1000, 911 Walnut Street, Kansas City, Missouri 64106.

ARMAND CORPOLONGO, Director  
Governor's Special Grant (CETA)

Doc. No. 000481

State of Kansas

DEPARTMENT OF HUMAN RESOURCES

SUMMARY OF FY 83 ANNUAL  
PLAN OF KANSAS CETA  
BALANCE-OF-STATE  
PRIME SPONSOR

In keeping with legislative and regulatory requirements under the reauthorized Comprehensive Employment and Training Act of 1978, the Kansas Balance-of-State CETA Prime Sponsor offers for review and comment a summary of the Fiscal Year 1983 Annual Plan.

Total Enrollments .....	1,535
Population Segments to be Served	
Male .....	691
Female .....	844
19 & Under .....	476
20-21 .....	215
22-44 .....	752
45-54 .....	61
55 & Over .....	31
White (Non-Hispanic) .....	1,274
Black (Non-Hispanic) .....	139
Hispanic .....	61
American Indian & Alaskan Native ..	30
Asian & Pacific Islanders .....	31

Program Expenditures

Administration .....	\$ 834,598
Classroom Training .....	1,619,370
On-the-Job Training .....	1,223,126
Work Experience .....	257,250
Services .....	1,251,897
Employment Generating Services ..	30,000
Total Allocation .....	\$5,216,241

The Comprehensive Employment and Training Act (CETA) expires on September 30, 1982. There is legislation, pending further Congressional action, to continue employment and training programs. Department of Labor's instructions are to submit a simplified preliminary grant application based on the Administration's budget request of \$1.8 billion. The plan, is therefore, written for an estimated allocation of approximately 78% of the FY 1982 funding.

The Master and Annual Plan Narrative as well as Quarterly Performance Comparisons are available, for review and comment, between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Prime Sponsor's Administrative Office, 427 Topeka Avenue, Topeka, Kansas 66603. Telephone 913/296/3031.

Any comments may be sent to Richard Miskimins, Regional Administrator, U.S. Department of Labor, Employment and Training Administration, Room 800, 911 Walnut Street, Kansas City, MO 64106.

RICHARD F. HERNANDEZ  
Director, CETA B-O-S

Doc. No. 000475

**NORTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT #4  
OPEN MEETING NOTICE**

The August meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for August 5, 1982 at the district office, 1175 South Range, Colby, Kansas. The meeting begins at 10:00 a.m. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT  
Manager

Doc. No. 000471

State of Kansas

**STATE BOARD OF EDUCATION**

**NOTICE OF PUBLIC HEARING**

**TO ALL TEACHERS, ADMINISTRATORS,  
BOARDS OF EDUCATION, TRUSTEES AND  
CONTROL, TEACHER TRAINING INSTITU-  
TIONS, SCHOOL AND COMMUNITY COLLEGE  
DISTRICTS, AND ALL OTHER PERSONS WHOM  
IT MAY CONCERN:**

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the first floor conference room of the Kansas State Board of Education, Kansas State Education Building, 120 East Tenth Street, Topeka, Kansas 66612, on the 10th day of August, 1982, beginning at 1:30 p.m. of said day to consider in substance the proposed changes in the Kansas State Plan for Community Colleges and the Kansas State Plan for Inservice Education for fiscal years 1983-1984 both of which are to become effective July 1, 1982, upon adoption by the state board and approval of the Governor.

The revised State Plans relate generally to the following:

1. The Community College State Plan is required by Kansas statute for the purpose of developing state goals for Kansas Community Colleges. The revised Kansas State Plan for Community Colleges relates to changes deemed appropriate for the State Plan developed and adopted August 13, 1980. The revised State Plan includes new goals and objectives for community colleges in addition to an evaluation of the goals and objectives adopted in the previous plan. Furthermore, the proposed Plan includes revised procedural guidelines governing course and program approval at community colleges. A draft copy of the goals and objectives of this Plan was presented to the Advisory Council for Community Colleges for its suggestions. Considerable preparatory work was done on the Plan by a committee of community college presidents, advisory council members and Kansas Board of Education members.

2. The State Plan for Inservice Education for Fiscal Years 1983-1984 (previously State Plan for Preservice and Inservice Education) sets out a process for devel-

oping and implementing local education agency inservice plans according to guidelines to be established by the State Board of Education. It includes the goals and objectives for fiscal years 1983-1984, direction for inservice education, recommendations for an inservice education program from the School Administrator Professional Standards Advisory Board and the Professional Teaching Standards Advisory Board, and evaluation of the objectives in the State Plan for Fiscal Year 1982 for Preservice and Inservice Education. The State Plan for Fiscal Years 1983-1984 is premised on the intent of the State Board of Education to adopt regulations governing the use of inservice education for renewal of certification. The regulations would permit the local education agency to recommend to the State Board of Education inservice credit to be used for renewal of certificates. Only those local education agencies choosing to participate in the state inservice education program would be required to comply with such regulations.

Copies of this public hearing notice (along with the state board's public hearing procedures) are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. Copies of said notice are also being mailed to the clerks of local school boards for the attention of school board members. Copies of said plans may be obtained by contacting the secretary of the state board of education, Kansas State Education Building, 120 E. 10th Street, Topeka, Kansas 66612, prior to July 28, 1982.

On the date of said hearing all interested persons shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said plans. Individuals or organizations that cannot appear at the hearing may, prior to August 2, 1982, submit to the secretary of the state board of education their written reactions in favor of or in opposition to said plans, and any other matters, suggestions, or proposals that relate thereto, and such reactions will be read into the record and considered by the board. Said hearing shall be conducted in compliance with the public hearing procedures of the state board of education.

**KANSAS STATE BOARD OF EDUCATION**

By: Dr. Floyd J. Grimes  
Chairman

Certified by: Dr. Merle R. Bolton  
Kansas Commissioner of Education

Doc. No. 000486

## State of Kansas

**DEPARTMENT OF HEALTH  
AND ENVIRONMENT****NOTICE OF HEARING ON PROPOSED  
ADMINISTRATIVE REGULATIONS**

Notice is hereby given to all interested parties on August 6, 1982, that at 9:00 a.m. at Building 321, Forbes Industrial Park, Topeka, Kansas, the Secretary of the Department of Health and Environment will hold a public hearing concerning the adoption on a temporary and permanent basis of certain proposed administrative regulations. A summary (including fiscal impact) is set forth below. Copies of the complete text of these proposed regulations may be obtained at the above address.

