

KANSAS REGISTER

State of Kansas

JACK H. BRIER
Secretary of State

Vol. 2, No. 30

July 28, 1983

Pages 977-988

<i>IN THIS ISSUE</i>	<i>Page</i>
<i>Legislative Interim Committee Schedule</i>	978
<i>Northwest Kansas Groundwater Management District No. 4</i>	
<i>Notice of Meeting</i>	979
<i>Department of Administration</i>	
<i>Notice of Commencement of Negotiations (Technical Services)</i>	979
<i>State Board of Tax Appeals</i>	
<i>Summarized Orders of State-wide Impact</i>	979
<i>Attorney General's Opinions</i>	
<i>Opinion No. 83-110</i>	980
<i>Temporary Administrative Regulations</i>	
<i>Social and Rehabilitation Services (Summary)</i>	980
<i>Department of Transportation</i>	
<i>Notice to Contractors</i>	981
<i>Notice to Bidders for State Purchases</i>	982
<i>Notice of Call for Redemption of Bonds</i>	
<i>City of Ellinwood</i>	984
<i>Notices of Bond Sales</i>	
<i>City of Derby</i>	984
<i>City of Phillipsburg</i>	986
<i>Nemaha County U.S.D. No. 451</i>	
<i>Request for Bids</i>	987

State of Kansas

LEGISLATURE
INTERIM AGENDA

Notice is hereby given to all interested parties that the following legislative committee meetings have been scheduled during the period of August 1 through August 12, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Aug. 1	519-S	10:00 A.M.	Special Committee on	Hearings on Proposal 1.
Aug. 2	519-S	9:00 A.M.	Assessment and Taxation	
Aug. 4	519-S	10:00 A.M.	Special Committee on	Background Information on
Aug. 5	519-S	9:00 A.M.	Education	Proposals 15, 16, 17, and 18. Hearings on Proposals 15 and 17.
Aug. 4	531-N	Time not yet	Legislative Budget	Possible hearings on Proposal
Aug. 5	531-N	determined	Committee	52. Staff report on Proposal 35.
Aug. 5	527-S	9:30 A.M.	Legislative Coordinating Council	Legislative matters.
Aug. 8	519-S	10:00 A.M.	Special Committee on	Hearings on Proposals 27, 28,
Aug. 9	519-S	9:00 A.M.	Judiciary	29, and 31.
Aug. 8	526-S	10:00 A.M.	Special Committee on	Hearings on Proposal 44.
Aug. 9	526-S	9:00 A.M.	Transportation	Hearings on Proposals 41 and 43.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 001372

The *Kansas Register* is an official publication of the State of Kansas, published by authority of K.S.A. 1982 Supp. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State; State Capitol; Topeka, Kansas 66612. One-year subscriptions are \$47.50; single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, Kansas.

ISSN No. 0744-2254.

Postmaster. Send change of address form to Kansas Register; Secretary of State; State Capitol; Topeka, Kansas 66612.

© Secretary of State of the State of Kansas 1983. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature, and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
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 NO. 4**

OPEN MEETING NOTICE

The August board meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for August 4, 1983 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. 001364

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT OF
NEGOTIATIONS FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for contracts for air and water balancing of the mechanical systems for the following projects:

- 3rd Floor Expansion, Shellenberger Hall, Kansas State University, Manhattan, Kansas.
- Swimming Pool Addition, Slagle Education and Activity Center, Topeka State Hospital, Topeka, Kansas.
- Vocational and Physical Education Facility, Kansas State School for the Deaf, Olathe, Kansas.
- Renovation of the University of Kansas School of Medicine at Wichita—Phase 2, Wichita, Kansas.
- Medium Security Facilities, Housing, Control Tower & Kitchen/Dining Units; Kansas State Penitentiary, Lansing, Kansas.
- Kelce Center Remodeling, Pittsburg State University, Pittsburg, Kansas.

Interested individuals and firms must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies which are of the same parent company as the designers or contractors of a particular project will not be considered for that project.

