

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 1, No. 34

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Pages 937-952

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State of Kansas

LEGISLATURE

INTERIM AGENDA

Following is a listing of meetings which are scheduled for the period of August 30 through September 10, 1982. All meetings are to be held in the Statehouse in Topeka unless otherwise indicated.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Sept. 2	527-S	1:00 P.M.	Legislative Budget Committee	Proposal 20—State pay plan and general fund receipts.
Sept. 2	519-S	10:00 A.M.	Special Committee on Assessment and Taxation	1st Day: Conferees on Proposals 2 and 5.
Sept. 3	519-S	9:00 A.M.		2nd Day: Conferees on Proposal 6. Conferees on Proposal 8.
Sept. 2	531-N	10:00 A.M.	Special Committee on Data Processing	Agenda unavailable.
Sept. 3	531-N	9:00 A.M.		
Sept. 3	Governor's office	9:00 A.M.	State Finance Council	Agenda unavailable.
Sept. 3	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative matters.
Sept. 3	123-S		Legislative Post Audit	Time and agenda unavailable.
Sept. 7	123-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Conclude review of SRS; review certain temporary regulations filed by the Department of Corrections and Commissioner of Insurance.
Sept. 8	123-S	9:00 A.M.		
Sept. 9	519-S	10:00 A.M.	Special Committee on Agriculture and Livestock	Continued hearing on Proposal 1—Grain Warehousing.
Sept. 10	519-S	9:00 A.M.		
Sept. 9	531-N	9:30 A.M.	Special Committee on State Health Insurance	Proposal 29—State Health Insurance. Both days: special conferees on information requested.
Sept. 10	531-N	9:00 A.M.		

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 000561

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



PHONE: 913/296-2236

Carol A. Bell
Publications Director

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

The September meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for September 2, 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. 000558

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF
COMMENCEMENT OF NEGOTIATIONS**

The Department of Administration is soliciting proposals from firms to conduct an analysis of site location for the Printing Plant, Motor Pool, Buildings and Grounds Maintenance Shops and a Heat Plant. Interested persons should contact John B. Hipp, Division of Architectural Services, 625 Polk, Topeka, Kansas 66603 (913) 233-9367.

JOHN B. HIPPI
Director

Doc. No. 000564

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:

TUESDAY, SEPTEMBER 7, 1982

#25298

Kansas Correctional Industries, Lansing—UPHOLSTERING MATERIALS AND SUPPLIES

#25300

Social and Rehabilitation Services, Topeka—JANITORIAL SERVICES (LEAVENWORTH)

#51336

Social and Rehabilitation Services, Topeka—CONTINUOUS MAILERS—FORM PA-3114

#51337

Social and Rehabilitation Services, Topeka—CONTINUOUS FORMS—1 PART—"DRA-381"

#51338

Emporia State University, Emporia—JANITORIAL SUPPLIES

#51339

Department of Health and Environment, Topeka—LABORATORY SUPPLIES

#51340

Department of Transportation, Chanute—STEEL SIGN POSTS

#51409

Department of Transportation, Topeka—AUDIT SERVICES

WEDNESDAY, SEPTEMBER 8, 1982

#25292

Statewide—OCTOBER (1982) MEAT PRODUCTS

#25299

University of Kansas, Lawrence—THE KANSAS LAW REVIEW (PRINTING, BINDING AND MAILING)

#50932

Social and Rehabilitation Services, Topeka—LABOR-MATERIALS FOR PLUMBING SERVICES, for Kansas Vending Facility #67, Lawrence

#51341

Department of Administration (Division of Printing), Topeka—SUPPLY PARTS AND INSTALL FOR BAUMFOLDER

#51342

Department of Administration (Division of Printing), Topeka—ROTARY NUMBERING ADAPTATION PRINTER

#51343

Department of Administration (Division of Printing), Topeka—HAND FED GANG STITCHER FOR WIRE STITCHING

#51352

University of Kansas Medical Center, Kansas City—ELECTROSURGICAL UNIT

#51353

Kansas Correctional Industries, Lansing—PAINT ANTI-SKIN AGENT

#51354

University of Kansas, Lawrence—CRT STANDS

#51355

Department of Transportation—ASPHALT RUBBER SEALING COMPOUND, for Chanute and Hutchinson

#51359

Department of Transportation, Topeka—REPAIRS TO PORTABLE ASPHALT TANK

#51360

Department of Transportation, Salina—AGGREGATE FOR ICE CONTROL, in Mankato, Kansas

#51361

Department of Transportation, Garden City—AUTOMATIC TRANSMISSION FLUID

#51362

Kansas Park Authority, Topeka—TRASH TRUCKS, for Cheney and Eldorado State Parks

#51363

Department of Transportation, Chanute—M.R.A. AGGREGATE, at Altamont, Kansas

#51367

Osawatomie State Hospital, Osawatomie—VEHICLES

#51368

Kansas State Industrial Reformatory, Hutchinson—STATION WAGON

(continued)

#51372

Department of Administration (Division of Information Systems and Computing), Topeka—TAPE AND CARTRIDGE CLEANER

