

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

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Pages 41-56

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State of Kansas
SOCIAL AND REHABILITATION SERVICES
STATE ECONOMIC OPPORTUNITY OFFICE
 NOTICE OF PUBLIC HEARING

A public hearing pertaining to the State Economic Opportunity Office's FY 1983 State Plan for weatherization assistance for low-income persons will be held at 10:30 a.m., February 7, 1983, at the Staff Development Training Center, 2700 West 6th Street, 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 discussing and explaining the FY 1983 State Weatherization Plan required by the Department of Energy and the Department of Health and Human Services for this program. Prepared statements may be submitted prior to February 7, to the State Economic Opportunity Office, 535 Kansas Avenue, Room 1006, Topeka, Kansas 66603. Written comments will be included in the official record. Copies of the State Plan may be obtained from the State Economic Opportunity Office.

SUSAN M. RODGERS, Director
 State Economic Opportunity Office

Doc. No. 000893

State of Kansas
SOCIAL AND REHABILITATION SERVICES
ADVISORY COMMISSION ON
JUVENILE OFFENDER PROGRAMS
 NOTICE OF MEETING

The Advisory Commission on Juvenile Offender Programs will meet on Friday, February 11, 1983, at the Kansas Judicial Center, Hearing Room No. 2, Third Floor, Topeka, Kansas, from 9:30 a.m. until 4:00 p.m.

ROBERT C. BARNUM
 Commissioner, Youth Services

Doc. No. 000890

State of Kansas
SOCIAL AND REHABILITATION SERVICES
STATE PLANNING COUNCIL ON
DEVELOPMENTAL DISABILITIES SERVICES
 NOTICE OF GRANT REVIEW
 COMMITTEE MEETING

The Kansas Planning Council on Developmental Disabilities will hold a Grant Review Committee Meeting on Thursday, February 3, 1983, State Office Building, SRS 6th Floor Board Room, at 9:30 a.m.-5:00 p.m. All interested parties are welcome to make public comments.

JANET SCHALANSKY
 Executive Secretary

Doc. No. 000889

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 Secretary of State
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 Topeka, Kansas 66612



PHONE: 913/296-2236

Carol A. Bell
 Publications Director

State of Kansas

**STATE BOARD OF INDIGENTS'
DEFENSE SERVICES****NOTICE OF MEETING**

Notice is hereby given to all interested parties that the State Board of Indigents' Defense Services will hold its regular meeting on Friday, February 4, 1983, at 1:00 p.m. in Room 201 of the Federal Building, located at 444 S. E. Quincy Street, Topeka, Kansas.

For further information, contact Mr. Ron Miles, Director, 535 Kansas Avenue, Suite 1202, Topeka, Kansas 66603 — (913) 296-4505.

RON MILES
Director

Doc. No. 000886

State of Kansas

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

Sealed bids for items hereinafter listed will be received by the 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, FEBRUARY 7, 1983

#52530

Kansas State University, Manhattan—PICKUP, for Aid Mission, Khartoum, Sudan (Africa)

#52531

Department of Transportation, Salina—LUBRICATING OIL AND AUTOMATIC TRANSMISSION OIL

#52532

Department of Transportation, Hutchinson—ALUMINUM HANDRAIL, for Wichita

#52533

Kansas State University, Manhattan—EVAPORATOR COILS

#52534

Department of Transportation, Chanute—CORRUPTED METAL PIPE, ARCH AND BANDS

#52535

Department of Transportation, Chanute—ASPHALT RUBBER SEALING COMPOUND

#52538

Kansas State University, Manhattan—LOCKSETS

#52539

Kansas State University, Manhattan—CONDENSERS, COMPRESSORS AND EVAPORATORS FOR FOOD FREEZER AND STORAGE ROOMS

#52555

Fort Hays State University, Hays—CRT DISPLAY STATIONS

TUESDAY, FEBRUARY 8, 1983

#52540

Department of Transportation, Hutchinson—MATERIAL SPREADER

#52541

Department of Transportation—SEDANS, for Topeka, Salina, Chanute, Hutchinson, Garden City, Norton

#52542

Department of Transportation—ARTICULATED MOTOR GRADERS, for Topeka, Salina, Norton, Chanute, Hutchinson, Garden City

#52543

Department of Administration (Central Motor Pool), Topeka—COMPACT SEDANS

#52544

Emporia State University, Emporia—SEDANS

#52545

Kansas State University, Manhattan—FEED

52546

Kansas State University, Manhattan—FEED

#A-4366

Pittsburg State University, Pittsburg—PARTIAL ROOF REPAIR OF McCRA Y HALL

#A-4527 through #A-4532 and

#A-4545 through #A-4550

Department of Transportation—ENERGY IMPROVEMENTS FOR VARIOUS LOCATIONS IN DISTRICT 5

WEDNESDAY, FEBRUARY 9, 1983

#25461

General Service and Department of Revenue, TOPEKA—PRE-SORT MAILING SERVICE

#52548

Kansas State University, Manhattan—BUTYL ESTER

#52554

Department of Transportation, Chanute—BRUSH CONTROL AGENT

#52556

Department of Administration (Division of Printing), Topeka—BINDER'S BOARD

#52558

Department of Administration (Central Motor Pool), Topeka—VEHICLES

#52559

University of Kansas, Lawrence—CONDENSATE WATER TANKS

#52580

Pittsburg State University, Pittsburg—MICRO PROCESSING SYSTEM

#A-4500

Osawatomie State Hospital, Osawatomie—ROOF REPLACEMENT, PHASE I, BIDDLE BUILDING

THURSDAY, FEBRUARY 10, 1983

#25471

Department of Transportation—ASPHALTIC MATERIALS, for Districts 1, 2, 3, 4, 5, 6

#25474

All Using State Agencies—PRE-RECORDED RECORDS AND TAPES

#52564

University of Kansas Medical Center, Kansas City—AQUAMATIC K-THERMIA UNITS

#52566

Department of Administration (Division of Printing), Topeka—ENVELOPES—K-BEN 2721

#52567

Department of Transportation, Topeka—LUBRICATING OIL

#52568

Department of Revenue, Topeka—CONVERSION COATED ALUMINUM, for Center Industries, Wichita

#52571

Kansas State University, Manhattan—FROZEN FOOD

#52575

Kansas State University, Manhattan—TRACTOR, for Hesston

(continued)

#52581

Department of Transportation, Topeka—INERTIAL
MODULES

#52583

Kansas State Historical Society, Topeka—MUSEUM
STORAGE SYSTEM

#52587

Kansas Correctional-Vocational Training Center, Topeka—SEDANS

#A-4606(c)