Any additional information, questions or expressions of interest should be directed to Mr. Myron Reed, Division of Architectural Services, 625 Polk, Topeka, Kansas 66603, (913) 233-9367, prior to August 15, 1983.

JOHN B. HIPPIE
Director

Doc. No. 001370

State of Kansas

BOARD OF TAX APPEALS

**SUMMARIZED ORDERS OF
STATE-WIDE IMPACT**

Docket No. 2662-82-DT

Sales Tax—exemption for consumables; applicability of K.S.A. 1982 Supp. 79-3606(n). In re appeal of Boot Brothers, Inc., dated July 13, 1983:

“Toolings” (cutting tools or other implements that actually thread, grind and bevel pipe) are not immediately consumed within the meaning of the exemption statute. While there need not be an immediate consumption (in the sense of instantaneous), such must be accomplished within a time that is reasonably requisite for the particular manufacturing process. This manufacturing process clearly implies a transformation or conversion of material or things into a different state or form from that in which they originally existed. The “toolings” are *not* transformed. They may be less usable after each use; however, they can be resharpened or retooled. Clearly, they are reusable after each use in threading or cutting. As they wear out in the manufacturing process as a tool, they are not considered to be immediately consumed as required for exemption from sales tax.

Docket No. 3344-83-TX

Business aircraft exemption—what constitutes business/industrial use; applicability of K.S.A. 1982 Supp. 79-201k. In re application of Skicoe Flying Club, et al., Saline County, Kansas, dated July 13, 1983:

Aircraft will qualify for exemption from ad valorem taxation if *exclusively used* in the conduct of a business or industry. Use must be only, solely and purely for the purpose stated, and without participation in any other use. To define *business*, profit has been found to be a very significant factor because it aids in distinguishing between a “trade or business” and an enterprise carried on merely for hobby or “fun.” Non-profitability has been held to be cogent evidence of the nonexistence of alleged business. It is not necessary that profit be made; only that the operation be in good faith with the intention to make profit or produce income. Flying clubs, with charges to members intending only to reimburse its operating expenses (and capitalization of initial cost of the aircraft) are not found to be an operation for profit, or a good faith attempt at producing income. Mere tax avoidance is not a business purpose. No evidence was found to support a *pure* business use.

CHARLES B. JOSEPH
Chairman

Doc. No. 001365

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-110

Municipal Universities—State Aid to Washburn University of Topeka—Determination of Entitlement; Credit Hour Determination. Merle R. Bolton, Commissioner of Education, Topeka, July 18, 1983.

Students enrolled in any regular semester at Washburn University of Topeka need not receive 18 hours of instruction per credit hour awarded in order for the University to receive the municipal university funds allotted pursuant to K.S.A. 1982 Supp. 72-6503. Cited herein: K.S.A. 71-601, 72-6501, K.S.A. 1982 Supp. 72-6503, K.S.A. 72-6504, 76-711. MWB

ROBERT T. STEPHAN
Attorney General

Doc. No. 001367

State of Kansas

SOCIAL AND REHABILITATION SERVICES

**SUMMARY OF TEMPORARY
ADMINISTRATIVE REGULATIONS**

(Effective July 1, 1983. Will expire May 1, 1984.)

I. Public Assistance Program

1. **30-4-102. Standards for persons in room, board, specialized living or care.** This regulation is being amended to increase the foster care per diem rates by 5%.

2. **30-4-113. Income exempt as applicable income.** This regulation is being amended to exempt home energy assistance furnished by a federal or state regulated entity whose revenues are primarily derived on a rate-of-return basis, a private nonprofit organization, a supplier of home heating oil or gas, or a municipal utility company which provides home energy if the assistance provided is based on need.

II. Medicaid (Medical Assistance Program)—Provider Participation, Scope of Services, Reimbursement

1. **30-5-61. Suspension of Payments to Medical Providers.** This regulation is being amended to allow the suspension of payments whenever the agency has been notified by the Department of Health and Human Services to withhold all or part of the federal share from payment to a medical provider.