#A-2931(c)

Kansas State University, Manhattan—FURNISH AND INSTALL PASSENGER ELEVATOR, in Throckmorton Hall

#A-4290(c)

Emporia State University, Emporia—FLOORING REPLACEMENT FOR GYMNASIUMS A AND B OF PHYSICAL EDUCATION

THURSDAY, SEPTEMBER 9, 1982

#25297

Kansas State Park and Resources Authority, Topeka—RENTAL OF TRENCHER, for Kanopolis State Park

#25301

Department of Transportation, Topeka—VEHICLES TO TRANSPORT THE ELDERLY AND HANDICAPPED

#51369

Kansas Correctional Industries, Lansing—TRACTOR TRUCK

#51371

Adjutant General's Department, Topeka—LABOR, MATERIAL AND EQUIPMENT FOR CONSTRUCTION OF MUD AND OIL TRAP OMS NO. 3, for Organizational Maintenance Shop #3 in Wichita

#51375

Department of Transportation, Topeka—AA/FLAME EMISSION SPECTROPHOTOMETER

#51376

Kansas State University, Manhattan—JANITORIAL SUPPLIES

#51380

Kansas State University, Manhattan—MICRO-COMPUTER EQUIPMENT

#51381

Kansas State University, Manhattan—LABORATORY APPARATUS/SUPPLIES

#51384

Kansas State Industrial Reformatory, Hutchinson—TOBACCO

#51385

Department of Administration (Division of Printing), Topeka—STRAPPING HEAD

#51391

Osawatomie State Hospital, Osawatomie—LAWN MOWER

#51392

Kansas State Historical Society, Topeka—LAWN MOWERS

#51396

University of Kansas, Lawrence—PRINTING OF FIVE BOOKS

#51405

Kansas State Penitentiary, Lansing—FURNISH AND INSTALL COMMUNICATIONS TOWER AND ANTENNAS

#51406

Department of Revenue, Topeka—TWO-WAY RADIOS

FRIDAY, SEPTEMBER 10, 1982

#51386

Kansas State University, Manhattan—LITHIUM BROMIDE SOLUTION

#51387

Kansas State Park and Resources Authority, Topeka—PLASTIC PIPE AND FITTINGS, for Kanopolis State Park and Pomona State Park

#51393

Department of Administration (Division of Information System and Computing), Topeka—TERMINALS, PRINTERS AND CONTROLLERS

#51394

Kansas Correctional Industries, Lansing—XYLOL AND MINERAL SPIRITS

#51401

Kansas State University, Manhattan—DISPOSITION OF PCB TRANSFORMERS

#51402

Department of Health and Environment, Topeka—BREATH ANALYSIS INSTRUMENTS

#51403

Department of Health and Environment, Topeka—GAS CHROMATOGRAPH

#51404

Kansas State Industrial Reformatory, Hutchinson—MEN'S DRESS TROUSERS

#51407

Department of Transportation, Topeka—DELIN-EATOR MARKERS AND DRIVER, for Olathe, Kansas

TUESDAY, SEPTEMBER 14, 1982

#25303

University of Kansas Medical Center, Kansas State University, Wichita State University, and Other State Agencies—ANIMAL BEDDING

MONDAY, SEPTEMBER 20, 1982

#25302

Rainbow Mental Health Facility, Kansas City—HOUSEKEEPING SERVICES

WEDNESDAY, SEPTEMBER 22, 1982

#25277

Kansas State University and Statewide—LABORATORY CHEMICALS

JAMES I. TOLBERT
Division of Purchases

Doc. No. 000563

State of Kansas

ATTORNEY GENERAL**OPINION NO. 82-166**

State Board, Commissions and Authorities—Law Enforcement Training Center—Persons Subject to Training Requirements. Dennis W. Moore, Johnson County District Attorney, Olathe, August 9, 1982.

Non-salaried reserve police officers are not police officers or law enforcement officers for the purposes of Section 4 of 1982 Senate Bill No. 499 (L. 1982, ch. 322), which imposes training requirements on full-time and part-time police and law enforcement officers. Additionally, to be regarded as "full-time," a police officer or law enforcement officer must work at least 1,000 hours per year. Cited herein: K.S.A. 74-5602 (as amended by L. 1982, ch. 322, § 2, and further amended by L. 1982, ch. 323, § 1), L. 1982, ch. 322, § 4. MBM

OPINION NO. 82-167

Civil Procedure—Attachment and Garnishment—Application to Mutual Indebtedness of Employer and Employee.

Cities, First Class—Public Utilities—Right of Set-off Where BPU and Employee Mutually Indebted, Robert J. Watson, City Attorney, Kansas City, August 9, 1982.

Neither attachment nor garnishment of wages held by the Board of Public Utilities, and due its employees, is available to the Board for the purpose of recovering unpaid utility bills due the Board from those employees, because it is impermissible for an aggrieved party to attach or garnish wages it holds for its own employees.

