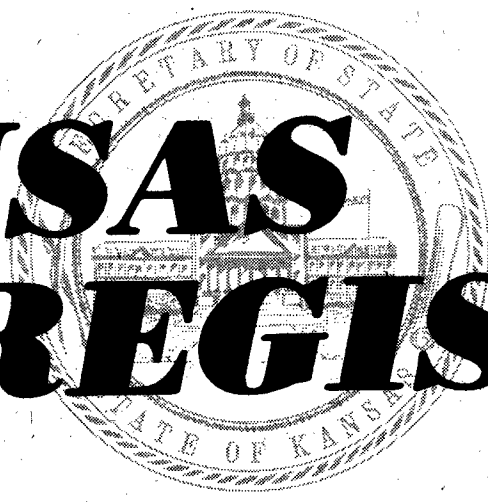


KANSAS REGISTER



State of Kansas

**JACK H. BRIER
Secretary of State**

Vol. 5, No. 26

June 26, 1986

Pages 985-1008

IN THIS ISSUE

	Page
Legislative Interim Committee Schedule	986
State Banking Board	
Notice of Meeting	987
Kansas Water Authority	
Notice of Meeting	987
Kansas Commission for the Deaf and Hearing Impaired	
Notice of Meeting	987
Employee Award Board	
Notice of Meeting	987
State Employees Health Care Commission	
Notice of Commencement of Negotiations for State Employees Health Insurance Contracts	987
Department of Administration	
Notice of Commencement of Negotiations for Engineering Services	987
Notice of Commencement of Negotiations for Technical Services	988
State Conservation Commission	
Notice to Contractors	988
Legislative Division of Post Audit	
Invitation for Bids	988
Consumer Credit Commissioner	
Notice of Hearing on Proposed Administrative Regulations	988
State Grain Inspection Department	
Notice of Hearing on Proposed Administrative Regulations	989
Notice to Bidders for State Purchases	989
Attorney General	
Opinions No. 86-88 through 86-92	990
Kansas Citizens Committee on Legal Liability	
Notice of Meeting	991
Social and Rehabilitation Services	
Notice of Commencement of Negotiations for Collection Services	991
Department of Transportation	
Disadvantaged and Female-owned Businesses Utilization Program Policy Statement	991
Notice to Contractors	992
Notice to Consulting Engineers	993
Notice of Bond Sale	
City of Valley Center	993
U.S.D. 497, Douglas County	996
City of Hays	998
Court of Appeals Docket	1001
Kansas Facts	1005

State of Kansas

LEGISLATURE

INTERIM AGENDA

The following committee meetings have been scheduled during the period of June 30 through July 11, 1986.

Date	Room	Time	Committee	Agenda
June 30	527-S	10:00 a.m.	Special Committee on Public Health and Welfare	Review of proposals assigned to committee.
June 30 July 1	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Financing of Regents' Institutions	Proposal No. 28—Background on financing procedures and previous legislative studies.
July 2 July 3	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on the Court System	Proposal No. 5—Court Issues.
July 10 July 11	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Tort Reform and Liability Insurance	Proposal No. 29—Tort Reform and Liability Insurance—overview of proposal.
July 10 July 11	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Transportation	Agenda to be determined.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 004358

The *Kansas Register* is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The *Kansas Register* is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$47.50. Single copies may be purchased, if available, for \$2.00 each. Second class postage paid at Topeka, KS. ISSN No. 0744-2254.

Postmaster. Send change of address form to *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

© Kansas Secretary of State 1986. 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
2nd Floor, State Capitol
Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas

**STATE BANK COMMISSIONER
STATE BANKING BOARD****NOTICE OF MEETING**

The State Banking Board will meet at 10 a.m. Monday, July 21, in the conference room of the State Banking Department, 700 Jackson, Suite 300, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

EUGENE T. BARRETT, JR.
State Bank Commissioner

Doc. No. 004364

State of Kansas

KANSAS WATER AUTHORITY**NOTICE OF MEETING**

The Kansas Water Authority will meet July 14 and 15 at the Elks Club, 1523 Arcade, Goodland.