2. **30-5-81. Scope of hospital services.** This regulation is being amended to delete the requirement that inpatient drug and alcohol programs be certified by alcohol and drug abuse services.

3. **30-5-101. Scope of chiropractic services.** This regulation is being amended to: (a) delete limitation of treatment to the diathermy modality; (b) add limitation that spinal manipulations are limited to neuromuscular skeletal conditions; and (c) add limitation on office visits for diagnosis and treatment of 24 per calendar year.

4. **30-5-151. Scope of hospital services for adult medikan program recipients.** This regulation is being

amended to delete the restrictions on laboratory and diagnostic radiological services.

5. **30-5-153. Scope of independent laboratory services for adult medikan program recipients.** This regulation is being revoked. The proposed revocation would delete the further limitations previously placed upon laboratory services for medikan recipients.

7. **30-5-156. Scope of physician services for adult medikan program recipients.** This regulation is being amended to (1) delete laboratory tests, x-rays, office supplies, medications and materials from content of service and (2) retain laboratory and diagnostic radiology services and chemo and radiation therapy as covered services.

III. Medicaid (Medical Assistance)—Client Eligibility

1. **30-6-103. Determined eligibles; protected income levels.** This regulation is being amended to increase the amount of protected income for a one person household from \$285 to \$305 per month.

2. **30-6-113. Income exempt as applicable income.** This regulation is being amended to exempt home energy assistance furnished by a federal or state regulated entity whose revenues are primarily derived on a rate-of-return basis, a private nonprofit organization, a supplier of home heating oil or gas, or a municipal utility company which provides home energy if the assistance provided is based on need.

IV. Adult Care Home Program of the Medicaid (Medical Assistance) Program

30-10-7. Certification and Recertification by Physicians. This regulation is being amended to delete reference to the Code of Federal Regulations and in lieu thereof state that physician recertifications are required annually in intermediate care facilities for the mentally retarded and every 60 days in intermediate care facilities, intermediate care facilities for the mentally ill, and skilled nursing facilities.

V. Alcohol and Drug Abuse Treatment Programs

30-31-13. Alcohol and drug safety action program assessment fee. This regulation is being revoked.

The full text of the above-mentioned temporary administrative regulations have not been published because of their length and the expense of publication. Copies of the full text may be obtained by contacting the Legal Division, State Department of Social and Rehabilitation Services, 6th Floor, State Office Building, Topeka, Kansas 66612, (913) 296-3969.

ROBERT C. HARDER
Secretary

Doc. No. 001366

(Published in the KANSAS REGISTER, July 28, 1983.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., August 18, 1983, and then publicly opened:

DISTRICT ONE

Brown—7 C 1537-01—0.056 mile Grading & Bridge, beginning approx. at the east edge of Morrill; thence east on county highway FAS-63 (Federal Funds).

Brown—7 C 1567-01—0.075 mile Grading & Bridge, beginning approx. 0.052 mile north of the jct. of county highway FAS-69 & Second Street; thence north on county highway FAS-69 in the City of Robinson (Federal Funds).

Douglas—23 C 1492-01—0.227 mile Grading, Bituminous Surfacing & Bridge, beginning approx. 0.8 mile south of Lawrence; thence south (Bridge over Wakarusa River) (Federal Funds).

Douglas—59-23 K 2461-01—0.073 mile Slide Repair on US-59 located approx. 5.5 miles north of the jct. of US-59 & US-56. Bids will be received only from Small Business Enterprises (State Funds).

Johnson—35-46 K 0429-01—Grading, Bituminous Surfacing & Bridge, Interchange of I-35 & 95th Street in the City of Lenexa (Federal Funds).

Johnson—35-46 K 0429-02—Traffic Signal Installation, Interchange of I-35 & 95th Street in the City of Lenexa (Federal Funds).