A fundamental right of every creditor is that of set-off. The Board of Public Utilities is, therefore, entitled to exercise the right of set-off remedy to recover unpaid utility bills from the sums it owes employees in the form of wages. Since "state action" exists, such right must be exercised in accordance with the dictates of the "due process clause" of the Fourteenth Amendment to the United States Constitution. Cited herein: K.S.A. 60-701, K.S.A. 1981 Supp. 60-703, 60-706, K.S.A. 60-714, K.S.A. 1981 Supp. 75-6201, U.S. Const., Amend. XIV. CMA

OPINION NO. 82-168

Criminal Procedure—Search and Seizure—Custody and Disposition of Seized Property

Cities, Second Class—Sale of Firearms Found and Unclaimed or Used as Evidence in Municipal Court—Disposition of Proceeds, David K. Martin, Mission City Attorney, August 9, 1982.

Firearms seized as evidence for use in district courts may be sold, at the court's discretion, and the proceeds shall be paid to the state treasurer.

In cities of the second class which have elected to establish police and fire department pension funds as authorized by K.S.A. 1981 Supp. 14-10a02, firearms seized for use as evidence and firearms which are

found and unclaimed may be sold and the proceeds paid into the pension funds. However, pursuant to the constitutional grant of home rule power, such cities may modify this procedure by charter ordinance, and cities of the second class which are not subject to this statute may provide by ordinance for the disposition of such firearms. Cited herein: K.S.A. 12-4103, K.S.A. 1981 Supp. 14-10a02, K.S.A. 20-2801, 21-4206, 22-2102, 22-2512, Kan. Const., Art. 12, § 5. MBM

OPINION NO. 82-169

Automobiles and Other Vehicles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Effect on Prosecutions Instituted Prior to Effective Date of Amendments. Jim Pringle, Sumner County Attorney, Wellington, August 9, 1982.

As amended by L. 1982, ch. 144, K.S.A. 1981 Supp. 8-1567 contains new provisions for the sentencing of persons who are convicted of operating a vehicle while under the influence of alcohol. Additionally, the act amends K.S.A. 1981 Supp. 8-1001 to admit into evidence the defendant's refusal to take a chemical test for the presence of alcohol. While the act does not specifically provide that these changes will apply only to offenses committed after its effective date of July 1, 1982, such a result is necessary in view of the substantive, as opposed to merely procedural, nature of these two amendments. Accordingly, the above-referenced amendments are applicable only to offenses committed after the effective date of the act. Cited herein: K.S.A. 1981 Supp. 8-1001, 8-1567, both as amended by L. 1982, ch. 144, K.S.A. 21-3102, 22-4618. JSS

OPINION NO. 82-170

State Boards, Commissions and Authorities—Public Employees Retirement System—Out-of-State Public School Employment. Mr. Robert F. Lytle, Attorney for Johnson County Community College, Prairie Village, August 9, 1982.

For purposes of the Kansas Public Employees' Retirement System, the phrase "public school system of another state," as used in K.S.A. 74-4936a, includes public community colleges and area vocational-technical schools, as well as public elementary and secondary schools. Thus, any person who is an employee of a participating employer and a member of the Kansas Public Employees' Retirement System, and who was previously employed in a teaching position with a public elementary or secondary school, or a public community college or area vocational-technical school of another state, may elect, under and to the extent specified by K.S.A. 74-4936a, to purchase additional benefits under the Kansas Public Employees' Retirement System. Attorney General Opinion No. 77-16 is withdrawn. Cited herein: K.S.A. 74-4931, 74-4932, 74-4936a. RJB

OPINION NO. 82-171

Counties and County Officers—Register of Deeds—Eligibility to Serve on City Library Board. Nadine

(continued)

Stutzman, Register of Deeds, Republic County, Belleville, August 9, 1982.

Neither K.S.A. 12-1222 nor the common law doctrine of incompatibility of offices precludes a person from simultaneously being the county register of deeds and a member of a city's library board. Cited herein: K.S.A. 12-1218 and 12-1222. RVE

OPINION NO. 82-172

Laws, Journals and Public Information—Records Open to Public—Application of Public Records Laws to Wichita State University Endowment Association State Institutions—State Educational Institutions; Management Operation—Books and Records of Wichita State University Endowment Association. Representative Neal D. Whitaker, Ninety-First District, Wichita, August 9, 1982.

The Wichita State University Endowment Association is a private nonprofit corporation which is not an "agency" of the State of Kansas for purposes of the Kansas Public Records Act, nor is it substantially controlled by Wichita State University within the meaning of K.S.A. 76-721. However, otherwise public records in the custody of the Association retain their character as public records and must be made available in accordance with K.S.A. 45-201 *et seq.* Cited herein: K.S.A. 17-6804, 17-6805, 17-7504, 45-201, 76-3a07, 76-3a09, 76-3a16, 76-721, 26 U.S.C.A. § 170. BJS

OPINION NO. 82-173

Drainage and Levees—Watershed Districts—Directors; Personal Liability. Glenn Weaver, President, Walnut Watershed District No. 1, Hiawatha, August 10, 1982.