The Authority will convene at 8 a.m. on July 14 for a short business session to be followed by committee meetings. The Authority will reconvene later on the 14th and continue its meeting on the 15th, if necessary.

Persons may request a copy of the agenda by contacting Dotty Kester, 109 S.W. 9th, Suite 200, Topeka 66612, (913) 296-3185.

H. PHILIP MARTIN
Chairman

Doc. No. 004367

State of Kansas

**SOCIAL AND REHABILITATION SERVICES
KANSAS COMMISSION FOR
THE DEAF AND HEARING IMPAIRED****NOTICE OF MEETING**

The Kansas Commission for the Deaf and Hearing Impaired will meet at 10 a.m. Friday, July 11, in the Perry Annex, SRS Staff Development Training Center, Room B, 2700 W. 6th, Topeka.

The public is invited to attend. Sign language and voice interpreting will be provided. For additional information, contact the Kansas Commission for the Deaf and Hearing Impaired, 2700 W. 6th, Biddle Building, 1st Floor, Topeka 66606, (913) 296-2874—(Voice or TDD).

ROBERT C. HARDER
Secretary of Social
and Rehabilitation Services

Doc. No. 004353

State of Kansas

**DEPARTMENT OF ADMINISTRATION
EMPLOYEE AWARD BOARD****NOTICE OF MEETING**

Notice is hereby given of the initial meeting of the Employee Award Board to be held at 10 a.m. Tuesday, July 1, in Room 220-S, State Capitol, Topeka.

ALDEN K. SHIELDS
Secretary of Administration

Doc. No. 004357

State of Kansas

**DEPARTMENT OF ADMINISTRATION
STATE EMPLOYEES HEALTH CARE
COMMISSION****NOTICE OF COMMENCEMENT OF
NEGOTIATIONS FOR THE STATE EMPLOYEES
HEALTH INSURANCE CONTRACTS**

Notice is hereby given of negotiations with insurance carriers for the state employees health insurance contracts which will be effective January 1, 1987.

Negotiations will commence July 1, 1986, at 10:30 a.m., in Room 521-S, State Capitol, Topeka, and continue on July 2, if necessary.

ALDEN K. SHIELDS
Chairman

Doc. No. 004354

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES****NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR ENGINEERING SERVICES**

Notice is hereby given of the commencement of negotiations for engineering services to provide an engineering survey, geological test borings and design of a 200-car parking lot at the marina of the Clinton State Park, located west of Lawrence.

Questions regarding the location of the lot and the scope of work should be directed to Keith A. Springer, Chief, Park Planning & Development Division, Kansas State Park and Resources Authority, 503 Kansas Ave., P.O. Box 977, Topeka 66601-0977, (913) 296-2281, prior to July 11, 1986.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 004360

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 technical services to provide welding inspection and tests at the Power Plant, University of Kansas, Lawrence.

Questions of expressions of interest should be directed to Myron Reed, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to July 11, 1986.

JOHN B. HIPPI, AIA
Director, Division of
Architectural Services

Doc. No. 004361

State of Kansas
LEGISLATIVE DIVISION OF POST AUDIT
INVITATION FOR BIDS

Sealed bid proposals on four Legislative Division of Post Audit invitations for bids for financial-compliance audit work will be received until July 18, 1986. These invitations cover the following audit work:

- Kansas Public Employees Retirement System
- State Treasurer's Office
- Pooled Money Investment Board
- State Centralized Internal Accounting Controls

Copies of the invitations for bids may be obtained from the Legislative Division of Post Audit, 109 W. 9th, Suite 301, Topeka 66612, (913) 296-3792.

MEREDITH WILLIAMS
Legislative Post Auditor

Doc. No. 004362

State of Kansas
STATE CONSERVATION COMMISSION
NOTICE TO CONTRACTORS

Sealed bids for the construction of detention dams in the following watershed districts will be received at the Lyon County Conservation District Office, 625 Merchant, Room 206, Emporia 66801, or delivered in person to the Americus Cafe, 610 Main, Americus 66835, on the date of bid opening and before the bid closing time.