Johnson—35-46 K 0429-03—0.504 mile Highway Lighting, Interchange of I-35 & 95th Street in the City of Lenexa (Federal Funds).

Johnson—46 C 1327-01—1.844 miles Grading & Bituminous Surfacing, beginning at the jct. of county highway FAS-1528 (87th Street) & K-7; thence east on county highway FAS-1528 (87th Street) (Federal Funds).

Wyandotte—635-105 K 2389-01—Splash Guard System on 2 Bridges on I-635 over A.T. & S.F. Railroad in the City of Kansas City. Bids will be received only from Small Business Enterprises (State Funds).

DISTRICT TWO

Chase—9 C 1557-01—0.321 mile Grading & Bridge, beginning approx. 7.5 miles south & 2.5 miles east of Cedar Point; thence southeasterly (Bridge over Brush Creek) (Federal Funds).

Geary—40B-31 K 1936-01—Repair of two Bridges on US-40B over Smoky Hill River Overflow & Union Pacific Railroad in the City of Junction City (State Funds).

McPherson—59 C 1145-01—2.325 miles Grading & 3 Bridges, beginning approx. 0.5 mile north of the jct. of county highway FAS-450 & K-4 at Lindsborg; thence north on county highway FAS-450 (Federal Funds).

Morris—177-64 K 1984-01—Repair of Bridge on K-177 over S.L.-S.W. Railroad located approx. 0.3 mile northwesterly of the north jct. of K-177 & K-4 (State Funds).

Ottawa—72 C 1575-01—0.246 mile Grading, Bituminous Surfacing & Bridge, beginning approx. 1.8 miles north & 9.5 miles west of Minneapolis; thence west (Bridge over First Creek) (Federal Funds).

Ottawa—106-72 K 0661-01—0.244 mile Grading, Bituminous Surfacing & Bridge, beginning approx. at the south city limits of Minneapolis; thence northerly on K-106 (Bridge over Solomon River (Federal Funds).

DISTRICT THREE

Smith—181-92 K 2009-01—Painting of Bridge on K-181 over Oak Creek located approx. 8.29 miles north of the Smith-Osborne County line (State Funds).

DISTRICT FOUR

Franklin—30 C 0847-01—0.151 mile Grading & Bridge, beginning approx. 4.8 miles east of Williamsburg; thence east (Bridge over Middle Creek) (Federal Funds).

Linn—54 C 1698-01—1.408 miles Aggregate Base Course, beginning approx. 4.8 miles north of Mound City; thence northeasterly on county highway FAS-405 (Federal Funds).

Miami—68-61 K 1938-01—Painting of Bridge on K-68 over Bull Creek & Burlington Northern Railroad located approx. 1.95 miles west of the jct. of K-68 & US-169 (State Funds).

DISTRICT FIVE

Comanche—17 C 1605-01—0.099 mile Grading & Bridge, beginning approx. 5.4 miles east and 4.0 miles north of Coldwater; thence north on county highway FAS-96 (Bridge over Mule Creek) (Federal Funds).

Cowley—77-18 U 0311-02—Traffic Signal Installation at the intersection of 19th Avenue & Main Street (US-77) in the City of Winfield (Federal Funds).

Cowley—15-18 K 2010-01—Painting of Bridge on K-15 over Grouse Creek located approx. 6.47 miles north of the west jct. of K-15 & US-166 (State Funds).

Harper—160-39 K 2011-01—Painting of Bridge on US-160 over A.T. & S.F. Railroad located approx. 0.23 mile east of Attica (State Funds).

Kiowa—49 C 1577-01—0.473 mile Grading & Bridge, beginning approx. 1.8 miles east & 7.0 miles south of Greensburg; thence south (Bridge over North Branch Medicine River) (Federal Funds).

Pratt—42-76 K 1985-01—Repair of Bridge on K-42 over Sand Creek located approx. 3.4 miles east of Sawyer (State Funds).

Sedgwick—87 C 1386-01—3.445 miles Bituminous Surfacing, beginning approx. 3.2 miles north & 1.7 miles west of Haysville; thence west on county highway FAS-362 (Federal Funds).