Department of Administration, Topeka—INSTALL
DUAL SETPOINT THERMOSTATS IN MEMORIAL
BUILDING at 120 West 10th, Topeka, for the Kansas
State Historical Society

FRIDAY, FEBRUARY 11, 1983

#52582

Pittsburg State University, Pittsburg—INTERIOR
PAINTING PITTSBURG STUDENT UNION

#52588

Department of Transportation, Topeka—SQUARE
TELESCOPIC TUBING

MONDAY, FEBRUARY 14, 1983

#25463

All State Agencies—HAND TOOLS AND MISCEL-
LANEOUS HARDWARE

THURSDAY, FEBRUARY 17, 1983

#25464

All Agencies of the State of Kansas—ROOM AIR
CONDITIONERS

WEDNESDAY, FEBRUARY 23, 1983

#25469

All Agencies of the State of Kansas—LARGE, PHOTO
AND STAGE STUDIO LAMPS

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 000891

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-2

**Civil Procedure—Liens for Labor and Material—
Liens on Residential Property; Limitations. Repre-
sentative Marvin E. Smith, Fiftieth District, Topeka,
January 14, 1983.**

K.S.A. 1981 Supp. 60-1103 (as amended by L. 1982, ch. 248, § 2) provides that a warning statement must be given to an owner of residential property before a lien may be claimed by a supplier or subcontractor for the furnishing of labor or materials, providing the claim is in excess of \$250. Such a statement informs the owner that a lien may be filed against the property unless a waiver of lien form is obtained from the supplier or subcontractor. In cases where a warning statement is required, an owner of real property is not liable for an amount greater than that originally contracted for, except for payments made after the date the statement is received. Cited herein: K.S.A. 1981 Supp. 60-1103 (as amended by L. 1982, ch. 248, § 2). JSS

OPINION NO. 83-3

**Insurance—Fireman's Relief Fund—Penalties for
Non-Payment; Ability of Fire District to Pay Counsel.
William D. Rustin, Sedgwick County Counselor,
Wichita, January 14, 1983.**

K.S.A. 40-1703 requires each insurance company providing fire protection coverage to pay an annual tax to the commissioner of insurance of 2% of the premiums collected for such coverage, with the taxes then paid over to the firemen's relief association of the city, township, county or fire district from which the premiums were collected. In the event of a failure by an insurance company to pay the required amount, K.S.A. 40-1705 allows these governmental entities to recover a civil penalty of \$300 for each violation, with the penalty going to the use and benefit of the firemen's relief association. As the employment and compensation of legal counsel is necessarily implied by the statute authorizing suit, a fire district may use a portion of the penalties so recovered to pay its attorney, although the tax money itself may not be so spent. Cited herein: K.S.A. 40-1702, 40-1703, 40-1705, 40-1706, 40-1707. JSS

OPINION NO. 83-4

Counties and County Officers—County Commissioners—Salaries and Expenses. Senator James L. Francisco, Twenty-Sixth District, Topeka, January 14, 1983.

The establishment of and expenditure of moneys for salaries of county commissioners are statutorily within the exclusive province of a board of county commissioners and there is no expressed or implied statutory authority permitting such salaries to be fixed pursuant to an initiative or referendum process.

Payment of expense claims made by county commissioners must be consistent with the standards set forth in K.S.A. 10-801 and K.S.A. 1981 Supp. 12-105a and 12-105b (Uniform Procedure for Payment of Claims and Other Indebtedness by Municipalities). Cited herein: K.S.A. 10-801, K.S.A. 1981 Supp. 12-105a, 12-105b, 12-3013, K.S.A. 19-101a (as amended by L. 1982, ch. 115, § 1), 19-212, 19-229, 45-201. RVE

OPINION NO. 83-5

**Uniform Commercial Code—Secured Transactions—
Filing; Immunity of Public Officials. Arden Ensley,
Revisor of Statutes, Topeka, January 19, 1983.**

As introduced, 1983 Senate Bill No. 7 would amend K.S.A. 84-9-407, relating to the release of information concerning financing statements on file, so as to grant immunity to public officials from damages resulting from their negligence in releasing such information. Such a grant of immunity is permissible under the Kansas and United States Constitutions, and would act as an amendment by implication to the Kansas Tort Claims Act, K.S.A. 1981 Supp. 75-6101 *et seq.* Cited herein: K.S.A. 46-901 (repealed by L. 1979, ch. 186), K.S.A. 1981 Supp. 75-601, 75-6103, 75-6104, K.S.A. 84-9-401, 84-9-407, Kan. Const., Bill of Rights, § 18,

(continued)

U.S. Const., Amend. XIV, L. 1981, ch. 357, L. 1981, ch. 358, 1983 Senate Bill No. 7. JSS

OPINION NO. 83-6

Cities, First Class—Board of Commissioners—Changing of Quorum Requirements.

State Departments; Public Officers, Employees—Open Meetings Act—Uniform Application to Cities. Buford M. Watson, Jr., City Manager, Lawrence, January 19, 1983.

The Kansas Open Meetings Act is uniformly applicable to all cities and may not be circumvented by a charter ordinance. However, the quorum requirements of K.S.A. 13-1810 are provisions of an enactment of the legislature which is not uniformly applicable and may be changed by charter ordinance. Such charter ordinance will be subject to the "protest" style election authorized by Article 12, Section 5(c)(3) of the Kansas Constitution. "Majority," as the term is used in K.S.A. 13-1810, means the number one greater than half the number of members of the governing body and may not be changed by ordinary city ordinance. Cited herein: K.S.A. 12-1001, 12-1017, 12-1020, K.S.A. 1981 Supp. 12-10a01, 12-10a02, K.S.A. 13-1410, 13-1810, 14-111, 14-1308, 15-106, 15-1409, 75-4317, 75-4317a, K.S.A. 1981 Supp. 75-4318, K.S.A. 77-201 *Second*, Kan. Const. Art. 12, § 5. BJS

OPINION NO. 83-7

State Departments; Public Officers, Employees—Department of Corrections—Qualifications of Secretary of Corrections. John Carlin, Governor of Kansas, Topeka, January 19, 1983.

K.S.A. 1981 Supp. 75-5203 provides two alternative criteria for determining the eligibility of a person to be appointed by the Governor as Secretary of Corrections, and these criteria are separate and distinct from one another. That is, the requirement that the person so appointed has had at least five years' experience in the field of corrections is alternative to and separate and distinct from the provision establishing the eligibility of a person who has had at least five years' experience as an executive officer in the administration of federal or state penal or correctional institutions. Thus, Michael A. Barbara satisfies the eligibility requirements of this statute, since the information provided by the Governor's office regarding Mr. Barbara's professional experience indicates that he has more than five years' experience in the field of corrections. Cited herein: K.S.A. 1981 Supp. 75-5203, K.S.A. 77-201. WRA

ROBERT T. STEPHAN
Attorney General

Doc. No. 000885

State of Kansas

SECRETARY OF STATE

**KANSAS PUBLIC
DISCLOSURE COMMISSION**

Advisory Opinion No. 83-1

Written January 12, 1983 to Barbara Sehl, Rush County Clerk, Office of Rush County Clerk, P.O. Box 220, LaCrosse, Kansas 67548.