**28-4-92. Fees for licenses to conduct child care facilities.** This regulation is being written in response to SB 656 passed by the 1982 legislature mandating the Secretary of Kansas Department of Health and Environment to establish fees for child care license. Fiscal impact: Fee remains the same as previously mandated for licensed day care homes and group boarding homes.

Fee is increased from \$5.00 to \$15.00 for residential centers, detention centers and maternity centers.

Fee is increased from \$5.00 to \$15.00 for child care centers and preschools enrolling 60 or fewer children.

Fee is increased from \$5.00 to \$25.00 for centers enrolling more than 60 children.

**28-4-76, 28-4-203, 28-4-251, 28-4-312, 28-4-351, and 28-4-371.** These regulations are being amended to delete reference to the previous fee.

**28-4-174.** This regulation is being amended to delete the phrase "but not be limited to" from description of service plan. Fiscal impact: None.

**28-4-114.** This regulation is being amended to delete permission for one child care provider to provide up to two weeks of substitute care in her home for the full number of children enrolled with another day care provider.

Fiscal impact: Negligible, since in home substitutes may still be used, and it is assumed that in-home and out-of-home substitutes would be remunerated at approximately the same rate of pay.

JOSEPH F. HARKINS, Secretary  
Kansas Department of Health  
and Environment

Doc. No. 000483

## State of Kansas

**CONSUMER CREDIT COMMISSIONER  
STATE DEPARTMENT OF CREDIT UNIONS  
SAVINGS AND LOAN DEPARTMENT  
STATE BANK COMMISSIONER****NOTICE OF PUBLIC HEARING ON  
JOINT PROPOSED ADMINISTRATIVE  
REGULATIONS**

You are hereby notified that a public hearing will be held at 10:30 a.m. on August 11, 1982, in Room 313-S, Capitol Building, Topeka, Kansas on temporary and permanent regulation 104-1-1. All interested parties may present oral comments at the hearing. Written comments may be sent to any of the following state agencies:

Consumer Credit Commissioner 535 Kansas Avenue, Suite 1114 Topeka, Kansas 66603	Department of Credit Unions 535 Kansas Avenue, Suite 1008 Topeka, Kansas 66603
Bank Commissioner 818 Kansas Avenue Topeka, Kansas 66612	Savings and Loan Department 503 Kansas Avenue, Room 220 Topeka, Kansas 66603

The regulation to be adopted is as follows:

**104-1-1. Adjustable rate notes secured by a real estate mortgage or a contract for deed to real estate.** For the purpose of adjusting the interest rate, the lender may use any interest-rate index that is readily verifiable by the borrower and is beyond the control of the lender. Adjustments to the interest rate of an adjustable mortgage loan shall correspond directly to the movement of the index, subject to any rate-adjustment limitations that a lender may provide. The initial index value shall be the most recently available value of the index at, or within six months prior to, the closing date of the loan. The amount of a rate adjustment shall reflect the difference between the initial index value and either: (a) the index value most recently available as of the date of rate adjustment, if the payment is not simultaneously adjusted, or (b) the index value most recently available as of the date of notification of a payment adjustment. When the movement of the index permits an interest-rate increase, the lender may decline to increase the interest rate by the indicated amount. The lender may decrease the interest rate at any time.

Adjustments to the interest rate may be implemented through adjustments to the outstanding principal loan balance or the loan term, through changes in the payment amount, or both. Adjustments shall be subject to the following conditions: (a) the total loan term shall not exceed 40 years; (b) the adjustments shall reflect the movement of the index; (c) the initial payment amount shall be sufficient to fully amortize the loan at the beginning of the loan term; and (d) the payment amount shall be adjusted at least every five years to a level sufficient to amortize the loan at the then-existing interest rate and principal loan balance over the remaining term of the loan.

The borrower shall not be charged any costs or fees in connection with regularly-scheduled adjustments to the interest rate, the payment, the outstanding principal loan balance, or the loan term.

At least 30, but not more than 45 days, before ad-

(continued)

justment of the payment, a lender shall send written notification to the borrower containing the following information:

(a) a statement that the payment on the loan with the lender, secured by a mortgage or deed of trust on property located at the named address, is scheduled to be adjusted on a particular date;

(b) the outstanding balance of the loan on the adjustment date, assuming timely payment of the remaining payments due by that date;

(c) the interest rate on the loan as of the adjustment date, the index value on which that rate is based, the period of time for which that interest rate will be in effect, the next payment adjustment date, and the rate adjustment dates, if any, between the upcoming payment adjustment date and the next payment adjustment date;

(d) the payment amount as of the payment adjustment date;

(e) the dates, if any, on which the rate was adjusted since the last payment adjustment, the rates on each such rate adjustment date, and the index values corresponding to each such date;

(f) the dates, if any, on which the outstanding principal loan balance was adjusted since the last payment adjustment, and the net change in the outstanding principal loan balance since the last payment adjustment;

(g) the fact that the borrower may pay off the entire loan or a part of it without penalty when the prepayment is made more than six months after execution of the note; and

(h) the title and telephone number of a lender employee who can answer questions about the notice.

An applicant shall be given, at the time of receipt of an application, or upon request, a disclosure notice in substantially the following form:

**IMPORTANT INFORMATION ABOUT THE  
ADJUSTABLE MORTGAGE LOAN  
PLEASE READ CAREFULLY**

*You have received an application form for an adjustable mortgage loan ("AML"). The AML may differ from other mortgages with which you are familiar.*

**GENERAL DESCRIPTION OF ADJUSTABLE MORTGAGE LOAN**

*The adjustable mortgage loan is a flexible loan instrument. Its interest rate may be adjusted by the lender from time to time. Such adjustments will result in increases or decreases in your payment amount, in the outstanding principal loan balance, in the loan term, or in all three (see discussion below relating to these types of adjustments). Regulations place no limit on the amount by which the interest rate may be adjusted at any one time or over the life of the loan, or on the frequency with which it may be adjusted. Adjustments to the interest rate must reflect the movement of a single, specified index (see discussion below). For this reason, if you desire to have certain rate-adjustment limitations placed in your loan agreement, you should negotiate that matter with the lender. You may also want to make inquiries concerning the loan terms offered by other lenders on AMLs to compare the terms and conditions.*