Sedgwick—87 C 1542-01—2.181 miles Bituminous Surfacing, beginning approx. 1.0 mile north & 0.5 mile east of Derby; thence east on county highway FAS-2059 (Federal Funds).

(continued)

Sedgwick—87 C 1543-01—5.031 miles Bituminous Surfacing, beginning approx. at the north city limits of Mulvane; thence north on county highway FAS-1651 (Federal Funds).

Sedgwick—87 C 1597-01—0.092 mile Grading, Bituminous Surfacing & Bridge, beginning approx. 0.7 mile north & 1.0 mile east of Derby; thence east (Bridge over West Branch Spring Creek) (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001361

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, AUGUST 8, 1983

#25664 (Supplement)

University of Kansas Medical Center, Kansas City—
IMMUNO ASSAY KITS AND REAGENTS

#25688

Statewide Agencies—ANHYDROUS AMMONIA

#54670

Department of Social and Rehabilitation Services, Topeka—VINYL FILM, FOR THE KANSAS INDUSTRIES FOR THE BLIND, KANSAS CITY

#54671

Kansas Fish and Game Commission, Pratt—METAL BUILDING

#54673

University of Kansas Medical Center, Kansas City—
LOUNGE FURNITURE

#54674

University of Kansas, Lawrence—BUILDING MATERIALS

#54675

University of Kansas Medical Center, Kansas City—
GAMMA CAMERA SYSTEM

#54676

University of Kansas Medical Center, Kansas City—
MEDICAL TELEVISION SYSTEM

#54677

University of Kansas Medical Center, Kansas City—
CHEST X-RAY UNIT

#54685

Department of Human Resources, Topeka—TERMINAL PRINTER

TUESDAY, AUGUST 9, 1983

#A-3713(b)

Department of Corrections, Topeka—GRILLS, DIFFUSERS AND EXTRACTORS, KANSAS STATE PENITENTIARY, LANSING

#A-4449(b)

Kansas State Penitentiary, Lansing—OVERHEAD DOORS AND ELECTRIC OPERATORS

#25684

University of Kansas, Lawrence—DAIRY PRODUCTS

#25692

Department of Transportation, District 1, 2, and 4—
A.I.C. AGGREGATE AND M.R.A. AGGREGATE (STONE AND SAND GRAVEL)

#54681

University of Kansas, Lawrence—OFFICE SUPPLIES

#54682

University of Kansas, Lawrence—RESURFACE STREETS, UNIVERSITY OF KANSAS CAMPUS

#54683

Kansas Correctional Industries, Lansing—BLACK PIPE

#54684

University of Kansas, Lawrence—FLANGES, VALVES AND STRAINERS

#54686

Kansas Correctional Industries, Lansing—THREAD, HUTCHINSON

#54687

Kansas Correctional Industries, Lansing—TOWELING, HUTCHINSON

#54688

Kansas State University, Manhattan—MISCELLANEOUS GROCERIES

#54689

Kansas State University, Manhattan—BEVERAGE SYRUP

#54693

Emporia State University, Emporia—FURNISH AND INSTALL FURNACES

#54695

Kansas State University, Manhattan—FROZEN FOOD

#54697

Department of Corrections, Topeka—EXHAUST FANS FOR KANSAS STATE PENITENTIARY, LANSING

#54702

Kansas Correctional Industries, Lansing—XYLOL AND MINERAL SPIRITS FOR PAINT

#54703

Department of Transportation, Topeka—PLANT MIX, OLATHE

#54713

Department of Transportation, Topeka—AUDIT SERVICES

#54745

Kansas Fish and Game Commission, Pratt—WORD PROCESSING

(continued)

WEDNESDAY, AUGUST 10, 1983

#25690

Department of Administration, Buildings and Grounds Services, Topeka—ELEVATOR MAINTENANCE—STATE CAPITOL