Allen Creek Watershed District No. 89

Sealed bids will be received for construction of site 126 and site 128 located in Lyon County until 8:30 a.m., July 17, 1986, and then publicly opened at the Americus Cafe.

Upper Marais Des Cygnes Watershed
Joint District No. 101

Sealed bids will be received for construction of site 108 located in Lyon County until 8:30 a.m., July 17, 1986, and then publicly opened at the Americus Cafe.

Proposals will be issued upon request to all prospective bidders at the Lyon County Conservation District Office or by calling (316) 343-2813. Copies of plans and specifications also are available at the district office.

KENNETH F. KERN
Executive Director

Doc. No. 004347

State of Kansas
CONSUMER CREDIT COMMISSIONER
NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS

The office of the Consumer Credit Commissioner will conduct a public hearing at 10 a.m. Friday, July 11, at 217 S.E. 4th, fourth floor, Topeka, on proposed amendments to temporary and permanent regulation 75-6-28. All interested parties may present oral or written comments at the hearing. The proposed change in this regulation would have no fiscal impact.

The regulation to be adopted is as follows:

75-6-28. Non-refundable origination fee. (a) The non-refundable origination fee authorized by K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018, may be charged by a lender on a real estate loan in addition to the finance charge authorized by K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018.

(b) This regulation shall be effective on and after July 1, 1986. (Authorized by K.S.A. 16a-6-104(e) and implementing K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018; effective, T - - , .)

75-6-28. Non-refundable origination fee. The non-refundable origination fee authorized by K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018, may be charged by a lender on a real estate loan in addition to the finance charge authorized by K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018. (Authorized by K.S.A. 16a-6-104 (e) and implementing K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018; effective, T - - , ; amended May 1, 1987.)

JUDITH K. STRINGER
Consumer Credit Commissioner

Doc. No. 004356

State of Kansas

STATE GRAIN INSPECTION DEPARTMENT**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Kansas State Grain Inspection Department will conduct a public hearing at 2 p.m. Friday, July 11, in the Kansas State Grain Inspection Department's conference room, 235 S. Topeka, Topeka, regarding adoption of amended K.A.R. 25-4-4 to become effective May 1, 1987.

K.A.R. 25-4-4 has been amended for the purpose of deleting all references to the term "functional units" as it appears in paragraphs (d), (e), and (f) of the regulation. An annual license fee for functional units was not accepted by the legislature.

All interested parties will be given a reasonable opportunity to orally express their views on the proposed amendment. Written comments should be addressed to the Director, Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601.

MARVIN R. WEBB
Director

Doc. No. 004351

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, until 2 p.m. C.D.T., and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, JULY 7, 1986

#66195

University of Kansas Medical Center, Kansas City—MEDICAL INSTRUMENTS

#66215

Kansas State Fair, Hutchinson—ROOFING MATERIALS

TUESDAY, JULY 8, 1986

#A-5518

Wichita State University, Wichita—CONSTRUCT PARKING LOT, Pizza Hut Building, on campus

#27214

Statewide—AUGUST (1986) MEAT PRODUCTS

#27244

Department of Transportation, Topeka—LUBRICANTS

#66196

Kansas State Industrial Reformatory, Hutchinson—WAREWASHING SUPPLIES

#66201

Department of Social and Rehabilitation Services, Topeka—VAN MODIFICATIONS AND FURNISH LIFT, Parsons and Topeka

#66202

University of Kansas Medical Center, Kansas City—CINEANGIOGRAPHIC EQUIPMENT

#66203

Kansas State Fair, Hutchinson—AB-3 AGGREGATE AND 4.00 GRADATION ROAD GRAVEL

#66204

Kansas State Fair, Hutchinson—ASPHALT PAVING
WEDNESDAY, JULY 9, 1986

#A-5506

Wichita State University, Wichita—ROOFING SYSTEM REPLACEMENT, West McKnight Art Center

#A-5507

Wichita State University, Wichita—REPLACE DAMAGED AND MISSING SHINGLES, McKinley Hall, on campus

#A-5508

Wichita State University, Wichita—ROOFING SYSTEM REPLACEMENT, Campus Police Building