This opinion is in response to your letter of December 15, 1982, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the Commission's jurisdiction on this matter is limited to the application of K.S.A. 46-215 *et seq.* and K.S.A. 75-4301 *et seq.*, the former sections not being applicable to your question. Thus, whether some other common law or statutory system applies to your question is not covered by this opinion.

You request this opinion in your capacity as Rush County, County Clerk. You advise us that you were recently appointed to the position of treasurer of a local ambulance district board. We understand that the district was established by resolution of the township. You state that you will receive \$15.00 per meeting for serving as treasurer of the district and that funds received by the district are raised by township levies and distributed in such a manner that the County Clerk's office must countersign the check.

Based on this factual situation, you ask whether you may serve as the treasurer for the ambulance district during your tenure as County Clerk and fully perform the duties of each position.

Enclosed you will find a copy of Opinion No. 75-64 which covers a similar situation. From a review of that opinion and the underlying statutory language which has not been modified, it is our opinion that K.S.A. 75-4301 *et seq.* does not prohibit you from holding both positions and fully performing the duties of each.

LINDA ELROD, Vice-Chairwoman
By Direction of the Commission

Filed with the Secretary of State January 19, 1983.

Doc. No. 000892

State of Kansas

DEPARTMENT OF CORRECTIONS**TEMPORARY ADMINISTRATIVE
REGULATIONS**

(Approved by the State Rules and Regulations Board
January 5, 1983. Will expire May 1, 1984.)

Article 12.—CONDUCT AND PENALTIES

44-12-304. Disobeying orders. (a) An inmate shall promptly and respectfully obey any order, directive, or instructive given to the inmate by any employee of the institution or facility, or by an employee of any other agency in charge of the inmate. In case of conflicting orders, the last order shall be obeyed first. Violation of this rule shall be a class I offense.

(b) When writing a disciplinary report bringing the charge, as well as the investigation report and the officer's statement, the writer shall state the specific circumstances surrounding the charge. The precise conduct which was the subject of the order shall be included. (Authorized by and implementing K.S.A. 1981 Supp. 75-5210; effective May 1, 1980; amended T-83-23, Aug. 11, 1982; amended T-84-1, Jan. 5, 1983.)

Article 13.—DISCIPLINARY PROCEDURE

44-13-404. Presence of inmate and presence of charging officer at first and final hearings; officer statements in lieu of testimony. (a) The inmate shall be present at the first hearing and at all stages of the final hearing and disposition except as otherwise provided by these regulations or by law.

(b) In class I cases, the charging officer shall be present for direct examination and for confrontation and cross examination unless excused by the board. The board may excuse the charging officer only if it determines that institutional safety or correctional goals would be jeopardized. If not present, the officer's report and statement shall be made to the board or hearing officer in writing under oath. Copies shall be provided to the inmate and it shall be read aloud at the hearing unless secrecy is required to protect an inmate accuser, informant, or witness.

(c) In class II cases the officer shall not be required to be present unless deemed to be necessary by the hearing officer or board. The officer's report and statement shall be submitted to the hearing officer or board in writing under oath. It shall be read aloud at the hearing and a copy shall be given to the inmate unless secrecy is required to protect an inmate accuser, informant, or witness pursuant to K.A.R. 44-13-105(f). Contact with the officer by telephone or radio may be used by the hearing officer or board to answer questions or clarify the facts while the hearing is being conducted or while the matter is being considered for decision.

(d) In class III and IV cases the officer's report and statement under oath shall be sufficient. The officer may be required to be present by the hearing body at its discretion. Telephone or radio may be used to answer questions or clarify facts. In all cases, if the

charging officer requests, the hearing body shall allow the charging officer to be present. If this be the case, the officer shall be present throughout and shall be submit to direct examination, confrontation and cross examination unless restricted by the hearing body according to these regulations.

(e) When the officer is not present, the officer's statement under oath along with the charge report shall be admissible as evidence. The officer's statement under oath shall consist of the officer's rendition of all the facts of the case resulting from a complete fact investigation. To the best of the officer's ability, it shall show all relevant and material facts which might be used to support both the facility's case against the inmate and the inmate's defense. When the officer is uncertain of a fact, the officer shall state that with respect to the fact. The charging officer may either adopt or defer under oath to any official neutral fact investigation report which might be done by another person or may submit the charging officer's own statement in addition to the investigation report.

(f) The disciplinary report or other associated reports or statements shall include:

- (1) Specific rules violated;
- (2) a formal statement of the charge;
- (3) any unusual inmate behavior;
- (4) any staff witness;
- (5) disposition of any physical evidence;
- (6) any immediate action taken, including the use of force; and
- (7) the reporting staff member's signature and the date and time the report is made.

(g) If an alleged violation is based upon uncertain facts, an appropriate investigation shall be initiated within 24 hours of the time the allegation is made and shall be completed without unreasonable delay. The investigation shall determine whether a disciplinary action should be initiated or continue by determining whether the allegation is soundly based on reasonably reliable facts. The investigator shall be a staff member, and, where practical, shall be a staff member other than the person making the allegation. If an inmate is the one making the allegation, the officer receiving the allegation, and in a position to write the report, may also be the investigator.

(h) The investigation report may be adopted by the charging officer both as the charge itself, and as the officer's sworn statement in lieu of testimony in any case where appropriate and in accordance with the regulations. (Authorized by and implementing K.S.A. 1981 Supp. 75-5210(f); effective May 1, 1980; amended T-83-23, Aug. 11, 1982; amended T-84-1, Jan. 5, 1983.)

SECRETARY OF CORRECTIONS

Doc. No. 000883

State of Kansas

LEGISLATURE

The following list gives the numbers and titles of bills and concurrent resolutions recently introduced in the Legislature.

Copies of bills and resolutions are available free of charge. (Limit: 5 copies of any one item.) Write: Legislative Document Room; State Capitol; Topeka, KS 66612. Or call: (913) 296-7394.

Bills Introduced January 13-19:

SB 46, by Senator Norvell: An act concerning the powers and duties of certain county officers; amending K.S.A. 19-302, 19-502b, 19-503 and 19-1202 and K.S.A. 1982 Supp. 19-101a and repealing the existing sections.