#25693

Department of Transportation, District 3, 5, and 6—A.I.C. AGGREGATE AND M.R.A. AGGREGATE

#25694

Statewide Agencies—BAKERY PRODUCTS

#54696

University of Kansas, Lawrence—ALUMINUM INSULATION AND BANDING STRAPS

#54730

Fort Hays State University, Hays—KITCHEN EQUIPMENT

#54731

University of Kansas Medical Center, Kansas City—SURGICAL OPERATING TABLE

#54739

Park and Resources Authority, Topeka—MOWER, FOR CLINTON STATE PARK

#54740

Park and Resources Authority, Topeka—TRACTOR MOWER, FOR CLINTON STATE PARK

#54741

Park and Resources Authority, Topeka—TRACTORS FOR EL DORADO STATE PARK AND WILSON STATE PARK

#54744

Kansas State University, Manhattan—NETWORKING HARDWARE

#54754

Kansas State University, Manhattan—UREA—FEED GRADE, FORT HAYS EXPERIMENT STATION, HAYS

#54755

Kansas State Fair, Hutchinson—MISCELLANEOUS GROCERIES

THURSDAY, AUGUST 11, 1983

#54714

Department of Revenue, Topeka—TOTAL COPY SYSTEM

#54715

Kansas State Penitentiary, Lansing—TOBACCO

#54716

Topeka State Hospital, Topeka—LAUNDRY SUPPLIES

#54717

Department of Health and Environment, Topeka—LAB MEMBRANE FILTERS/DISKS

#54724

Kansas State Fair, Hutchinson—RIDING MOWER

#54732

Kansas State University, Manhattan—ACCELERATOR PARTS

#54733

Kansas State University, Manhattan—REPAIR FORESTRY PARKING LOT, KANSAS STATE UNIVERSITY CAMPUS

#54735

Kansas State University, Manhattan—WORD PROCESSING

#54736

Kansas State University, Manhattan—PLAIN PAPER COPIER

#54742

Wichita State University, Wichita—DIESEL ENGINE

#54743

Department of Transportation, Topeka—PAVEMENT MARKING TAPE

#54746

University of Kansas, Lawrence—REPAIR PARTS FOR LATHE

#54747

University of Kansas Medical Center, Kansas City—OXYGEN MONITOR WITH RECORDER

#54748

University of Kansas Medical Center, Kansas City—VIDEO URODYNAMIC SYSTEM

#54749

University of Kansas Medical Center, Kansas City—HEART RATE/RESPIRATION RATE MONITORS

#54750

University of Kansas Medical Center, Kansas City—ECG/HEART MODULE

#54751

University of Kansas Medical Center, Kansas City—HEMODYNAMIC MONITORS

FRIDAY, AUGUST 12, 1983

#54725

Kansas State University, Manhattan—FROZEN FOOD

#54726

Kansas State University, Manhattan—FEED

#54727

Kansas State Penitentiary, Lansing—BUILDING MATERIALS

#54734

Department of Health and Environment, Topeka—MAILING CANS

#54737

University of Kansas Medical Center, Kansas City—PHYSIOLOGICAL RECORDING SYSTEM

#54738

University of Kansas, Lawrence—KITCHEN EQUIPMENT

MONDAY, AUGUST 15, 1983

#54752

University of Kansas, Lawrence—DISPLAY STATIONS

TUESDAY, AUGUST 16, 1983

#25695

Park and Resources Authority, Topeka—CRUSHED ROCK (RIPRAP) FOR ELK CITY STATE PARK

#54753

Department of Administration, Division of Information Systems and Computing, Topeka—TERMINAL DEVICES

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 001371

(Published in the KANSAS REGISTER, July 28, 1983.)