A watershed district organized pursuant to K.S.A. 24-1201 *et seq.*, is governed by a board of directors selected under K.S.A. 24-1211. An individual member of such a board is immune from personal liability for injuries to private individuals resulting as a consequence of his or her official acts. Cited herein: K.S.A. 24-1209, 24-1211, K.S.A. 1981 Supp. 75-6101. JSS

OPINION NO. 82-174

Cities and Municipalities—Commission-Manager Form of Government—Simultaneous Holding of Offices of City Manager and City Treasurer. Michael K. Johnston, Pratt City Attorney, Pratt, August 10, 1982.

The common law doctrine of incompatibility of offices precludes one person from simultaneously holding the offices of city manager and city treasurer in a city of the second class having a commission-manager form of government. Cited herein: K.S.A. 12-1001, 12-1011, 12-1014, 12-1024. TRH

OPINION NO. 82-175

Automobiles and Other Vehicles—Serious Traffic Offenses—Driving While Under Influence of Alcohol; Discretion of Court in Sentencing First Time Offenders. Karen Barefield, Ottawa County Attorney, Minneapolis; Francis E. Meisenheimer, Assistant Reno County Attorney, Hutchinson, August 11, 1982.

K.S.A. 1981 Supp. 8-1567(c), as amended by section 5 of Senate Bill No. 699, establishes penalties for persons convicted of their first violation of the statute. Prior to the 1982 amendment, the subsection authorized a court to punish first time violators by imposing a specified jail sentence or a specified fine, "or by both such fine and imprisonment." In the amended statute, the word "and" replaces the word "or" between the term of imprisonment and the amount of the fine, although the phrase "or by both such fine and imprisonment" is retained. In that the intent of the legislature in altering the disjunctive "or" to the conjunctive "and" was to require both forms of punishment, the additional phrase allowing such is now mere verbiage, and adds nothing to the statute. Cited herein: K.S.A. 1981 Supp. 8-1567, as amended by L. 1982, ch. 144, § 5. JSS

OPINION NO. 82-176

State Departments; Public Officers, Employees—Open Meetings Law—Persons Who May Attend Executive Sessions. Jerry Harper, District Attorney, Lawrence, August 16, 1982.

A public body subject to the Kansas Open Meetings Act may not permit individuals or special interest groups, including members of the news media, to attend executive sessions as mere observers while excluding the public generally. Individuals may attend executive sessions of government bodies subject to the Act upon invitation where such persons are present to provide information to the body or participate in its deliberations, but may not attend merely as observers. Cited herein: K.S.A. 75-4317, K.S.A. 1981 Supp. 75-4318, 75-4319, 75-4320a. BJS

ROBERT T. STEPHAN
Attorney General

Doc. No. 000559

(Published in the KANSAS REGISTER, August 26, 1982.)

NOTICE OF BOND SALE \$218,000.00 GENERAL OBLIGATION SCHOOL BUILDING BONDS OF 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 TUESDAY, AUGUST 31, 1982

for \$218,000.00 par value GENERAL OBLIGATION SCHOOL BUILDING BONDS, SERIES B, 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, except

(continued)

Bond No. 1 in the amount of \$3,000, and the Bonds will be dated September 1, 1982. The Bonds will mature serially on November 1 in each of the years and in the amounts as follows:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$108,000	November 1, 1983
110,000	November 1, 1984

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 two (2) 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 (1/8) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%). No interest rate shall exceed the maximum interest rate allowed by Kansas Law; said rate being two percent (2%) above the Bond Buyer's 20 Bond Index, published on Monday, August 30, 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 percent (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 OCTOBER 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.

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 improvements 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.

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 in the amount of \$218,000.00, is in the amount of \$458,000.00.

Dated August 12, 1982.

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

Doc. No. 000555

(Published in the KANSAS REGISTER, August 26, 1982.)

**NOTICE OF BOND SALE
\$175,000.00
GENERAL OBLIGATION INTERNAL
IMPROVEMENT BONDS
OF THE
CITY OF ARMA, KANSAS**

The CITY OF ARMA, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, ARMA, KANSAS 66712, until 7:30 P.M., C.D.T., on

THURSDAY, SEPTEMBER 2, 1982

for \$175,000.00 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 in denominations of \$5,000.00 each. All Bonds will be dated September 1, 1982, and will mature serially in accordance with the following schedule:

Amount	Maturity
\$15,000.00	November 1, 1983
25,000.00	November 1, 1984
25,000.00	November 1, 1985
30,000.00	November 1, 1986
35,000.00	November 1, 1987
45,000.00	November 1, 1988

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 five (5) different interest rates, as may be specified by the bidder. The repetition of an interest rate will not be considered as a different interest rate. 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 percent (1%). 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-Year Bond Index published on Monday, AUGUST 30, 1982, and no bid of less than par and accrued interest will be considered. No Rates will be more than one and one-half per cent (1½%) higher than the lowest interest rate named in the bids. Bids involving the use of extra or supplemental coupons will not be considered. Bids for less than the entire issue will not be considered.