SB 47, by Committee on Assessment and Taxation: An act relating to property taxation; classifying and providing for the valuation for taxation purposes of farm machinery and equipment and aircraft; repealing K.S.A. 1982 Supp. 79-201i to 79-201j, inclusive.

SB 48, by Senator Ehrlich, by request: An act providing for the detachment of certain territory from unified school district No. 407, Russell county, Kansas, and the establishment of such territory as a separate and distinct unified school district.

SB 49, by Senators Francisco, Daniels, Feleciano, Hess, McCray and Morris: An act concerning county sheriffs; relating to travel expenses; amending K.S.A. 28-110 and repealing the existing section.

SB 50, by Committee on Commercial and Financial Institutions: An act repealing K.S.A. 1982 Supp. 16-207d; relating to adjustable interest rate loans.

SB 51, by Senator Bogina: An act concerning the uniform controlled substances act; relating to forfeitures; amending K.S.A. 65-4135 and repealing the existing section.

SB 52, by Senator Montgomery: An act concerning regional libraries; relating to the allocation of the costs of maintaining the libraries; amending K.S.A. 12-1234 and repealing the existing section.

SB 53, by Senator Montgomery (by request): An act relating to crimes and punishments; defining and classifying the crimes of unlawful conduct of cock fighting and attending the unlawful conduct of cock fighting.

SB 54, by Committee on Ways and Means: An act concerning appropriations for the fiscal year ending June 30, 1983; lapsing certain amounts appropriated from the state general fund for certain state agencies; and imposing certain restrictions and limitations.

SB 55, by Committee on Commercial and Financial Institutions: An act relating to savings and loan associations; concerning the powers and duties thereof; amending K.S.A. 17-5303, 17-5401 and 17-5501 and repealing the existing sections and also repealing K.S.A. 17-5815.

SB 56, by Committee on Commercial and Financial Institutions: An act relating to savings and loan associations; concerning the appointment of a special deputy-savings and loan commissioner; amending K.S.A. 17-5614 through 17-5622 and repealing the existing sections.

SB 57, by Committee on Commercial and Financial Institutions: An act relating to savings and loan associations; concerning the establishment of offices; amending K.S.A. 17-5225 and 17-5630 and repealing the existing sections.

SB 58, by Committee on Commercial and Financial Institutions: An act relating to the bank commissioner; providing for a deputy commissioner; amending K.S.A. 75-3135 and repealing the existing section.

SB 59, by Senator Ehrlich: An act relating to nondriver's identification cards; concerning application fees; amending K.S.A. 8-1324 and 8-1325 and repealing the existing sections.

SB 60, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1984, for the department of transportation and Kansas highway patrol; authorizing certain transfers, imposing certain restrictions and limitations; and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

HB 2039, by Committee on Judiciary: An act concerning the Kansas code for care of children; continuing the wards' account administered by the secretary of social and rehabilitation services in existence as the wards' trust fund; providing for the management and audit thereof.

HB 2040, by Committee on Judiciary: An act concerning the secretary of social and rehabilitation services; conferring certain investigative and subpoena powers; amending K.S.A. 75-3306 and repealing the existing section.

HB 2041, by Representatives Holderman and Lowther: An act relating to banks and banking; concerning services provided at detached auxiliary banking services facilities; amending K.S.A. 9-1111 and repealing the existing section.

HB 2042, by Representative Jarchow: An act relating to property taxation; requiring taxation of farm machinery and equipment; repealing K.S.A. 1982 Supp. 79-201i, 79-201j and 79-201k, relating to the exemption of farm machinery and equipment therefrom.

HB 2043, by Representative Bunten: An act concerning the campaign finance act; relating to political committees; amending K.S.A. 25-4145, 25-4147 and 25-4148 and repealing the existing sections.

HB 2044, by Representatives Jarchow, Charlton, Cribbs, Sutter, and Webb, Darrel: An act concerning state and local retailers' sales and use taxes; increasing the state sales and use tax rate; exempting sales of food for human consumption from state and certain local sales and use taxes; amending K.S.A. 12-189a and 79-3703 and K.S.A. 1982 Supp. 79-3603 and 79-3606 and repealing the existing sections; also repealing K.S.A. 1982 Supp. 79-3632 to 79-3639, inclusive.

HB 2045, by Representative Sughrue: An act concerning solar energy system income tax credits; extending the applicability thereof; amending K.S.A. 1982 Supp. 79-1118, 79-32,166 and 79-32,167 and repealing the existing sections.

HB 2046, by Representatives Weaver, Charlton, Dillon, Francisco, Fry, L., Hamm, Harder, Hensley, Mainey, Matlack, Murphy, Myers, Reardon, Roper, and Schmidt: An act relating to the taxation of income; concerning the depreciation deduction for property used in a trade or business or held for the production of income; amending K.S.A. 1982 Supp. 79-32,117 and repealing the existing section.

HB 2047, by Committee on Assessment and Taxation: An act concerning taxation of motor vehicles; relating to the amount of tax imposed on motor vehicles changing tax situs; amending K.S.A. 1982 Supp. 79-5106 and repealing the existing section.

HB 2048, by Representative Jarchow: An act relating to property taxation; requiring taxation of business aircraft; repealing K.S.A. 1982 Supp. 79-201k, relating to the exemption of business aircraft therefrom.

HB 2049, by Representative R.D. Miller (by request): An act providing for the detachment of certain territory from unified school district No. 407, Russell county, Kansas, and the establishment of such territory as a separate and distinct unified school district.

HB 2050, by Representative Polson: An act relating to political parties; concerning precinct committeemen and committeewomen; amending K.S.A. 25-3801 and repealing the existing section.

HB 2051, by Representatives Farrar, Acheson, Arbuthnot, Baker, Barr, Buehler, Chronister, Cloud, Crowell, Crumbaker, DeBaun, Douville, Eckert, Flottman, Friedeman, B. Fuller, Goossen, Guldner, Harper, Hayden, Hoagland, King, Kline, Knopp, Littlejohn, Long, Louis, Lowther, Meacham, D. Miller, Moomaw, Moore, Nichols, B. Ott, K. Ott, Patterson, Polson, Ramirez, Reinhardt, Roe, Roenbaugh, Rolfs, Sallee, Smith, Spaniol, Walker, David Webb, Wilbert and Wunsch: An act reducing the rate of compensation per calendar day for members of the legislature; amending K.S.A. 46-137a and repealing the existing section.

HB 2052, by Representatives Cribbs, Barkis, Blumenthal, Brady, Francisco, Helgerson and Myers: An act enacting the good samaritan food law.