*Another flexible feature of the AML is that the regular payment amount may be increased or decreased by the lender from time to time to reflect changes in the interest rate. Again, regulations place no limitations on the amount by which the lender may adjust payments at any one time, or on the frequency of payment adjustments. If you wish to have particular provisions in your loan agreement regarding adjustments to the payment amount, you should negotiate those terms with the lender.*

*A third flexible feature of the AML is that the outstanding principal loan balance (the total amount you owe) may be increased or decreased from time to time when adjustments to the interest rate result in a payment amount that is too small to cover interest due on the loan, or a payment amount that is larger than necessary to pay off the loan over the remaining term of the loan.*

*The final flexible feature of the AML is that the loan term may be lengthened or shortened from time to time, corresponding to an increase or decrease in the interest rate. When the term is extended in connection with a rate increase, the payment amount does not have to be increased to the same extent as if the term had not been lengthened. In no case may the total term of the loan exceed 40 years.*

*The combination of these four basic features allows a lender to offer a variety of mortgage loans. For example, one type of loan could permit rate adjustments with corresponding changes in the payment amount. Alternatively, a loan could permit rate adjustments to occur more frequently than payment adjustments, limit the amount by which the payment could be adjusted, and/or provide for corresponding adjustments to the principal loan balance.*

**INDEX**

*Adjustments to the interest rate of an AML must correspond directly to the movement of an index, subject to any rate-adjustment limitations that may be contained in the loan contract. If the index has moved down, the lender must reduce the interest rate by at least the decrease in the index. If the index has moved up, the lender has the right to increase the interest rate by that amount. Although increasing the interest rate is optional for the lender, you should be aware that the lender has this right and that the lender may become contractually obligated to exercise it.*

*The following is important information about the index to be applied to your AML.*

1. Name and description of index to be used for applicant's loan:  
(provide relevant information here)
2. The initial index value (if known) or date of initial index value:  
(provide relevant information here)
3. A source or sources where the index may be readily obtained by the borrower:  
(provide relevant information here)
4. The high and low index rates during the previous calendar year:  
(provide relevant information here)

(continued)

## KEY TERMS OF ADJUSTABLE MORTGAGE LOAN

Following is a summary of the basic terms on the type of AML to be offered to you. This summary is intended for reference purposes only. The following important information relating specifically to your loan will be contained in the loan agreement.

1. The loan term:  
(provide relevant information here)
2. The frequency of rate changes:  
(provide relevant information here)
3. The frequency of payment changes:  
(provide relevant information here)
4. The maximum rate change, if any, at one time:  
(provide relevant information here)
5. The maximum rate change, if any, over the life of the loan:  
(provide relevant information here)
6. The maximum payment change, if any, at one time:  
(provide relevant information here)
7. The minimum increments, if any, of rate changes:  
(provide relevant information here)
8. The adjustments to the principal loan balance:  
(provide relevant information here)

## HOW YOUR ADJUSTABLE MORTGAGE LOAN WOULD WORK

### INITIAL INTEREST RATE

The initial interest rate offered by (lender's name) on your AML will be established and disclosed to you on (commitment date) based on market conditions at the time.

A short description of each key term of the AML offered to you follows (headings identify the key terms).  
(provide relevant information here)

### NOTICE OF PAYMENT ADJUSTMENTS

(Lender's name) will send you notice of an adjustment to the payment amount at least 30 but not more than 45 days before it becomes effective. The following is a description of information contained in the notice, as required by K.A.R. \_\_\_\_\_:  
(provide relevant information here)

### PREPAYMENT PENALTY

You may prepay an AML in whole or part without penalty when the prepayment is made more than six months after execution of such note.

### FEES

You will be charged fees by (lender's name) and by other persons in connection with the origination of your AML. The lender will give you an estimate of these fees after receiving your loan application. However, you will not be charged any costs or fees in connection with any regularly-scheduled adjustment to the interest rate, the payment, the outstanding principal loan balance, or the loan terms initiated by the lender.

(Authorized by and implementing 1982 Senate Bill No. 559, effective T \_\_\_\_\_; effective May 1, 1983.)

DONALD O. PHELPS  
Consumer Credit Commissioner  
JOHN B. RUCKER, JR.  
Credit Union Administrator  
MARVIN STEINERT  
Savings and Loan Commissioner  
CARL SANDSTROM  
Assistant Bank Commissioner

Doc. No. 000472

## State of Kansas

### DEPARTMENT OF HEALTH AND ENVIRONMENT

#### SUMMARY OF TEMPORARY ADMINISTRATIVE REGULATIONS

(Approved by the State Rules and Regulations Board July 1, 1982. Will expire May 1, 1983.)

#### Article 39.—ADULT CARE HOMES

**K.A.R. 28-39-104.** Physical environment; existing facilities; general requirements standard. This regulation is amended to delete the requirement that each existing adult care home provide a private room equipped with toilet and bathing facilities.

**28-39-105.** Physical environment; existing facilities; details and finishes standard. This regulation is amended to delete the requirement that all doors to resident rooms be of sufficient width to permit the passage of occupied beds and to delete the requirement that doors to resident use areas be of sufficient width to permit the passage of occupied wheelchairs.

**28-39-106.** Physical environment; existing facilities; mechanical requirements standard. This regulation is amended to delete the requirement that steam and hot water heating systems provide for standby service and be separately valved to isolate sections of the system and separate pieces of equipment.

Other changes in these regulations, and the amendments to 28-39-130, are technical in nature, do not effect policy, and are not mentioned in this summary.

Copies of the complete text of these regulations may be obtained at Bldg. 74, Forbes Field, Topeka, Kansas 66620.

JOSEPH F. HARKINS, Secretary  
Kansas Department of Health and Environment

Doc. No. 000476



## State of Kansas

**ATTORNEY GENERAL****OPINION NO. 82-146**

**Counties and County Officers—General Provisions—Elections; Private Hospital Corporations.** Robert E. Blue, Rawlins County Attorney, Atwood, July 2, 1982.

A county may agree to terms and conditions in a hospital lease agreement between the county and a private corporation which establish requirements for the selection of the board of directors of the private corporation. However, the county may not conduct an election at public expense utilizing the state and local election machinery to select the members of the board of directors of the private corporation. Cited herein: K.S.A. 19-101a, 19-1846. BJS.