#66206

Kansas State University, Manhattan and Department of Social and Rehabilitation Services, Topeka—MAGNETIC TAPES

#66207

University of Kansas, Lawrence—PHOTO/MACROSCOPE

THURSDAY, JULY 10, 1986

#A-5165 (1st Rebid)

Kansas School for the Deaf, Olathe—REPLACE FIRE ALARM SYSTEM, Administration Building

#A-5458(a)

Kansas State Fair, Hutchinson—PROVIDE ROOFING REPAIR, Paint Shop Building

#27241

Statewide—CALCIUM CHLORIDE

#27247

University of Kansas, Lawrence—AUGUST (1986) MEAT PRODUCTS

#66212

University of Kansas, Lawrence—WINDOW COVERINGS

FRIDAY, JULY 11, 1986

#27248

Statewide—BAKERY PRODUCTS

#66216

Department of Social and Rehabilitation Services, Topeka—SNAP FASTENERS

TUESDAY, JULY 15, 1986

#27240

Statewide—PLAIN PAPER COPIERS

TUESDAY, JULY 29, 1986

#A-5160(c)

Department of Administration, Topeka—RENOVATION OF STATE SANTA FE FACILITY, Contract "C"—Phase III

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 004359

State of Kansas

ATTORNEY GENERAL

Opinion No. 86-88

Banks and Banking—Banking Code; Deposit of Public Moneys—Applicability of K.S.A. 1985 Supp. 9-1402 to the Kansas Public Employees Retirement System. Eugene T. Barrett, Jr., State Bank Commissioner, Topeka, June 11, 1986.

K.S.A. 1985 Supp. 9-1402 does not apply to the Kansas Public Employees Retirement System (KPERS). K.S.A. 1985 Supp. 9-1402 is intended to regulate the deposit of public moneys or funds of municipal corporations and quasi-municipal corporations. KPERS is not a municipal corporation or quasi-municipal corporation for the purposes of K.S.A. 1985 Supp. 9-1402. KPERS deposits of public moneys and funds are regulated in K.S.A. 74-4901 *et seq.* Cited herein: K.S.A. 1985 Supp. 9-1401 *et seq.*; 9-1401; 9-1402; 12-1675; K.S.A. 74-4901 *et seq.*; 74-4903; 74-4909. TL

Opinion No. 86-89

State Departments; Public Officers and Employees—Public Officers and Employees—Conflict of Interest. John L. Vratil, Chief Legal Counsel for Unified School District No. 229, Overland Park, June 11, 1986.

A marital relationship between a school board member and an attorney for the school district does not in itself create a conflict of interest. Kansas conflict of interest laws prohibit a public officer from participating in the making of a contract with a business in which he or she has a substantial interest. The school board member can avoid a potential conflict situation by abstaining on any vote concerning the school board's relationship with its current retained counsel, the firm in which her husband is a partner. Cited herein: K.S.A. 75-4301; 75-4304; 75-4306. RLN

Opinion No. 86-90

Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule. Greg A. Bengtson, Salina City Attorney, Salina, June 17, 1986.

An ordinance which authorizes a local human relations commission to award compensatory and punitive damages in a discrimination case is incidental to effectuation of a public purpose, *i.e.* the elimination of discrimination within a community, and constitutes a valid exercise of city home rule powers. While a local human relations commission lacks standing in district court to enforce such an award, a victim of discrimination may file suit for enforcement in district court. Cited herein: K.S.A. 1985 Supp. 44-1005; K.S.A. 44-1011; 60-217; K.S.A. 1985 Supp. 60-2101(d); Kan. Const., Art. 12, § 5. TRH

Opinion No. 86-91

State Boards, Commissions and Authorities—Department of Economic Development—Implementation of Kansas Venture Capital Company Act.

State Boards, Commissions and Authorities—Department of Economic Development—Implementation of Kansas Statewide Risk Capital System Act. David Barclay, Deputy Secretary, Kansas Department of Economic Development, Topeka, June 17, 1986.