HB 2053, by Committee on Assessment and Taxation: An act relating to the financing of public schools; authorizing the levy of individual income taxes by school districts; imposing a tax upon the Kansas taxable income of corporations and fiduciaries; imposing a tax upon the privilege of doing business in this state by insurance companies and certain financial institutions; providing duties for certain state officers relating to the administration thereof.

HB 2054, by Committee on Assessment and Taxation: An act relating to taxation of motor vehicles; concerning the valuation thereof for budgetary and aggregate tax levy limit purposes; amending K.S.A. 1982 Supp. 79-5112 and repealing the existing section.

HB 2055, by Representative Foster: An act concerning court fees for Sedgwick county law library; amending K.S.A. 19-1322 and repealing the existing section.

HB 2056, by Representatives Guldner, L. Fry, Hassler, Heinemann and Sallee: An act concerning law enforcement and law enforcement training center; providing for discretionary waiver of training requirements for sheriffs; amending K.S.A. 1982 Supp. 19-801b and repealing the existing section.

HB 2057, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1984, for the Kansas commission on interstate cooperation, legislative coordinating council, legislature, and division of post audit; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing.

SCR 1604, by Committee on Assessment and Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to the taxation of property.

HCR 5004, by Representatives Farrar, Acheson, Apt, Arbuthnot, Baker, Barr, Braden, Buehler, Bunten, Campbell, Chronister, Cloud, Cobb, Crowell, Crumbaker, DeBaun, Douville, Duncan, Dyck, Eckert, Flottman, Foster, Fox, R. Frey, Friedeman, B. Fuller, W. Fuller, Goossen, Guldner, Harper, Hassler, Hayden, Heinemann, Hoagland, Hoy, L. Johnson, King, Kline, Littlejohn, Long, Louis, Lowther, Meacham, D. Miller, R. D. Miller, Moomaw, Moore, Nichols, B. Ott, K. Ott, Patrick, Patterson, Polson, Ramirez, Reinhardt, Roe, Roenbaugh, Rolfs, Sallee, Sand, Smith, Spaniol, Vancrum, Walker, David Webb, Wilbert and Wunsch: A concurrent resolution memorializing the President of the United States and the United States Congress to nullify "take or pay" clauses and indefinite price escalator clauses in natural gas purchase contracts.

(Published in the KANSAS REGISTER, January 27, 1983.)

NOTICE OF BOND SALE
\$400,000.00
GENERAL OBLIGATION AIRPORT BONDS
SERIES A, 1983
OF THE
CITY OF AUGUSTA, KANSAS

The CITY OF AUGUSTA, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, 6TH AND SCHOOL, AUGUSTA, KANSAS, until 2:00 o'clock P.M., C.S.T., on

MONDAY, JANUARY 31, 1983

for \$400,000.00 par value GENERAL OBLIGATION AIRPORT 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, and the Bonds will be dated February 1, 1983. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$ 10,000	August 1, 1984
30,000	August 1, 1985
35,000	August 1, 1986
35,000	August 1, 1987
40,000	August 1, 1988
40,000	August 1, 1989
45,000	August 1, 1990
50,000	August 1, 1991
55,000	August 1, 1992
60,000	August 1, 1993
<hr style="width: 100%; border: 0.5px solid black;"/>	
\$400,000	

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 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 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 percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two and one-half percent (2½%). 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 in the Weekly Bond Buyer on Monday, January 24, 1983, 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 6TH AND SCHOOL, AUGUSTA, KANSAS 67010, ATTENTION: ELSIE E. GEORGE, 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 percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF AUGUSTA, 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 MARCH 15, 1983, 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 nor 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 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 paying the costs of constructing, furnishing and equipping a maintenance and service facility and storage buildings at the Municipal Airport of 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.

(continued)

Assessed valuation figures for the City of Augusta, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$13,949,969
Tangible Valuation of Motor Vehicles	\$ 3,802,506
Tangible Valuation of Motor Vehicle Dealer's Inventory	\$ 87,045
Equalized Assess Tangible Valuation for Computation of Bonded Debt Limitations	\$17,839,520

The total bonded indebtedness of the City of Augusta, Kansas, at the date hereof, including this \$400,000.00 proposed issue of Bonds, is in the amount of \$2,353,000.00. The City also has \$1,081,395.00 in Temporary Notes outstanding, none of which will be retired from proceeds of this issue.

DATED January 3, 1983.

ELSIE E. GEORGE
City Clerk
City of Augusta, Kansas

Doc. No. 000881

(Published in the KANSAS REGISTER, January 27, 1983.)

NOTICE OF BOND SALE
\$315,764.86
GENERAL OBLIGATION BONDS
City of Hesston, Kansas
Series 1983-A

Written sealed bids only will be received by the City of Hesston, Kansas, at the office of the City Clerk, City Building, Hesston, Kansas, on Monday, February 7, 1983, at 6:00 p.m. for the sale of \$315,764.86 par value General Obligation Bonds, at which time and place said bids will be publicly opened, read aloud and considered for the purchase of all but not less than all of the \$315,764.86 par value bonds. No oral or auction bids will be considered.

All of said bonds will be negotiable coupon bonds in denominations of \$5,000.00 each, except for Bond No. 1 which shall be in the amount of \$5,764.86.

All bonds will be dated February 1, 1983, and will mature serially as follows:

Amount	Maturity Date
\$25,764.86	August 1, 1984
\$30,000.00	August 1, 1985
\$30,000.00	August 1, 1986
\$30,000.00	August 1, 1987
\$30,000.00	August 1, 1988
\$30,000.00	August 1, 1989
\$35,000.00	August 1, 1990
\$35,000.00	August 1, 1991
\$35,000.00	August 1, 1992
\$35,000.00	August 1, 1993

All of the bonds shall mature without option of prior payment.

Interest on said bonds will be payable February 1, 1984, and semi-annually 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.

Proposals will be received on bonds bearing such rate or rates of interest not exceeding four 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 or one-tenth of one percent. No interest rate shall exceed the maximum rate allowed by Kansas law; said maximum rate being 2 percent above the Bond Buyer's 20 Bond Index published on the 31st day of January, 1983, and no bid of less than par and accrued interest will be considered. No rate will be more than one and one-half percent higher than the lowest interest rate named in the bids. Bids involving the use of extra or supplemental coupons will not be considered.

Bids shall be submitted on the "OFFICIAL BID FORM" furnished by the City and shall be addressed to: "City Clerk, City Building, Hesston, Kansas 67062," 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 City will be entitled to rely on such certificate. Each bid must be accompanied by a Certified or Cashier's Check equal to two (2) percent of the total amount of such bid, payable to the City of Hesston, 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. Checks of unsuccessful bidders will be returned promptly. Payment of the balance shall be made in Federal Reserve funds or equivalent.