**OPINION NO. 82-147**

**Cities and Municipalities—General Provisions—Countywide Retailers Sales Tax; Use of Tax Revenue.** Fred W. Johnson, Labette County Counselor, Oswego, July 2, 1982.

Section 1 of 1982 Senate Bill No. 707 authorizes the board of county commissioner of any county to transfer any portion of the revenue received pursuant to K.S.A. 1981 Supp. 12-192 (as amended by Section 1 of 1982 House Bill No. 3117), from the county general fund to the county road and bridge fund. Cited herein: K.S.A. 1981 Supp. 12-192 (as amended by Section 1 of 1982 House Bill No. 3117), K.S.A. 79-2934, Section 1 of 1982 Senate Bill No. 707. RJB.

**OPINION NO. 82-148**

**Federal Jurisdiction—Surplus Property of Federal Agencies—Surplus Property and Airport Authority, Certain Cities and Counties; Powers.** Stanley H. Stauffer, Chairman of the Board, Metropolitan Topeka Airport Authority, Topeka, July 2, 1982.

The Metropolitan Topeka Airport Authority may award contracts by any method which is reasonable and which will safeguard the public interest. Cited herein: K.S.A. 27-327, 27-330, 27-331. TRH

**OPINION NO. 82-149**

**Banks and Banking—Powers—Unlawful Preferences.** Roy P. Britton, State Bank Commissioner, Topeka, July 2, 1982.

Refunding revenue bond proceeds deposited with Kansas banks and trust companies pursuant to trust agreements as provided by K.S.A. 1981 Supp. 10-116a, are not deposits of public funds pursuant to K.S.A. 1981 Supp. 9-1402, as amended by House Bill No. 2139, 1982 Legislative Session. Cited herein: K.S.A. 1981 Supp. 9-1402, as amended by House Bill 2139, 1982 Legislative Session, K.S.A. 1981 Supp. 10-116a, K.S.A. 1981 Supp. 12-1749a. DEJ.

**OPINION NO. 82-150**

**Domestic Relations—Custody of Children—Prohibited Contracts.** Sam K. Bruner, Associate District Judge, Olathe, July 2, 1982.

A contract which determines the custody of a child is void as against public policy. Cited herein: K.S.A. 23-128, 23-129, 23-130. RVE.

**OPINION NO. 82-151**

**Automobiles and Other Vehicles—Size, Weight and Load of Vehicles—Powers of Local Authorities.** James Francisco, Senator, Twenty-sixth District, Wichita, July 8, 1982.

Because the legislature has preempted the field of regulating the size and weight of vehicles, counties may exercise their legislative powers in this area only pursuant to express statutory direction or authority granted in K.S.A. 8-1912. In absence of express statutory authority, a county may not create the position of weight inspection agent for the purpose of enforcing the vehicular size and weight limitations applicable on county roads. Such is the duty of the county's sheriff and his deputies. Cited herein: K.S.A. 8-1424, 8-1432, K.S.A. 1981 Supp. 8-1901, 8-1910, 8-1912, K.S.A. 8-2001, 8-2204, 19-101a, 19-813. BLH.

**OPINION NO. 82-152**

**Automobiles and Other Vehicles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Effect of State Law on City Ordinances.**

**Criminal Procedure—Procedure After Arrest—Prohibition of Plea-Bargaining.** Robert H. Royer, Jr., Municipal Judge for Solomon and Hope, Kansas, Abilene, July 9, 1982.

As amended by 1982 Senate Bill No. 699, K.S.A. 1981 Supp. 8-1567 provides [at subsection (n)] that a city may enact an ordinance which prohibits or makes unlawful the same acts as are dealt with by the statute, provided that the ordinance's minimum penalties are the same as the statutes for any given violation, and the ordinance's maximum penalty does not exceed that of the statute. Apart from these limits, K.S.A. 1981 Supp. 8-1567 as amended does not preempt a city from taking action in this area. As amended by 1982 Senate Bill No. 699, K.S.A. 1981 Supp. 8-1567(c), (d) and (e) prohibit a prosecuting attorney from entering into any plea-bargaining agreement by which a defendant enters a guilty or no contest plea to a lesser offense than that originally charged. While no sanctions against such conduct exist under the statute, provisions of the general ouster law could be applied against prosecuting attorneys who violate the prohibition against plea-bargaining. Cited herein: K.S.A. 1981 Supp. 8-1567, as amended by 1982 Senate Bill No. 699, K.S.A. 22-2907, 22-2908. JSS

**OPINION NO. 82-153**

**Consumer Credit Code—Consumer Loans—Finance Charge; Effect of Amendments Passed in Same Legislative Session.** Senator Elwaine F. Pomeroy, Eighteenth District, Topeka, July 9, 1982.

During the 1982 session of the Legislature, both Senate Bill Nos. 559 and 595 were enacted into law. As each of the two measures contains a section amending K.S.A. 16a-2-401, they should, if possible, be consid-

(continued)

ered together in order to give effect to both. In that they alter different subsections of the statute, the two measures are not in conflict. Even though the changes made by S.B. No. 595 are not reflected in S.B. No. 559, K.S.A. 16a-2-401 may be read to include the changes made by both acts. Cited herein: K.S.A. 16a-2-201, 16a-2-401, 1982 Senate Bill No. 559, 1982 Senate Bill No. 595. JSS

#### OPINION NO. 82-154

**Taxation—Aggregate Tax Levy Limitation—Exemption of County from Said Limitation.** Rod Ludwig, Mitchell County Attorney, Beloit, July 12, 1982.

The Board of County Commissioners of Mitchell County possessed the authority to exempt the county from the provisions of K.S.A. 79-5001 to 79-5016, inclusive, to the extent of the costs to be incurred by the county in the operation of the sheriff's department in fiscal year 1983 and each year thereafter, and to prescribe that, for the purpose of determining the county's compliance with the limitation prescribed in K.S.A. 79-5003, those costs are not to be included in determining the aggregate amount of taxes levied by the county in said years. Attorney General Opinion Nos. 81-168 and 77-272 affirmed herein. Cited herein: K.S.A. 19-101a (as amended by L. 1982, ch. 115, § 1), 79-5002, 79-5003, 79-5004, 79-5006, 79-5007, 79-5008, 79-5009, 79-5011, 79-5016. RJB

#### OPINION NO. 82-155

**Automobiles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Imposition by Municipal Courts of Penalties for Second, Third and Subsequent Violations.**

**Criminal Procedure—Method of Trial in Municipal Court—Trial to the Court; Right to *de novo* Jury Trial at District Court Level.** E. A. Mosher, Executive Director, League of Kansas Municipalities, Topeka, July 12, 1982.