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City and shall be addressed to the City Clerk, CITY HALL, ARMA, KANSAS 66712, 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 ARMA, KANSAS. In the event that 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 legal 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 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 about SEPTEMBER 24, 1982, at any bank in WICHITA or TOPEKA, KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

The Bonds will constitute general obligations of the City, 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 City. The proceeds of the Bonds will be used for the purpose of paying the costs of street improvements in the City of Arma, Kansas.

The sealed bids for the Bonds shall be opened 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 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 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 Arma, Kansas, for the year 1981, are as follows:

	1981
Equalized Assessed Valuation of Taxable Tangible Property	\$1,431,801.00
Estimated Tangible Valuation of Motor Vehicles	\$ 620,190.00
Equalized Tangible Valuation for Computation of Bonded Indebtedness	\$2,051,991.00

The total general obligation bonded indebtedness of the City of Arma, Kansas, at the date hereof, including this proposed issue of Bonds in the amount of \$175,000 is in the amount of \$239,050.

DATED August 17, 1982.

MAVIS, MASTERTON, City Clerk
City of Arma, Kansas

Doc. No. 000562

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
SUPREME COURT DOCKET

(NOTE: Dates and times of arguments are subject to change.)
 Monday, September 13, 1982

Case Caption	Attorneys	Originating County
	<i>9:30 a.m.</i>	
54,080 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
v.		
Billy Pettaway and Tommy J. Presley, Appellants.	James D. Hopper; R. K. Hollingsworth.	
54,075 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
v.		
Larry H. Carter, Appellant.	Michael B. Roach.	
53,980 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Jack Peggs, Asst. Dist. Atty.	Sedgwick
v.		
Phillip L. Laughlin, Appellant.	Jay F. Fowler.	
52,968 Super Chief Credit Union, Appellee,	Thomas A. Valentine; Leonard Robinson.	Shawnee
v.		
Robert G. Gilchrist and Sandra Lee Parks, Appellants.	James E. Sanders.	ON PETITION FOR REVIEW
	<i>1:30 p.m.</i>	
54,280 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Steven L. Opat, Co. Atty.	Geary
v.		
Daniel Reeves, Appellant.	Ralph J. DeZago.	
53,675 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; John K. Bork, Co. Atty.	Jefferson
v.		
Gary Spillman, Appellant.	Charles M. Tuley.	
53,851 State of Kansas, Appellant,	Robert T. Stephan, Atty. Gen.; Gregory L. Hammell, Asst. Dist. Atty.	Douglas
v.		
Sherman L. Galloway, Appellee.	Jeffrey O. Heeb.	ON PETITION FOR REVIEW
52,877 Phillip W. Stanfield, Appellee,	Don W. Noah	Osborne
v.		
Osborne Industries, Inc., Appellant.	Richard Dietz; James D. Oliver; Gerry G. Elliott.	ON PETITION FOR REVIEW
	<i>Tuesday, September 14, 1982</i>	
	<i>9:30 a.m.</i>	
54,026 State of Kansas, Appellant,	Robert T. Stephan, Atty. Gen.; John M. Duma, Asst. Dist. Atty.	Wyandotte
v.		
Sandra Kriss, Appellee.	Charles Scott.	
54,100 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; James Foster, Asst. Dist. Atty.	Wyandotte
v.		
David T. Green, Appellant.	Carl E. Cornwell.	
54,120 State of Kansas, Appellee,	Robert T. Stephan, Atty. Gen.; Wes Griffin, Asst. Dist. Atty.	Wyandotte
v.		
Johnnie B. Byrd, Jr., Appellant.	Dennis E. Mitchell.	

(continued)