Said bonds, duly printed, executed and registered will be furnished by said City and the said bonds will be sold subject to the legal opinion of Curfman, Harris, Stallings, Grace & Snow, Attorneys at Law, Wichita, Kansas, whose unqualified approving opinion will be furnished by the City. The purchaser will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of said bonds and 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 said bonds will be made to the successful bidder on or before March 24, 1983, 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 purchaser.

All of said bonds will constitute general obligations of the City of Hesston, Kansas, payable both as to principal and interest from ad valorem taxes which may be levied without limit as to rate or amount upon all the taxable tangible property within the territorial limits of said City. The proceeds of the bonds will be used for the purpose of paying for the cost of the construction of certain improvements as follows:

Grading, curbing and guttering, bituminous surfacing and constructing drainage works incidental thereto of Hickory Street, beginning 150 feet east of the center line of Ridge Road, thence west to a point

(continued)

100 feet East of the city limits, a distance of 2700 feet, more or less, in the city of Hesston, Harvey County, Kansas.

Bonds will be issued under the authority of K.S.A. 12-6a01, et seq., and all amendments thereto.

Sealed bids shall be opened and read aloud publicly and only at the time and place specified in this notice and the bonds will be sold to the highest bidder. The City 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 bid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

The assessed valuation figures for the City of Hesston for the 1983 budget year are as follows:

Equalized assessed valuation of taxable tangible property	\$22,135,732
Assessed tangible valuation of motor vehicles ..	\$ 1,167,144
Equalized tangible valuation for computation of bonded debt limitations	\$23,325,550

The total bonded indebtedness of the City of Hesston, Kansas, including this issue of bonds and including outstanding temporary notes, is \$2,416,764.86, \$305,000.00 of which outstanding temporary notes will be paid from the proceeds of this bond issue.

This issue of bonds was authorized by the passage and publication of resolutions.

JEAN KREHBIEL, City Clerk
City of Hesston
Harvey County, Kansas

Doc. No. 000882

(Published in the KANSAS REGISTER, January 27, 1983.)

NOTICE OF BOND SALE
\$1,427,400.13
GENERAL OBLIGATION SEWER
AND STREET BONDS
SERIES A 1983 SEDGWICK COUNTY
STATE OF KANSAS
(15 Year Bonds)

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, Wichita, Kansas, at the Sedgwick County Courthouse, Wichita, Kansas 67203, on Wednesday, February 9, 1983, at 10:00 Central Standard Time, for the sale of \$1,427,400.13 par value of General Obligation Sewer and Street 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 \$2,400.13. All bonds will be dated February 1, 1983, and will mature serially as follows:

\$1,427,400.13
G.O. SEWER AND STREET BONDS
SERIES A 1983

Number	Amount	Interest Rate	Maturity
1	\$ 2,400.13		October 1, 1984
2-19	90,000.00		October 1, 1984
20-38	95,000.00		October 1, 1985
39-57	95,000.00		October 1, 1986
58-76	95,000.00		October 1, 1987
77-95	95,000.00		October 1, 1988
96-114	95,000.00		October 1, 1989
115-133	95,000.00		October 1, 1990
134-152	95,000.00		October 1, 1991
153-171	95,000.00		October 1, 1992
172-190	95,000.00		October 1, 1993
191-209	95,000.00		October 1, 1994
210-228	95,000.00		October 1, 1995
229-247	95,000.00		October 1, 1996
248-266	95,000.00		October 1, 1997
267-286	100,000.00		October 1, 1998

First interest is due on this issue on April 1, 1984, and semiannually thereafter on October 1 and April 1 of 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. These bonds are a general obligation of Sedgwick County, Kansas. Said bonds are being issued for the purpose of certain county sewer and street improvements, all as provided by law by Sections 19-2704, 19-2704a and 19-2705, and 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 legal rate therefor as provided by the laws of the state of Kansas. The maximum stated rate, determined on the date the bonds are sold, shall not exceed the 20 bond index of tax exempt municipal bonds published by the Weekly Bond Buyer in New York on the Monday next preceding the day on which the bonds are sold, plus 2%. Bids involving the use of extra or supplemental coupons will not be considered.

Bids shall be submitted on contract forms 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 of the bid and the average interest rate, all certified by the bidder to be correct, and the County will be entitled to rely upon such representations. Each bid must be accompanied by a certified or cashier's check in the amount of \$28,548.00, 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,
(continued)

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 opinions will be furnished and paid for by the County. Delivery of said bonds will be made to the successful bidder on or about March 9, 1983, 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.

Debt picture as of February 1, 1983.

The assessed valuation of Sedgwick County, Kansas, for the year 1982 is \$1,481,438,322.00 (30% of full value). Estimated full value \$4,938,127,740.00. Population of the County is approximately 370,000. Estimated market value \$11,916,761,123.00.

The total bonded indebtedness of Sedgwick County, Kansas, is \$23,149,633.47, including this issue, Series A now being sold. Said County also has outstanding Temporary Notes of \$4,793,739.00; \$2,950,910.05 in notes will be picked up by this bond issue and from money on hand.

(\$17,889,633.47 of the above bond is exempt by law and all above note debt is exempt.)

Underlapping debt is:

(As of July 1, 1982)

School Districts in the County \$36,910,000.00

All cities in the County including the city of Wichita, \$119,432,757.16 Bonds. (This includes G.O. and Specials.)

Sedgwick County Fire District \$1,620,000.00.

Special Improvement Districts in the County of which the County is not liable \$3,333,693.86.

JACK SPRATT
TOM SCOTT
DONALD E. GRAGG
Commissioners, Sedgwick County
State of Kansas
DOROTHY K. WHITE
County Clerk

(Published in the KANSAS REGISTER, January 27, 1983.)