K.S.A. 1981 Supp. 8-1567, as amended by 1982 Senate Bill No. 699, establishes stricter penalties for those persons who are convicted a second, third or subsequent time for driving a vehicle under the influence of alcohol. The new penalties can involve maximum imprisonment of up to one year and fines of up to \$2,500 both of which are beyond the penalties which may be imposed without a right to a jury trial being afforded to a defendant. As trials for violations of municipal ordinances are to the court, a potential conflict is created. However, as the legislature has authorized cities to adopt lesser maximum penalties than those of the statute, this problem may be avoided by a city when it drafts an ordinance on this subject. Furthermore, even if the maximum penalties of the statute are adopted by a city, a defendant's right to a *de novo* trial before a jury at the district court level sufficiently protects the constitutional right to trial by jury.

K.S.A. 1981 Supp. 8-262 (driving while license canceled, suspended or revoked) and 8-1568 (fleeing or attempting to elude a police officer) provide that persons convicted of a third offense shall be guilty of a class E felony. In the absence of any statutory provi-

sion to the contrary, a city is without the power to classify such conduct by ordinance as a misdemeanor. Again, however, the right to a trial *de novo* by a jury at the district court level avoids any denial of a constitutional right of the defendant to a jury trial. Attorney General Opinion No. 81-222 is reaffirmed. Cited herein: K.S.A. 1981 Supp. 8-262, 8-1567, as amended by 1982 Senate Bill No. 699, 8-1568, K.S.A. 12-4501, 22-3609, 22-3610, both as amended by 1982 Senate Bill No. 699. JSS

#### OPINION NO. 82-156

**Taxation—Kansas Retailers' Sales Tax—Sales to Contractors on Projects of Kansas Park and Resources Authority.** Lynn Burris, Jr., Director, Kansas State Park and Resources Authority, Topeka, July 12, 1982.

Sales of tangible personal property to contractors working on a construction project of the Kansas Park and Resources Authority are not exempt from the Kansas retailers' sales tax. Cited herein: K.S.A. 12-635, K.S.A. 1981 Supp. 74-4510 (as amended by 1982 House Bill No. 3026, K.S.A. 79-3601, K.S.A. 1981 Supp. 79-3602 (as amended by 1982 House Bill No. 2665), 79-3603, 79-3606 (as amended by 1982 Senate Bill No. 738 and House Bill Nos. 2744 and 3174). CMA

#### OPINION NO. 82-157

**Automobiles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Effect of Amendments Concerning Fines, Diversion Programs, and Community Service Time Required of Defendant.** E. A. Mosher, Executive Director, League of Kansas Municipalities, Topeka, July 12, 1982.

Section 10 of 1982 Senate Bill No. 699 establishes a state alcohol and drug safety action program, which is funded through the assessment of an \$85 fine against any person who is convicted of, pleads *nolo contendere* to, or participates in, a diversion program stemming from a violation of K.S.A. 1981 Supp. 8-1567. As subsection (n) of the statute (contained in Section 5 of the bill) provides that a city ordinance on this subject must contain minimum penalties equal to those of the statute, the fee must be assessed against the above three groups of persons in municipal court, as well as in district court, proceedings.

While a city attorney is required to establish procedures and guidelines for a diversion program under Sections 11 through 18 of the bill, he or she is not required to offer diversion to any violator. However, should the prosecutor so elect, the procedures and guidelines set forth therein must be followed. A person who performs community service work, either as a result of such a diversion program or as a condition of a sentence, is an employee of the city for the purposes of the Tort Claims Act, K.S.A. 1981 Supp. 75-6101 *et seq.*, creating the potential for tort liability for damages caused by the individual's negligent or wrongful acts or omissions. Cited herein: K.S.A. 1981 Supp. 8-1567, K.S.A. 22-2908, both as amended by 1982 Senate Bill No. 699, K.S.A. 1981 Supp. 75-6101, 75-6102, 75-6103, 75-6104, 1982 Senate Bill No. 699. JSS

(continued)

## OPINION NO. 82-158

**Federal Jurisdiction—Surplus Property of Federal Agencies—Public Airport Authority; Power to Borrow Money.**

**Bonds and Warrants—Cash-Basis Law—Application of Law; Exceptions. Stanley H. Stauffer, Chairperson, Board of Directors, Metropolitan Topeka Airport Authority, Topeka, July 12, 1982.**

The Metropolitan Topeka Airport Authority (MTAA) is a "municipality" within the definition of that term prescribed in K.S.A. 10-1101(a) and is subject to the provisions of the Cash-Basis Law. However, the Cash-Basis Law specifically allows the board of directors of a public airport authority, such as the MTAA, to incur indebtedness in excess of the limit prescribed in said law, if provision has been made for a revolving fund for the operation of the airport, and said airport is financed and sustained partially or wholly by fees, rentals, proceeds from the sale of merchandise or charges for rendering services, received from the users of the airport.

Thus, if the MTAA receives income from any of the sources specified above, the Board of Directors of the Metropolitan Topeka Airport Authority may exercise its authority to borrow money, as prescribed in K.S.A. 27-331(g), without violating the Cash-Basis Law, if said Board has made provision for a revolving fund as contemplated in K.S.A. 10-1116(a)(4). Cited herein: K.S.A. 10-1101, 10-1102, 10-1116, 27-327, 27-330, 27-331, 27-333. RJB