The Kansas Department of Economic Development may implement the provisions of 1986 Substitute for Senate Bill No. 756 and 1986 Substitute for Senate Bill No. 757 prior to January 12, 1987 (the date the department is reorganized under the title Department of Commerce). Accordingly, the Secretary of Economic Development may certify investment in nonvoting preferred stock of Kansas Venture Capital, Inc. by the Pooled Money Investment Board; adopt rules and regulations on or before October 1, 1986; act upon application for certification of Kansas venture capital companies; and otherwise implement the provisions of the Kansas Statewide Risk Capital System Act and the Kansas Venture Capital Company Act. Additionally, investors in certified Kansas venture capital companies and Kansas Venture Capital, Inc. are eligible for the tax credits prescribed by Sections 10, 11 and 12 of Substitute for Senate Bill No. 756, and Section 4 of Substitute for Senate Bill No. 757, for taxable years commencing after December 31, 1985 (and prior to January 1, 1993). Cited herein: 1986 Substitute for Senate Bill No. 756; 1986 Substitute for Senate Bill No. 757; 1986 House Bill No. 2951. TRH

Opinion No. 86-92

State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings—Bodies Subject Thereto; Advisory Committees. Timothy J. Chambers, Reno County Attorney, Hutchinson, June 17, 1986.

The Hutchinson city manager acted as an individual, and not as a committee subordinate to the city commission, in recommending an applicant for the job as engineering consultant. While three city employees chosen by the city manager to assist in the selection process were designated as the "Consultant Selection Committee," it is the nature of a group, and not its designation, which determines whether it is subject to the KOMA. In our opinion, this committee is not a body required to have open meetings. The individuals assisted the city manager by lending their expertise and providing information, but they did not, as a group, make any collective decisions. Since the committee did not have any decision-making authority, the Hutchinson city manager acted alone and thus is not a public body for purposes of the open meetings laws. Cited herein: K.S.A. 75-4317; K.S.A. 1985 Supp. 75-4318. RLN

ROBERT T. STEPHAN
Attorney General

Doc. No. 004355

State of Kansas

**KANSAS INSURANCE DEPARTMENT
KANSAS CITIZENS COMMITTEE
ON LEGAL LIABILITY**

NOTICE OF MEETING

The Kansas Citizens Committee on Legal Liability will meet at 1:30 p.m. Tuesday, July 1, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka.

FLETCHER BELL
Commissioner of Insurance

Doc. No. 004348.

State of Kansas

SOCIAL AND REHABILITATION SERVICES

**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR COLLECTION SERVICES**

Notice is hereby given of the commencement of negotiations for the purpose of selecting a contractor to provide collection services for selected past due accounts for the state psychiatric hospitals and institutions for the mentally retarded.

Individuals or firms interested in submitting proposals should contact Jaymee Metzenthin, Mental Health and Retardation Services, 5th Floor, State Office Building, Topeka 66612, (913) 296-3536, prior to July 8, 1986. Proposals must be received by 5 p.m. C.D.T., July 16, 1986.

GERALD T. HANNAH, Ph.D.
Commissioner, Mental Health
and Retardation Services

Doc. No. 004363

State of Kansas

DEPARTMENT OF TRANSPORTATION

**DISADVANTAGED AND FEMALE-OWNED
BUSINESSES UTILIZATION PROGRAM
POLICY STATEMENT**

It shall be the policy of the Kansas Department of Transportation that Disadvantaged Businesses (DB) and Female-owned Business Enterprises (WBE), as defined in 49 CFR Part 23, shall have the maximum opportunity to participate in the performance of K.D.O.T. contracts that are financed in whole or in part with federal funds. In this regard, K.D.O.T. is committed to provide all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that such businesses will be utilized to the maximum extent feasible.

To administer this program, a K.D.O.T. DB/MBE liaison officer shall be designated who will be responsible for developing, managing and implementing the DB/WBE Program on a day-to-day basis. The objectives of the DB/WBE Program will be to meet, if not exceed, established goals for the utilization of

disadvantaged and female-owned businesses in the K.D.O.T. program. Separate goals shall be set for DB/WBE. Such goals shall be contract goals and overall goals.