**NOTICE OF CALL FOR REDEMPTION
OF BONDS**

**CITY OF ELLINWOOD
BARTON COUNTY, KANSAS
INDUSTRIAL DEVELOPMENT
REVENUE BONDS
(WOODHAVEN, INC.)
SERIES 1971**

DATED MARCH 1, 1971

In accordance with Section 6 of Ordinance No. 148-R, the City of Ellinwood, Barton County, Kansas has called for redemption on September 1, 1983 and will redeem and pay on that date the Industrial Development Revenue Bonds (Woodhaven, Inc.) dated March 1, 1971 numbered 42-88 inclusive, at the redemption price of one hundred four percent (104%) 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 Southwest National Bank in Wichita, Kansas and will cease to bear interest after September 1, 1983, whether so presented.

DATED this 20th day of July, 1983.

**THE SOUTHWEST NATIONAL BANK
OF WICHITA, KS
TRUSTEE FOR THE CITY OF
ELLINWOOD, KANSAS**

Doc. No. 001368

(Published in the KANSAS REGISTER, July 28, 1983.)

**NOTICE OF BOND SALE
\$1,500,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF DERBY, KANSAS**

The CITY OF DERBY, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, DERBY, KANSAS, until 7:00 o'clock P.M., C.D.T., on

TUESDAY, AUGUST 16, 1983

for \$1,500,000.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series B, 1983 Bonds initially issued will be dated as of August 1, 1983 and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000.00 or integral multiples thereof not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1984, and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas, (the Paying Agent and Bond Registrar) to the registered owners thereof upon

presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding November 15 and May 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$150,000.00	December 1, 1984
150,000.00	December 1, 1985
150,000.00	December 1, 1986
150,000.00	December 1, 1987
150,000.00	December 1, 1988
150,000.00	December 1, 1989
150,000.00	December 1, 1990
150,000.00	December 1, 1991
150,000.00	December 1, 1992
150,000.00	December 1, 1993

INTEREST RATE

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 (2-1/2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on the Monday next preceding the day on which the bonds are sold (August 15, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

BID FORM AND GOOD FAITH DEPOSIT

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, DERBY, KANSAS 67037, ATTENTION: GENEVA MOORE, 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 DERBY, 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.

(continued)

AWARD OF BIDS

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.

DELIVERY OF THE BONDS

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. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF THE INITIAL REGISTERED OWNERS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN SEPTEMBER 13, 1983. 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. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before SEPTEMBER 29, 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.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest from the collection of special assessments which have been levied on benefited property; but if not so paid, then said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City and that, under existing law, the interest on said bonds is exempt from present Federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

PURPOSE OF ISSUE

The Bonds are being issued for the purpose of

constructing certain street, sewer and water improvements in the City.

CUSIP IDENTIFICATION NUMBERS

CUSIP identification numbers will be printed on said bonds. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

ASSESSED VALUATION

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

Equalized Assessed Valuation of Taxable Tangible Property	\$23,474,577
Tangible Valuation of Motor Vehicles	\$ 5,339,510
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 303,482
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations .	\$29,117,569

BONDED INDEBTEDNESS

The total general obligation bonded indebtedness of the City of Derby, Kansas, at the date hereof, including this \$1,500,000.00 proposed issue of Bonds, is in the amount of \$7,434,000.00. The City also has outstanding Temporary Improvement Notes in the amount of \$3,019,900.00, \$1,150,000.00 of which will be retired from the proceeds of the Bonds, special assessments which have been collected in cash, and other available funds.

OFFICIAL STATEMENT

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the First Securities Company of Kansas, Incorporated, Suite 200, One Main Place, Wichita, Kansas 67202 (316-262-4411), the City's financial consultants.

DATED July 19, 1983.

CITY OF DERBY, KANSAS
By GENEVA MOORE, City Clerk

Doc. No. 001369

(Published in the KANSAS REGISTER, July 28, 1983.)