ROBERT T. STEPHAN  
Attorney General

Doc. No. 000477

**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., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

**MONDAY, AUGUST 2, 1982**

#25243

Statewide—FIRE EXTINGUISHERS

#50942

Emporia State University, Emporia—LOUNGE CHAIRS

#50959

Kansas State University, Manhattan—CONTINUOUS MAILERS

#50960

Kansas State Industrial Reformatory, Hutchinson—BLOW OFF VALVES

#50965

Kansas State University, Manhattan—FEED

#50966

Fort Hays State University, Hays—BOILER COMPLETE

#50967

Kansas State University, Manhattan—FEED

#50968

Kansas State University, Manhattan—FROZEN FOOD

#51018

Kansas State Board of Nursing, Topeka—DATA ENTRY SYSTEM

#51044

Kansas State Penitentiary, Lansing—UNIFORM TROUSERS

**TUESDAY, AUGUST 3, 1982**

#25235

Statewide—BAKERY PRODUCTS

#25236

Fish and Game Commission, Pratt—PUBLICATION OF "KANSAS WILDLIFE"

#50981

Kansas State Industrial Reformatory, Hutchinson—MEAT PRODUCTS

#50982

Topeka State Hospital, Topeka—LAUNDRY SUPPLIES

#50983

Kansas State University, Manhattan—MEAT PRODUCTS

#50993

Kansas Correctional Industries, Hutchinson—THREAD

#50994

Kansas State University, Manhattan—FIBERSCOPE

#50995

Kansas State University, Manhattan—DYE LASER

#51003

Kansas State University, Manhattan—PLUMBING SUPPLIES AND PIPE

#51007

Kansas State Penitentiary, Lansing—WATER CLOSETS

#51009

University of Kansas, Lawrence—RECORDING AND METERING DEVICES

#51011

Fort Hays State University, Hays—TATTLE TAPE

**WEDNESDAY, AUGUST 4, 1982**

#25241

Kansas State Agencies—COFFEE AND TEA

#25242

University of Kansas Medical Center, Kansas City—CLEANING COMPOUND AND JANITORIAL SUPPLIES

#50961

Topeka State Hospital, Topeka—EXERCISE MACHINE

#50997

Kansas Department of Transportation, Topeka—MOVER REPAIR

(continued)

#50998

Kansas Technical Institute, Salina—FURNISH  
AND INSTALL ROOF BUILDING #480

#50999

Kansas State Penitentiary, Lansing—TEMPERA-  
TURE CONTROL EQUIPMENT AND ACCESSO-  
RIES

#51000

Kansas State University, Manhattan—LUMBER  
AND PLYWOOD

#51004

Winfield State Hospital and Training Center, Win-  
field—DISPOSABLE INCONTINENT BRIEFS

#51014

Kansas State University, Manhattan—HANDI-  
CAPPED ELEVATOR

#51019

University of Kansas Medical Center, Kansas City—  
MEDICAL TV AND IMAGE INTENSIFIER SYS-  
TEM

#### THURSDAY, AUGUST 5, 1982

#25230

University of Kansas Medical Center, Kansas City  
and Statewide—GLOVES, PACKS AND TRAYS

#25244

University of Kansas, Lawrence—SEPTEMBER  
(1982) MEAT PRODUCTS

#50742

University of Kansas, Lawrence—SALE OF: USED  
PRINTING EQUIPMENT

#51013

University of Kansas Medical Center, Kansas City—  
VIDEO EQUIPMENT

#51017

Adjutant General's Department, Topeka—LABOR,  
MATERIAL TO INSTALL WASH RACK, at Nickell  
Barracks Training Center, Salina

#51020

Emporia State University, Emporia—LOCKSETS

#51021

Kansas Department of Transportation, Topeka—  
STEEL FOR CONCRETE FOOTINGS, for Various  
Locations in Kansas

#51022

Adjutant General's Department, Topeka—LABOR,  
MATERIAL TO CONSTRUCT ADMINISTRATIVE  
SPACE, at Kansas National Guard Arsenal, Topeka

#51024

Adjutant General's Department, Topeka—LABOR,  
MATERIAL TO INSTALL WASH RACK, at the Or-  
ganizational Maintenance Shop No. 1A, Hays

#51031

Kansas Department of Revenue, Topeka—ENVE-  
LOPES—WINDOW

#51032

University of Kansas, Lawrence—CONTINUOUS  
FORMS—"ANSWER SHEETS"

#51033

Kansas State University, Manhattan—TAB CARDS  
WITH LOGO

#51037

Kansas State University, Manhattan—JANITORIAL  
SUPPLIES

#### FRIDAY, AUGUST 6, 1982

#25245

Statewide—SEPTEMBER (1982) MEAT PROD-  
UCTS

#51029

Emporia State University, Emporia—LUMBER  
AND PLYWOOD

#51030

University of Kansas, Lawrence—PIPE AND  
WELD FITTINGS

#51034

Fort Hays State University, Hays—KITCHEN  
EQUIPMENT

#51041

Winfield State Hospital and Training Center, Win-  
field—FEEDING FORMULA

#51042

Winfield State Hospital and Training Center, Win-  
field—FEEDING FORMULA

#51043

Winfield State Hospital and Training Center, Win-  
field—CANNED STRAINED FOOD

#51045

Winfield State Hospital and Training Center, Win-  
field—GROCERIES

#### TUESDAY, AUGUST 10, 1982

#A-4478

Kansas Technical Institute, Salina—REROOF  
ELECTRONICS/COMPUTER BUILDING #837

#### MONDAY, AUGUST 16, 1982

#50962

Kansas State Penitentiary, Lansing—ICE MA-  
CHINES

#50963

Kansas State Park and Resources, Topeka—ELEC-  
TRICAL CABLE, for various State Parks

#50964

Kansas State University, Manhattan—FLUORES-  
CENT LIGHT FIXTURES

#51008

University of Kansas, Lawrence—BATTERIES,  
FOR EMERGENCY LIGHTING SYSTEM

#### THURSDAY, AUGUST 19, 1982

#25248

University of Kansas Medical Center, Kansas City—  
FUSES

#### FRIDAY, AUGUST 20, 1982

#25250

University of Kansas, Lawrence—(STUDENT  
UNION BUILDING) PROPERTY INSURANCE

JAMES I. TOLBERT  
Director of Purchases

Doc. No. 000478

(Published in the KANSAS REGISTER, July 22, 1982.)