NOTICE OF BOND SALE
\$127,000.00
GENERAL OBLIGATION STREET
IMPROVEMENT BONDS
SERIES 1983
OF THE
CITY OF NORTH NEWTON, KANSAS

The CITY OF NORTH NEWTON, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, NORTH NEWTON, KANSAS, until 7:30 o'clock P.M., C.S.T., on

MONDAY, FEBRUARY 14, 1983
for \$127,000.00 par value GENERAL OBLIGATION STREET 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 Bond No. 1 in denomination of \$2,000.00, and the Bonds will be dated March 1, 1983. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$ 12,000	September 1, 1984
10,000	September 1, 1985
10,000	September 1, 1986
10,000	September 1, 1987
10,000	September 1, 1988
15,000	September 1, 1989
15,000	September 1, 1990
15,000	September 1, 1991
15,000	September 1, 1992
15,000	September 1, 1993
\$127,000	

Interest on the Bonds will first be payable on MARCH 1, 1984, 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 Five (5) 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 percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed two and one-half percent (2½%). 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 in the Weekly Bond Buyer on Monday, FEBRUARY 7, 1983, and no bid of less than par and accrued interest will be considered. Bids involving the use of extra or supplemental cou-

(continued)

pons 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 P. O. BOX 87, NORTH NEWTON, KANSAS 67117, ATTENTION: KATHLEEN A. SANGER, 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 percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF NORTH NEWTON, 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 bidder's 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 CURFMAN, HARRIS, STALLINGS, GRACE & SNOW, 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 MARCH 31, 1983, 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 Bonds nor 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 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 Bonds are being issued for the purpose of paying the costs of street 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 North Newton, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable, Tangible Property	\$2,082,018.00
Tangible Valuation of Motor Vehicles	\$ 376,071.00
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ -0-
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$2,458,089.00

The total bonded indebtedness of the City of North Newton, Kansas, at the date hereof, including this \$127,000.00 proposed issue of Bonds, is in the amount of \$822,976.00. The City currently has \$183,000.00 Temporary Notes outstanding, all of which will be retired from the proceeds of the Bonds and special assessments which have been collected in cash.

DATED January 10, 1983.

KATHLEEN A. SANGER
City Clerk
City of North Newton, Kansas

Doc. No. 000884

(Published in the KANSAS REGISTER, January 27, 1983.)

NOTICE OF CALL FOR REDEMPTION OF BONDS

**CITY OF BURLINGTON,
COFFEY COUNTY, KANSAS
ELECTRIC SYSTEM REVENUE-BOND
ANTICIPATION BONDS
SERIES 1981-A
DATED MAY 15, 1981**

In accordance with Section 4 of Ordinance No. 301, the City of Burlington, Coffey County, Kansas has called for redemption on March 1, 1983 and will redeem and pay on that date the Electric System Revenue Bond Anticipation Bonds dated May 15, 1981 numbered 1-700 inclusive, at the redemption price of one hundred percent (100%) of the face value thereof plus accrued interest to the date of redemption. The Bonds so called for redemption with the coupons attached should be presented for payment and redemption at the office of the Treasurer of the State of Kansas in Topeka, Kansas, and will cease to bear interest after March 1, 1983, whether or not so presented.

DATED this 17th day of January, 1983.

CITY OF BURLINGTON, KANSAS
By MARION J. LOGAN
City Clerk

Doc. No. 000894

(Published in the KANSAS REGISTER January 27, 1983.)

SENATE BILL No. 30

AN ACT concerning elections; time of certain primary elections; election procedure; amending K.S.A. 19-3507, 25-1115, 25-1122, 25-2010, 25-2502, 71-1413 and 71-1414 and repealing the existing sections.

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

Section 1. K.S.A. 19-3507 is hereby amended to read as follows: 19-3507. The water district election shall be held in each election precinct, a part or all of which is located within such water district, except that if no other election is being held in a given election precinct on the same date as the water district election, the county election commissioner officer may provide one or more convenient voting places where the water district electors of such precinct may vote, which may be a voting place located in another precinct. The county election commissioner officer shall designate such voting places and the persons entitled to vote thereat in the election notice. The county election commissioner officer shall make a report in writing to the board of county commissioners of such election precincts and voting places, which report shall be filed with the county clerk of the county or counties in which such precincts and voting places are located and an entry thereof made upon the journal of the board or boards of county commissioners of such county or counties and if any change shall be made in such voting precincts and voting places by the county election commissioner officer, the same shall in like manner be reported to the board or boards of county commissioners, filed and entered as aforesaid. The polls for any election held under this act shall be open between the hours of 7:00 a.m. and 7:00 p.m.

All qualified persons desiring to be voted upon as a member of such board shall on or before 12:00 o'clock noon on the Tuesday which precedes by ~~nine (9)~~ 10 weeks the first Tuesday in April of the year in which the election is being held, which date *except in 1983* shall be stated in the publication notice of the election, file with the county election commissioner officer, a statement directing the commissioner such officer to place such person's name on the ballot as a candidate for member of the board of the water district in such election, indicating the number of the position for which such person is filing. No candidate shall be permitted to withdraw his or her candidacy as a candidate after the deadline for filing such statements of candidacy with the election commissioner. There shall be no primary election for members of the water district board. The county election commissioner officer shall publish names of all candidates in a newspaper of general circulation within the water district not less than ~~ten (10)~~ 10 days before such election. The county election commissioner officer shall provide for use of voting machines or printed ballots in each election precinct or voting place. Where printed ballots are prepared, the same shall be done at the expense of the water district. The names of candidates for each member position shall be arranged in alphabetical order. Where the only election being conducted in an election precinct or voting place is the water district election, the cost of providing judges and clerks in such precinct or voting place shall be borne entirely by the water district, but where held in conjunction with other elections, the cost shall be prorated in the manner provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

At least five (5) days before any election, the county election officers of the various counties within which a portion of such district is located shall, in cooperation with the water district board, determine the voting areas where no other elections will be held in conjunction with the water district and the names of all qualified electors residing in the water district and located in such precincts and shall determine the election precincts which contain only a part of the water district and the names of all qualified electors residing in the water district and in such election precincts. A list of the qualified electors determined as hereinbefore provided shall be furnished by the county election commissioner officer to the judges of the voting precincts or voting places where such electors are entitled to vote.

Qualified electors of any election precinct, the entirety of which is within the water district, shall be entitled to vote in

such precinct and a separate list of their names need not be furnished.

A voter shall not be eligible to vote in any election precinct other than the one in which such person resides unless no election is being held in such precinct, in which event, such voter shall be entitled to vote in the voting place designated by the county election commissioner officer.

Such list furnished by the county election commissioner officer to the judges of each precinct shall be conclusive at all elections, except that one desirous of voting, whose name does not appear on such list, may proceed to the county election commissioner officer of the county and such election commissioner officer may administer oaths and affirm witnesses to determine the right of anyone to vote who may claim erroneous omission from such list, and if such election commissioner officer issues a certificate entitling the voter to vote, such certificate shall be accepted by the judges and clerks of the election. The list so furnished by the county election commissioner officer shall be conclusive at all elections held within the same year that said list is furnished.

Sec. 2. K.S.A. 25-1115 is hereby amended to read as follows: 25-1115. (a) "General election" means the election held on the Tuesday succeeding the first Monday in November of even-numbered years, the elections held for officers on the first Tuesday in April, and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the election held on the first Tuesday in August of even-numbered years, the election held ~~two (2), three (3) or four (4)~~ five weeks preceding the election on the first Tuesday in April, and any other preliminary election at which part of the candidates for special election to any national, state, county, city or school office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 3. K.S.A. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any person described in K.S.A. 25-1119 and amendments thereto, or any qualified elector of such person's county of residence, on behalf of such person, may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an absentee ballot.