- 53,898 John Deere Company, a Delaware Corporation, Appellee, Michael G. Coash. Butler
v.
Butler County Implement Co., et al., Appellees, State of Kansas, Department of Human Resources, State of Kansas, Department of Revenue, Appellant. H. Dean Cotton; Wendell E. Yockey; Craig A. Keiser; Glenn L. Archer, Jr.
- 54,038 State of Kansas, Appellee, 1:30 p.m. Robert T. Stephan, Atty. Gen.; C. Scott Gray, Co. Atty. Labette
v.
Mark Steinshouer, Appellant. L. Stephen Garlow.
- 53,829 State of Kansas, Appellee, Robert T. Stephan, Atty. Gen.; Mickey W. Mosier, Asst. Co. Atty. Saline
v.
Michael Jackson, Appellant.
- 53,941 State of Kansas, Appellee, James L. Sweet. Robert T. Stephan, Atty. Gen.; J. Dexter Burdette, Asst Dist. Atty. Wyandotte
v.
Walter Norman, Appellant.
- 53,573 Guarantee Abstract & Title Company, Inc., Appellee, Merle E. Parks. Edward H. Powers, Sr.; George Maier, Jr. Wyandotte
v.
Interstate Fire and Casualty Company, Inc., Appellant. Robert L. Kennedy; Reid F. Holbrook.
- Wednesday, September 15, 1982**
- 53,916 State of Kansas, Appellee, 9:30 a.m. Robert T. Stephan, Atty. Gen.; Dennis Moore, Dist. Atty. Johnson
v.
Stanley A. Turner, Appellant.
- 54,006 Yvonne Meade, Appellant, Thomas F. McGraw, III. Tom Crossan. Montgomery
v.
Whitehall Laboratories, Inc., et al., Appellees. Larry W. Wall.
- 53,298 Ross Crane, Appellant, Richard E. Dietz. Mitchell
v.
Mitchell County USD #273, Appellee. ON PETITION FOR REVIEW
Harry W. Gantenbein; Fred W. Rausch, Jr.
- 54,152 w Debra Coleen Cook, Appellant, Jerry K. Levy. Shawnee
v.
City of Topeka and Karen Finley, Appellees. Leonard M. Robinson; Robert E. Duncan
- 53,635 State of Kansas, Appellee, 1:30 p.m. Robert T. Stephan, Atty. Gen.; Glenn E. Casebeer, Asst. Co. Atty. Montgomery
v.
Alvin F. Grauerholz, Appellant. Tom Crossan; William J. Craven.
- 53,985 In the Matter of the Certificate of Need Application by St. Joseph's Medical Center, 3600 East Harry, Wichita, Kansas for Renovation and Expansion of Ancillary Services Robert L. Heath; Thomas D. Kitch. Sedgwick
- 53,597 Don Siruta, Appellee, Emily E. Cameron. Thomas C. Boone. Ellis
v.
Hesston Corporation, Appellant. Keith Martin.

(continued)

Thursday, September 16, 1982
9:30 a.m.

- | | | | |
|--------|--|--|----------|
| 54,135 | State of Kansas, Appellant, | Robert T. Stephan, Atty. Gen.;
Kyle G. Smith, Asst. Co. Atty. | Lyon |
| | v. | | |
| | Daniel L. Smith, Appellee. | Duane D. Guy. | |
| 53,759 | Vaughn James Hemry, Appellant, | David R. Gilman. | Johnson |
| | v. | | |
| | Kansas State Board of Pharmacy,
Appellee. | Robert E. Davis. | |
| 53,931 | Frank Pecenka and Newton T. Stewart,
Appellants, | Jim Lawing. | Sedgwick |
| | v. | | |
| | John W. Alquest, et al., Appellees. | Robert R. Hiller, Jr.; Reid Stacey,
Asst. Atty. Gen. | |
| 53,698 | Phillip L. Bills, Appellee, | Kenneth F. Crockett. | Shawnee |
| | v. | | |
| | Shannon D. Murdock, Appellant. | Paul D. Post. | |
| | | <i>1:30 p.m.</i> | |
| 53,412 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.;
Phillip M. Fromme, Co. Atty. | Coffey |
| | v. | | |
| | William R. Groves, et al., Appellants. | Hugh H. Creamer. | |
| 54,336 | The City of Wichita, Kansas, a Municipal
Corporation, Appellee, | Doug Moshier; H. R. Kuhn. | Sedgwick |
| | v. | | |
| | The Board of County Commissioners of
Sedgwick County, Kansas, Appellants, and
Frederick J. Dodds, III, et al., Intervenor,
Appellants. | Royce E. Wallace; Patrick
Connolly. | |
| 53,922 | Sandra Sue Griffin, Individually and as
next friend and guardian of Michael Scott
Griffin and Michelle Lyn Griffin, minors,
et al., Appellants, | James P. Nordstrom. | Osage |
| | v. | | |
| | Bruce and Veda Rogers, d/b/a Whipoorwill
Showboat, et al., Appellees. | Thomas E. Wright; Herbert A.
Marshall; Robert T. Stephan, Atty.
Gen. | |

Friday, September 17, 1982
9:30 a.m.

- | | | | |
|--------|---------------------------------|---|----------|
| 54,125 | State of Kansas, Appellee, | Robert T. Stephan, Atty. Gen.;
Joan M. Hamilton, Asst. Dist. Atty. | Shawnee |
| | v. | | |
| | Elizabeth S. Gibson, Appellant. | Donna M. Dill. | |
| 54,133 | State of Kansas, Petitioner, | Arno Windscheffel. | Original |
| | v. | | |
| | William T. Davitt, Respondent. | William T. Davitt. | |
| 54,211 | State of Kansas, Petitioner, | Arno Windscheffel. | Original |
| | v. | | |
| | John Callahan, Respondent. | John Callahan; Harry W. Saums;
Patrick L. Dougherty. | |

COURT OF APPEALS DOCKET

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

KANSAS COURT OF APPEALS

COURTROOM, FINNEY COUNTY LAW ENFORCEMENT CENTER,
GARDEN CITY, KANSAS

Before FOTH, C.J., ABBOTT and PARKS, JJ.