**NOTICE OF BOND SALE**  
**\$240,000.00**  
**GENERAL OBLIGATION CAPITAL OUTLAY**  
**BONDS**  
**OF THE UNIFIED SCHOOL DISTRICT NO. 448**  
**McPHERSON COUNTY, STATE OF KANSAS**  
**(INMAN)**

THE BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 448, McPHERSON COUNTY, STATE OF KANSAS (INMAN), will receive sealed bids at the OFFICE OF THE BOARD OF EDUCATION, 119 SOUTH MAIN, INMAN, KANSAS 67546, until 11:00 O'CLOCK A.M., C.D.T., on WEDNESDAY, JULY 28, 1982

for \$240,000.00 par value GENERAL OBLIGATION CAPITAL OUTLAY BONDS, SERIES A, 1982, of said School District, at which time and place said bids will be publicly opened. 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 AUGUST 1, 1982. The Bonds will mature serially on August 1 in each of the years and in the amounts as follows:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$40,000.00	August 1, 1983
45,000.00	August 1, 1984
45,000.00	August 1, 1985
55,000.00	August 1, 1986
55,000.00	August 1, 1987

Interest on the Bonds will first be payable on August 1, 1983, and thereafter semiannually on the first days of February and August 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 interest rate allowed by Kansas law; said rate being two per cent (2%) above the Bond Buyer's 20 Bond Index, published on Monday, June 26, 1982, 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 for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the School District, and shall be addressed to the BOARD OF EDUCATION of the School District at 119 SOUTH MAIN, INMAN, KANSAS 67546, ATTENTION: ETHEL LAFLIN,

CLERK, and shall be 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 School District 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 such bid, and which shall be payable to UNIFIED SCHOOL DISTRICT NO. 448, McPHERSON 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 School District 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 School District; 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 School District. 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 SEPTEMBER 14, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the School District. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and to pay for the Bonds in accordance with the terms hereof. All expenses in relation to printing of CUSIP numbers on the Bonds and the expense of CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the School District.

The Bonds will constitute general obligations of the School District, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the School District. The proceeds of the Bonds will be used to pay the costs of remodeling and constructing of an addition to the District's High School.

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 School District 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 School District; 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.

(continued)

Assessed valuation figures for Unified School District No. 448, McPherson County, State of Kansas (Inman), for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property .....	\$15,040,024.00
Tangible Valuation of Motor Vehicles .....	\$ 1,157,840.00
Tangible Valuation of Motor Vehicle Dealers Inventory .....	\$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .....	\$16,197,864.00

The total bonded indebtedness of Unified School District No. 448, McPherson County, State of Kansas (Inman), at the date hereof, including this proposed issue of Bonds, is in the amount of \$240,000.00.

Dated July 8, 1982.

ETHEL LAFLIN, Clerk  
of the Board of Education  
Unified School District No. 448  
McPherson County,  
State of Kansas (Inman)

Doc. No. 000473

(Published in the KANSAS REGISTER, July 22, 1982.)

**NOTICE OF BOND SALE**  
**\$824,217.00**  
**GENERAL OBLIGATION INTERNAL**  
**IMPROVEMENT BONDS**  
**OF THE**  
**CITY OF ARKANSAS CITY, KANSAS**

The CITY OF ARKANSAS CITY, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, FIRST STREET AND CENTRAL AVENUE, ARKANSAS CITY, KANSAS, until 5:00 o'clock P.M., C.S.T., on

**TUESDAY, AUGUST 17, 1982**

for \$824,217.00 par value GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS of the City, at which time and place such bids will be publicly opened. 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, except No. 1 in denomination of \$4,217.00, and the Bonds will be dated SEPTEMBER 1, 1982. The Bonds will mature serially in accordance with the following schedule:

<i>Amount</i>	<i>Maturity Date</i>
\$84,217.00	September 1, 1983
80,000.00	September 1, 1984
85,000.00	September 1, 1985
80,000.00	September 1, 1986
85,000.00	September 1, 1987
80,000.00	September 1, 1988
85,000.00	September 1, 1989
80,000.00	September 1, 1990
85,000.00	September 1, 1991
80,000.00	September 1, 1992

Interest on the Bonds will first be payable on MARCH 1, 1983, and thereafter semiannually on the

first days of SEPTEMBER AND MARCH 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 seven (7) 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 2%. No interest rate shall exceed the maximum rate therefore as prescribed by the laws of the State of Kansas, 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 for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, FIRST STREET AND CENTRAL AVENUE, ARKANSAS CITY, KANSAS 67005, ATTENTION: A. E. WHITEHEAD, CITY 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 City 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, CITY OF ARKANSAS CITY, 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 City 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 City; 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 City. 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 SEPTEMBER 16, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and to pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in

(continued)

connection with the printing of CUSIP numbers on the Bonds shall be paid for by the City.

The Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable 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 City. The proceeds of the Bonds will be used for the purpose of redeeming and canceling: Temporary Note Series No. 133 in the amount of \$343,695.00 of the City previously issued to pay the costs of constructing and installing curbing, guttering, asphaltic paving, pedestrian sidewalks, parking areas, driveway approaches and necessary appurtenances thereto, and constructing and installing underground storm drainage system, on West Washington Avenue from South 4th Street to South 8th Street; Temporary Note Series No. 134 and 134-A in the amount of \$115,000.00 of the City previously issued to pay the costs of altering, repairing, reconstructing, remodeling, equipping and making additions to the public building, Agri-Business Building, located at 712 West Washington Avenue; Temporary Note Series No. 136 in the amount of \$191,625.00 of the City previously issued to pay the costs of altering, repairing, renovating, remodeling and equipping the south half of the public building, Armory Building, located at 100 South D Street, to be utilized for a Central Fire Station, Training Center and Fire Prevention Facility; Temporary Note Series No. 138 in the amount \$250,000.00 of the City previously issued to pay the costs of resurfacing U.S. Highway 77 (Summit Street) and U.S. Highway 166 (Madison Avenue); Temporary Note Series No. 141 in the amount of \$28,950.00 of the City previously issued to pay the costs of altering and repairing the public building, Recreation Center, located at 225 East Fifth Avenue; Temporary Note Series No. 142 in the amount of \$121,966.00 of the City previously issued to pay the costs of constructing and installing a water main and necessary appurtenances for water service and fire protection to serve property located in the Southwest Quarter of Section 13, Township 34 South, Range 3 East, owned by Unified School District No. 470; Temporary Note Series No. 143 in the amount of \$23,030.00 of the City previously issued to pay the costs of constructing and installing a water main and necessary appurtenances for water service and fire protection to serve Sunflower Estates; Temporary Note Series No. 144 in the amount of \$23,981.00 of the City previously issued to pay the costs of constructing and installing a sanitary sewer main to serve Sunflower Estates; and Temporary Note Series No. 145 in the amount of \$14,520.00 of the City previously issued to pay the costs of altering, repairing, remodeling, furnishing and equipping of City Hall Second Floor for expansion of Court facilities and City Engineering Departments.