(b) Applications made by or on behalf of persons specified in subsection (a) of K.S.A. 25-1119, and amendments thereto, for absentee ballots to be transmitted to the voter by mail or by the person making application on behalf of the voter shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in even-numbered years, between April first of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

(3) For the primary election held ~~four~~ five weeks preceding the first Tuesday in April, between January first of the year of such election and the last business day of the week preceding such primary election.

(4) For the general election occurring on the first Tuesday in April, between January first of the year of such election and the last business day of the week preceding such general election.

(5) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of absentee ballots, but such date shall not be more than three business days before such election.

(continued)

(7) For any special election of officers, at such time as is specified by the secretary of state.

(8) For the presidential preference primary, between January first of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection (b) and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(c) Applications made by persons specified in subsection (a) of K.S.A. 25-1119, ~~and amendments thereto~~, for ballots to be transmitted to the voter in person in the office of the county election officer shall be filed only on the Tuesday next preceding the election or such earlier date as the county election officer may designate, on each subsequent business day and, if the county election officer so provides, on Saturday, until ~~12:00~~ 12 o'clock noon on the day preceding such election. Upon receipt of any such application, properly executed, the county election officer shall deliver, to the voter, in the ballot envelope, such ballots and instructions as are provided for in this act.

(d). Applications made by or on behalf of persons specified in subsection (b) of K.S.A. 25-1119, ~~and amendments thereto~~, for absentee ballots to be transmitted to the voter by mail, messenger or by the person making application on behalf of the voter shall be filed not more than 90 days prior to the election or later than ~~12:00~~ 12 o'clock noon on the day of such election.

(e) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, or in whose behalf such applications have been filed, together with their correct post-office address and the precinct, ward, township or voting area in which such persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant, which names and addresses shall remain so listed until the day of such election available for inspection upon request in compliance with this subsection (e) by any registered voter during regular business hours. The county election officer upon receipt of such applications shall enter upon a record kept by such officer the name and address of each such person, which record shall conform to the list above required. Before inspection of any absentee ballot application list, the person desiring to make such inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by such officer stating such person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the identifying number on ballots and ballot envelopes and records of such number shall in no case be made public.

Sec. 4. K.S.A. 25-2010 is hereby amended to read as follows: 25-2010. Election of board members and question submitted elections shall be conducted by the county election officer of the home county of the school district ~~and if not a unified school district, then by the county election officer of the county in which all or the greater part of the population of the school district is located.~~ Board member general elections shall be held on the first Tuesday in April of each odd-numbered year. If a primary election is required to be held, such primary election shall be held on the Tuesday preceding by ~~four~~ (4) five weeks the first Tuesday in April of odd-numbered years.

Sec. 5. K.S.A. 25-2502 is hereby amended to read as follows: 25-2502. (a) "General election" means the election held on the Tuesday succeeding the first Monday in November of even-numbered years, the elections held for officers on the first Tuesday in April, and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the election held on the first Tuesday in August of even-numbered years, the election held ~~four~~ (4) five weeks preceding the election on the first Tuesday in

April, and any other preliminary election at which part of the candidates for special election to any national, state, county, township, city or school office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 6. K.S.A. 71-1413 is hereby amended to read as follows: 71-1413. Elections of trustees of community colleges shall be conducted by the county election officer of the county in which the main campus of the college is located. In any college-district having territory in more than one county, the county election officers of all such counties shall cooperate with the county election officer of the county in which the main campus is located, and upon establishing any new community college or adding territory to any of the community college districts, the state board, in accordance with this section, shall specify the county in which the main campus shall be located for the purpose of this section. General community college elections shall be held on the first Tuesday in April of each odd-numbered year. Any primary community college election shall be held on the Tuesday preceding by ~~four~~ five weeks the first Tuesday in April of odd-numbered years.

Sec. 7. K.S.A. 71-1414 is hereby amended to read as follows: 71-1414. (a) In college-districts where a district-method is in effect, a person may become a candidate for election to trustee of a community college by either one of the following methods.

(1) Any person who is an elector of any member-district may petition to be a candidate for member from the member-district in which such person resides. Any such person shall file with the election officer, a petition for ~~his or her~~ such person's candidacy signed by not less than ~~fifty~~ (50) 50 electors residing in ~~his or her~~ such person's member-district. Any such petition shall specify the member-position for which the person is a candidate.

(2) Any person who is an elector in any member-district may become a candidate for member from the member-district in which such person resides by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~five dollars~~ (\$5) \$5. Any such declaration shall specify the member-position for which the person is a candidate.

(b) When the election-at-large method is in effect in any college-district, a person may become a candidate for election to trustee by either one of the following methods.

(1) Any person who is an elector of the college-district may petition to be a candidate for trustee. Any such person shall file with the election officer a petition for his or her candidacy signed by not less than ~~fifty~~ (50) 50 electors residing in the college district.

(2) Any person who is an elector in the college-district may become a candidate for trustee by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~five dollars~~ (\$5) \$5.

(c) Any such petition or declaration of intent must be filed on or before 12 o'clock noon on the Tuesday which precedes by ~~nine~~ (9) 10 weeks the first Tuesday in April of any odd-numbered year. No such petition or declaration shall be filed sooner than the second Tuesday of the December which next precedes the community college election.

New Sec. 8. For the purposes of the elections to be held in 1983, any candidate filing a statement of candidacy for election to a water district office under K.S.A. 19-3507 or any candidate filing petitions or a declaration and fee for election to trustee of a community college under K.S.A. 71-1414, which has otherwise been properly submitted to a county election officer by February 1, 1983, shall be operative and valid and the name of such candidate shall be placed on the ballot as otherwise directed by law.

Sec. 9. K.S.A. 19-3507, 25-1115, 25-1122, 25-2010, 25-2502, 71-1413 and 71-1414 are hereby repealed.

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

(continued)

I hereby certify that the above BILL originated in the SENATE, and passed that body January 11, 1983.

SENATE concurred in HOUSE amendments January 24, 1983.

ROSS O. DOYEN
President of the Senate.
LU KENNEY
Secretary of the Senate.

Passed the HOUSE as amended January 21, 1983.

MIKE HAYDEN
Speaker of the House.
GENEVA SEWARD
Chief Clerk of the House.

APPROVED January 25, 1983.

JOHN CARLIN
Governor.

STATE OF KANSAS

Office of Secretary of State

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 25th day of January, 1983.

JACK H. BRIER
Secretary of State.

(SEAL)

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Topeka, Kansas 66612

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