Contract goals shall be established on a monthly basis for specific contracts having practical and feasible DB/WBE subcontracting possibilities.

Overall goals shall be established on an annual basis and will be determined upon consideration of the following factors:

- A. Projection of the number and types of contracts to be awarded and a projection of the number and types of DB/WBEs likely to be available to compete for contracts over the period during which the goals will be in effect.
- B. Past results of K.D.O.T.'s efforts to contract with DB/WBE and the reasons for the high or low level of those results.

The Kansas Department of Transportation shall review its overall goals annually. The review process shall analyze projected versus actual DB/WBE participation during the previous year. Necessary revisions shall be made, based on the analysis, and submitted to the D.O.T. (FHWA) for approval.

The overall goals for fiscal year 1986 (October 1, 1985—September 30, 1986) shall be 10 percent for DB and 2 percent for WBE (depending upon the contracts let during this period). The goals and descriptions of how they were selected are available for inspection for a period of 30 days following the date of this notice, from 8 a.m. to 5 p.m. Monday through Friday, at the office of the Secretary of Transportation, 7th Floor, State Office Building, 10th and Harrison, Topeka 66612, (913) 296-3566. Comments for informational purposes only will be accepted from the general public in relation to these goals for a period of 45 days following the date of this notice.

Verbal or written comments may be directed to Keyton E. Barker, Jr., DB/MBE Liaison Officer, Kansas Department of Transportation, (913) 296-3576. Written comments may be forwarded to Ray A. Barnhart, Federal Highway Administrator, Department of Transportation, Washington, D.C. 20590.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004366

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, until 10 a.m., July 17, 1986, and then publicly opened:

DISTRICT ONE—Northeast

Atchison—73-3 K-2828-01—U.S. 73, beginning at the 4-lane pavement north to the south city limits of Atchison, 0.6 mile, overlay. (State Funds)

Atchison—73-3 K-2891-01—U.S. 73, beginning at Main Street, then south to the south city limits in Atchison, 1.0 mile, overlay. (State Funds)

Brown—7 C-2142-01—County road, 0.5 mile north and 1.1 miles east of Robinson, then east, 0.3 mile, bridge replacement. (Federal Funds)

Doniphan—22 C-1979-01—County road, 0.5 mile east and 2.0 miles south of White Cloud, then south, 0.2 mile, bridge replacement. (Federal Funds)

Johnson—35-46 M-1421-01—I-35, beginning at the U.S. 169 and K-7 interchange, then northeast to the Johnson-Wyandotte county line, southbound lane only, 16.2 miles, asphalt pavement patching. (State Funds)

Johnson—169-46 M-1433-01—U.S. 69/U.S. 169/K-150 junction, then north to 107th Street, 3.4 miles, patching. (State Funds)

Lyon—57-56 K-0548-02—K-57, beginning 6.3 miles south of Emporia, then north, 3.1 miles, grading, surfacing and bridge. (State Funds)

Lyon—35-56 M-1430-01—I-35, KTA toll booth, then east to the east junction of I-35 and U.S. 50, 5.8 miles, patching. (State Funds)

Marshall—58 C-1976-01—County road, 0.8 mile west of Blue Rapids, then northwest, 0.4 mile, bridge replacement. (Federal Funds)

Nemaha—66 C-0648-01—County road, southeast edge of Centralia, 0.2 mile, bridge replacement. (Federal Funds)

Riley—70-81 M-1431-01—I-70, beginning at FAS 1315, then east to the Riley-Wabaunsee County line, 5.8 miles, milling and repair. (State Funds)

Shawnee—24-89 K-2070-01—U.S. 24, Atchison, Topeka and Santa Fe Railroad bridge 83, 1.55 miles east of U.S. 75 Alternate, bridge repair. (State Funds)

Shawnee—75A-89 K-2892-01—U.S. 75 Alternate, 9th Street south to 11th Street in Topeka, 0.4 mile, intersection improvements. (State Funds)

Shawnee—70-89 M-1429-01—I-70, beginning at Gage Boulevard, then east to the Polk-Quincy Viaduct, 2.7 miles, overlay. (State Funds)