**NOTICE OF BOND SALE
\$107,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF PHILLIPSBURG, KANSAS**

The CITY OF PHILLIPSBURG, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, PHILLIPSBURG, KANSAS, until 7:30 o'clock P.M., C.D.T., on **MONDAY, AUGUST 1, 1983** for \$107,000.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series A, 1983 Bonds will be dated as of August 1, 1983, or, if authenticated subsequent to June 1, 1984, as of the June 1 or December 1 preceding their date of authentication, or if authenticated on a June 1 or December 1, as of such date, and shall mature on December 1 in each of the years and in the amounts set forth below. Such bonds shall consist of fully registered certificated bonds, each in the denomination of \$5,000.00 or integral multiples thereof, except Bond No. 1 in denomination of \$7,000.00, not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1984, and each June 1 and December 1 thereafter. The principal of, and premium, if any, on the bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the preceding May 15 and November 15 (the Record Dates). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City.

The Bonds will mature serially in accordance with the following schedule:

<i>Principal Amount</i>	<i>Maturity Date</i>
\$ 7,000	December 1, 1984
10,000	December 1, 1985
10,000	December 1, 1986
10,000	December 1, 1987
10,000	December 1, 1988
10,000	December 1, 1989
10,000	December 1, 1990
10,000	December 1, 1991
15,000	December 1, 1992
15,000	December 1, 1993

INTEREST RATE

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 (2-1/2%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on the Monday next preceding the day on which the bonds are sold (JULY 25, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

BID FORM AND GOOD FAITH DEPOSIT

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, PHILLIPSBURG, KANSAS 67661, ATTENTION: VIRGINIA J. JOHN, 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 PHILLIPSBURG, 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.

AWARD OF BIDS

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.

DELIVERY OF THE BONDS

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. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE CITY NOT LATER THAN AUGUST 8, 1983. 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

(continued)

or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before SEPTEMBER 8, 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.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of GARR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each bond and a manually signed original will be furnished without expense to the purchaser of the bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that 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; and that, under existing law, the interest on said bonds is exempt from present Federal income taxation and the bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

PURPOSE OF ISSUE

The Bonds are being issued for the purpose of constructing main trafficway improvements in the City.

CUSIP IDENTIFICATION NUMBERS

CUSIP identification numbers will be printed on said bonds. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

ASSESSED VALUATION

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the City of Phillipsburg, Kansas, for the year 1982, is \$6,867,350.00.

BONDED INDEBTEDNESS

The total general obligation bonded indebtedness of the City of Phillipsburg, Kansas, at the date hereof, including this \$107,000.00 proposed issue of Bonds, is in the amount of \$505,620.89.

OFFICIAL STATEMENT

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the office of the City Clerk, City of Phillipsburg, Kansas 67661.

DATED July 18, 1983.

CITY OF PHILLIPSBURG, KANSAS
By: VIRGINIA J. JOHN, City Clerk

Doc. No. 001363

(Published in the KANSAS REGISTER, July 28, 1983.)

NEMAHA COUNTY U.S.D. No. 451 BAILEYVILLE, KS

REQUEST FOR BIDS

Sealed bids will be received by the U.S.D. No. 451 Board of Education at 7:00 p.m. CDST on Monday, August 8, 1983 for the roof repair of the Baileyville High School. Plans may be secured from OSSMANN & Associates, Architects; 921 Topeka; Topeka, KS 66612.

CARL G. OSSMANN
Architect

Doc. No. 001375

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612

Second Class
postage paid
at
Topeka, Kansas

**Use this form (or a copy of it) to enter a
SUBSCRIPTION**

_____ One-year subscriptions @ \$47.50 ea.
TOTAL ENCLOSED _____
(Make checks payable to Kansas Register)

SEND TO: _____
(Please, no
more than
4 address
lines.) _____

Zip code must be included

THIS SPACE FOR REGISTER OFFICE USE ONLY, PLEASE	
CODE _____	REC. NO. _____
EXPIRES _____	ENTERED BY _____

MAIL FORM WITH PAYMENT TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612

**Use this form (or a copy of it) for
CHANGE OF ADDRESS**

Remove your mailing label (above) and affix it here:

Indicate change or correction of name or address
here:

MAIL TO: "Kansas Register"; Secretary of State; State Capitol; Topeka, KS 66612