Tuesday, September 7, 1982

Case No.	Case Name	Attorneys	County
		9:30 a.m.	
53,734 S.C.	Kathy Henning, Appellant, v. Joseph E. Henning, Appellee.	Larry D. Tittel.	Ness
53,581	State of Kansas, Appellee, v. Roy Edward Humphrey, Appellant.	Jack W. Shultz. Linda S. Trigg, Asst. Co. Atty; Paul Handy, Co. Atty.; Atty Gen.	Finney
53,533	Thomas C. Campell, et al, Appellee, v. Carolyn Bodden, et al., Appellant.	John D. Osborn. Kramer, Nordling & Nordling. Aylward, Svaty & Sherman. Wallace, Brantley & Shirley. James M. Guy. Richard M. Pickler.	Kearny
53,888	State of Kansas, Appellee, v. Richard A. Garton, Appellant.	Concannon, Boelte & Boelte. Johnson & McLachlan. Brollier & Wolf. Michael K. Ramsey. Don Vsetecka.	Lane
53,668	Jesus R. Guerrero, Jr. and Janice L. Guerrero, Appellants, v. AMCO Insurance Co. Inc. dba AID Insurance, Appellee.	Craig Kershner, Co. Atty.; Atty. Gen. Lelyn J. Braun. David M. Traster.	Stevens
		1:00 p.m.	
53,979 S.C.	State of Kansas, Appellee, v. Mark L. Anderson, Appellant.	Janet Valezquez, Asst. Co. Atty.; Dan Love, Co. Atty.; Atty. Gen.	Ford
53,461	State of Kansas, Appellee, v. Ronald F. Weinlood, Appellant.	Terry J. Malone. Dan Love, Co. Atty.; Atty. Gen.	Ford
54,217	State of Kansas, Appellee, v. Donald D. Gibson, Appellant.	Naomi A. Kauffman. Mickey C. Moorman, Co. Atty.; Atty. Gen.	Meade
54,018	Jerrie L. Taylor, Appellee, v. Harry Hadfield and Telegram Pub. Co., Appellant.	Gene H. Sharp. Lee Turner. Christopher Randal. Fred Starrett.	Finney
54,098	Kelly B. Tyler, Appellee, v. P & K Credit Union, Appellant.	John D. Osborn. Glenn I. Kerbs. Tom R. Smith.	Meade

KANSAS COURT OF APPEALS
ELLIS DISTRICT COURTROOM, 3rd FLOOR, ELLIS COUNTY COURTHOUSE,
HAYS, KANSAS

Before FOTH, C.J., ABBOTT and PARKS, JJ.

Wednesday, September 8, 1982

9:00 a.m.

- | | | | |
|----------------|--|--|---------|
| 54,232 | State of Kansas, Appellee, | John C. Herman, Co. Atty.; Atty. Gen. | Ellis |
| | v. | | |
| | Charles D. Erbacher, Appellant. | Edward E. Bouker. | |
| 53,796
S.C. | State of Kansas, Appellee, | Perry Warren, Sp. Pros.
F. L. McGinley, Co. Atty.; Atty. Gen. | Sherman |
| | v. | | |
| | James Glasco, Appellant. | B. E. Whalen. | |
| 53,891
S.C. | Marvin F. Cloe, Appellant, | H. David Starkey. | Thomas |
| | v. | | |
| | City of Colby, Appellee. | Ronald S. Shalz. | |
| 53,982 | In the Matter of the Trusteeship of C. FLOYD HESTER, Deceased. | James Bush.
Peter L. Peterson. | Jewell |
| 53,650 | Dorothy Hansen, et al, Appellee. | James P. Mize. | Lincoln |
| | v. | | |
| | Edith Hansen and James W. Hansen, Appellant. | Robert H. Meyer.
Don Noah. | |

1:00 p.m.

- | | | | |
|----------------|---|---|---------|
| 53,911 | State of Kansas, Appellee, | Shelly D. G. Bloomer, Co. Atty.; Atty. Gen. | Osborne |
| | v. | | |
| | Mike Bowles, Appellant. | Richard E. Dietz. | |
| 53,727 | State of Kansas, ex rel James R. Fetters, Co. Atty., Appellant, | James R. Fetters, Co. Atty.; Atty. Gen. | Smith |
| | v. | | |
| | Raymond Yenne, Appellee. | Richard E. Dietz. | |
| 53,486 | State of Kansas, Appellee, | James E. Fetters, Co. Atty.; Atty. Gen. | Smith |
| | v. | | |
| | Jack Colby, Appellant. | Gene F. Anderson. | |
| 53,735 | Billy Joe Worcester dba Country Fertilizer, Appellee, | Joseph W. Jeter.
Gene Anderson. | Graham |
| | v. | | |
| | Gene Worcester, Appellant. | Paul R. Shepherd. | |
| 53,940
S.C. | Joe Arneson, Appellee, | Norman Jeter. | Smith |
| | v. | | |
| | Board of Education USD #236, Lebanon, Kansas, Appellant. | David M. Schauner. | |

KANSAS COURT OF APPEALS
COURT OF APPEALS COURTROOM, 2nd FLOOR, KANSAS JUDICIAL CENTER,
301 W. 10th Street, Topeka, Kansas

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

Monday, September 13, 1982

9:00 a.m.