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 City 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 City; 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 City of Arkansas City, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$22,662,418.00
Tangible Valuation of Motor Vehicles	\$ 4,500,570.00
Tangible Valuation of Motor Vehicle Dealers Inventory	\$ 178,885.00
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$27,341,873.00

The total bonded indebtedness of the City of Arkansas City, Kansas, at the date hereof, including this \$824,217.00 proposed issue of Bonds, is in the amount of \$5,606,414.07. The City will retire \$1,112,767.00 of outstanding Temporary Notes from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED July 13, 1982.

A. E. WHITEHEAD, City Clerk  
City of Arkansas City, Kansas

Doc. No. 000474

(Published in the KANSAS REGISTER, July 22, 1982.)

**NOTICE OF BOND SALE**  
**\$853,199.00**  
**GENERAL OBLIGATION BONDS**  
**OF THE**  
**CITY OF BEL AIRE, KANSAS**

The CITY OF BEL AIRE, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, 4343 NORTH WOODLAWN, BEL AIRE, KANSAS, until 7:30 o'clock P.M., C.D.T., on TUESDAY, JULY 27, 1982

for \$853,199.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. 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, except No. 1 in denomination of \$3,199.00, and the Bonds will be dated August 1, 1982. The Bonds will mature serially in accordance with the following schedule:


(continued)

Principal Amount	Maturity Date
\$53,199.00	August 1, 1984
55,000.00	August 1, 1985
55,000.00	August 1, 1986
55,000.00	August 1, 1987
55,000.00	August 1, 1988
55,000.00	August 1, 1989
55,000.00	August 1, 1990
55,000.00	August 1, 1991
55,000.00	August 1, 1992
60,000.00	August 1, 1993
60,000.00	August 1, 1994
60,000.00	August 1, 1995
60,000.00	August 1, 1996
60,000.00	August 1, 1997
60,000.00	August 1, 1998

Interest on the Bonds will first be payable on February 1, 1984, and thereafter semiannually on the first days of August and February 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 seven (7) 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 three per cent (3%). No interest rate shall exceed the maximum rate allowed by Kansas Law; said rate being two per cent (2%) above the Bond Buyer's 20 Bond Index, published on Monday, July 26, 1982, 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 for less than the entire issue of Bonds will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, 4343 NORTH WOODLAWN, BEL AIRE, KANSAS 67220, ATTENTION: CAROL CONINE, CITY 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 City 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, CITY OF BEL AIRE, 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 City 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 City; 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 City. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds. Delivery of the Bonds will be made to the successful bidder on or before AUGUST 26, 1982, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

It is anticipated that CUSIP identification numbers will be printed on the Bonds; but neither the failure to print such numbers on any Bond or any error with respect thereto shall constitute cause for a failure by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of its Contract and this Notice of Bond Sale. All expenses in connection with the printing of CUSIP numbers on the Bonds shall be paid for by the City.

The Bonds will constitute general obligations of the City, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property; but if not so paid, then said principal and interest will be payable 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 City. The Bonds are being issued for the purpose of various waterworks, street, storm drainage, and sanitary sewer improvements in the City.

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 City 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 City; 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 City of Bel Aire, Kansas, for the year 1981, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property . . .	\$5,129,163.00
Tangible Valuation of Motor Vehicles . . . . .	\$1,344,977.00
Tangible Valuation of Motor Vehicle Dealers Inventory . . . . .	\$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations . . . . .	\$6,474,140.00

The total bonded indebtedness of the City of Bel Aire, Kansas, at the date hereof, including this \$853,199.00 proposed issue of Bonds, is in the amount of \$2,298,699.00

DATED July 6, 1982.

CAROL CONINE, City Clerk  
City of Bel Aire, Kansas

Doc. No. 000470



(Published in the KANSAS REGISTER, July 22, 1982.)

**NOTICE OF BOND SALE**  
**\$338,899.68**  
**GENERAL OBLIGATION STREET**  
**AND DRAINAGE BONDS**  
**SERIES E-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 August 4, 1982, at 10:00 A.M., Daylight Saving Time, for the sale of \$338,899.68 par value of General Obligation Street and Drainage 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 \$3,899.68. All bonds will be dated August 1, 1982, and will mature serially as follows:

Number	Amount	Interest Rate	Maturity
1	\$ 3,899.68	%	August 1, 1984
2-4	15,000.00	%	August 1, 1984
5-8	20,000.00	%	August 1, 1985
9-12	20,000.00	%	August 1, 1986
13-16	20,000.00	%	August 1, 1987
17-20	20,000.00	%	August 1, 1988
21-24	20,000.00	%	August 1, 1989
25-28	20,000.00	%	August 1, 1990
29-33	25,000.00	%	August 1, 1991
34-38	25,000.00	%	August 1, 1992
39-43	25,000.00	%	August 1, 1993
44-48	25,000.00	%	August 1, 1994
49-53	25,000.00	%	August 1, 1995
54-58	25,000.00	%	August 1, 1996
5-63	25,000.00	%	August 1, 1997
64-68	25,000.00	%	August 1, 1998

First interest is due February 1, 1984, and semiannual thereafter on August 1 and February 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 street and drainage improvements, all as provided by law by Section 68-728, 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 interest rate as authorized 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 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 \$6,777.98 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 September 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 Moody'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. Estimated market value of Sedgwick County is \$11,197,226,920.00

The total bonded indebtedness of Sedgwick County, Kansas, is \$20,956,560.00, *not including* this issue. Said County also has outstanding Temporary Notes of \$10,700,389.80, (\$586,050.25 in notes will be pick up by this bond issue and from money on hand.)

(\$6,345.00 of the above bond debt is exempt by law and all above note debt is exempt and all Temporary notes are exempt).

(continued)

**Underlapping debt is:****(As of July 1, 1981)****School Districts in the County \$38,649.00****Fire Districts \$1,620,000.00**

**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 \$52,541,548.15. This is from County records only.**

**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. 000487

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