- | | | | |
|----------------|----------------------------|-----------------------------------|---------|
| 53,571
S.C. | James Levier, Appellant, | Pedro Luis Irigonegaray. | Shawnee |
| | v. | | |
| | State of Kansas, Appellee. | Gene M. Olander, D.A.; Atty. Gen. | |

(continued)

54,020	State of Kansas, Appellee, v. William A. Bell, Appellant.	Gene M. Olander, D.A.; Atty. Gen.	Shawnee
53,995	Richard P. Ridgeway, Appellant, v. State of Kansas, Appellee.	Dixie F. Moss. Max Rowinsky.	Shawnee
53,694	State of Kansas, Appellee, v. Winston Brown, Appellant.	Joan Hamilton, Asst. D.A.; Gene M. Olander, D.A.; Atty. Gen.	Shawnee
54,274	State of Kansas, Appellant, v. Larry Mzhickteno and Dennis Dinwiddie, Appellees.	C. William Ossman, Asst. D.A.; Gene M. Olander, D.A.; Atty. Gen. Michael L. Harris. Frank J. Yeoman, Asst. D.A.; Gene M. Olander, D.A.; Atty. Gen.	Shawnee
		Randy L. Baird.	
		<i>1:30 p.m.</i>	
54,039 S.C.	State of Kansas, Appellee, v. Raymond B. Secrest, Appellant.	Mary Prewitt, Asst. D.A.; Atty. Gen.	Douglas
53,918 Consoli- dated w/	State of Kansas, Appellant, v. Dennis G. Delgadillo, Appellee, State of Kansas, Appellant,	Ron Gooding. Craig A. Stancliffe, Asst. D.A., Atty. Gen.	Douglas
53,919 Consoli- dated w/	State of Kansas, Appellant, v. Eric A. Olson, Appellee, State of Kansas, Appellant,	John Ivan. Karen L. Borell. Craig A. Stancliffe, Asst D.A., Atty. Gen.	Douglas
54,101	State of Kansas, Appellant, v. Donald H. Winklemeier, Appellee, State of Kansas, Appellee,	John Ivan. Karen L. Borell. Craig A. Stancliffe, Asst. D.A.; Atty. Gen.	Douglas
54,084	State of Kansas, Appellee, v. Arthur N. Murley, Appellant.	Dean Burkhead. Craig Stancliffe, Asst. D.A.; Atty. Gen.	Douglas
		Pro Se.	
		<i>Tuesday, September 14, 1982</i>	
		<i>9:00 a.m.</i>	
54,203	State of Kansas, Appellee, v. Randy Armstrong, Appellant.	Steven L. Opat, Co. Atty.; Atty. Gen.	Geary
54,268	State of Kansas, Appellee, v. Oscar B. Gray and Walter R. Bradford, Appellant.	Ralph J. DeZago. David R. Platt, Asst. Co. Atty.; Steven L. Opat, Co. Atty.; Atty. Gen.	Geary
53,958	State of Kansas, Appellee, v. Harold Holland.	John H. Taylor. David R. Platt, Asst. Co. Atty.; Steven L. Opat, Co. Atty.; Atty. Gen.	Geary
54,111	State of Kansas, Appellee, v. Joseph Floyd Smith, Appellant.	Dan D. Boyer. David R. Platt, Asst. Co. Atty.; Steven L. Opat, Co. Atty.; Atty. Gen.	Geary
		Ralph DeZago.	

(continued)

53,732	State of Kansas, Appellee. v. Charles C. Hunt, Appellant.	Steven L. Opat, Co. Atty.; Atty. Gen. Michael P. McKone.	Geary
<i>1:30 p.m.</i>			
53,401 S.C.	Lenard Price, Appellee, v. Hildegard G. Price, Appellant.	Charles A. Chartier. Howard Harper.	Geary
53,746	David P. Troup and Cheryl L. Troup, Appellants, v. Falleys, Inc., Appellee.	David P. Troup. Howard Harper.	Geary
54,116	State of Kansas, Appellee, v. Willis Smith, Appellant.	William Malcolm, Co. Atty.; Atty. Gen. Bruce H. Wingard.	Clay

Wednesday, September 15, 1982
9:00 a.m.

52,985 S.C.	City of Osage City, Appellee, v. Richard L. Estes, Appellant.	Calvin Williams, Co. Atty.; Atty. Gen. Adrian M. Farver.	Osage
53,814	State of Kansas, Appellee, v. Cheryl F. Emerson aka Cheryl F. Ferguson, Appellant.	J. Richard Lake, Co. Atty.; Atty. Gen. John E. Bohannon.	Jackson
54,261	State of Kansas, Appellee, v. Julius Barr, Appellant.	Robert Socolofsky, Co. Atty.; Atty. Gen. Donn J. Everett.	Riley
53,770	State of Kansas, Appellee, v. Ronald G. Briscoe, Appellant.	William L. Navis, Co. Atty.; Atty. Gen. G. H. Griffeth.	Republic

LEWIS C. CARTER
Clerk of the Appellate Court

Doc. No. 000557

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