Shawnee—470-89 M-1428-01—I-470, beginning at Wanamaker Road, then east to Gage Boulevard, east-bound lanes, 3.1 miles, patching. (State Funds)

Wabaunsee—70-99 M-1432-01—I-70, beginning at the junction of K-99, then east to the junction of K-30, 13.5 miles, overlay. (State Funds)

Wyandotte—35-105 M-1422-01—I-35, beginning at

the Wyandotte-Johnson county line, then northeast, 1.701 miles, asphalt pavement patching. (State Funds)

Wyandotte—435-105 K-0992-01—I-435 and Kaw Drive (K-32), traffic signal. (Federal Funds)

DISTRICT TWO—Northcentral

Chase—9 C-1903-01—County road, beginning 4.2 miles south of Cedar Point, then west, 0.3 mile, bridge replacement. (Federal Funds)

Ellsworth—70-27 M-1436-01—I-70, beginning at the Russell-Ellsworth county line, then east to the Ellsworth-Lincoln county line, 23.3 miles, latex modified slurry seal. (State Funds)

Geary—31 C-2104-01—County road, beginning 2.5 miles west and 7.4 miles south of the junction of I-70 and K-177, then south, 0.2 mile, bridge replacement. (Federal Funds)

Lincoln—70-53 M-1435-01—I-70, beginning at the Ellsworth-Lincoln county line, then east to the Lincoln-Saline county line, 7.2 miles, latex modified slurry seal. (State Funds)

DISTRICT THREE—Northwest

Phillips—74 C-1838-01—County road, beginning 2.5 miles west and 0.7 mile south of Long Island, then south, 0.1 mile, bridge replacement. (Federal Funds)

Sherman—91 C-2126-01—County road, beginning at Goodland, then north, 0.3 mile, bridge replacement. (Federal Funds)

DISTRICT FOUR—Southeast

Cherokee—66-11 K-2072-01—K-66, eastbound lane only, Spring River bridge 5, 0.5 mile east of the west junction of K-26, bridge painting. (State Funds)

Cherokee—69A-11 K-2908-01—Intersection of U.S. 69 Alternate and K-66 at Riverton, traffic signal. (State Funds)

Franklin—59-30 K-2897-01—U.S. 59, beginning at 10th Street, then south to 15th Street in Ottawa, 0.6 mile, grading and surfacing. (State Funds)

Miami—61 C-1418-01—County road, 0.5 mile west and 0.8 mile north of Fontana, then north, 0.4 mile, bridge replacement. (Federal Funds)

Wilson—103 C-2098-01—County road, 0.6 mile east and 0.1 mile south of Fredonia, then south, 0.1 mile, bridge replacement. (Federal Funds)

DISTRICT FIVE—Southcentral

Butler—54-8 K-2056-01—U.S. 54, Whitewater River bridges 5 and 6, 8.5 miles and 8.7 miles east of the Harvey-Butler county line, bridge painting. (State Funds)

Pratt—54-76 K-2840-01—U.S. 54 and K-61 junction in Pratt, intersection improvement. (State Funds)

Sedgwick—87 C-1973-01—County road, 1.0 mile east of Derby, then east, 0.1 mile, bridge replacement. (Federal Funds)

Sumner—81-96 K-1027-01—Ninnescah River along U.S. 81, beginning at the junction of K-55, then north, 0.3 mile, bank protection. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the K.D.O.T. 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 projects may be examined at the offices of the respective county clerks or at the K.D.O.T district offices responsible for the work.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004343

**State of Kansas
DEPARTMENT OF TRANSPORTATION**

**NOTICE TO CONSULTING
ENGINEERING FIRMS**

The Kansas Department of Transportation is inviting all consulting engineering firms who wish to become prequalified to contact K.D.O.T.

Prequalification is based on the following criteria:

1. Firm principals or employees include qualified and licensed professionals who can be assigned the responsibility of performing the type of projects for which the firm has applied.
2. A staff of sufficient size is available to perform the work required within reasonable time frames.
3. The firm has met or is willing to meet the statutory requirements to do business in Kansas. (K.S.A. 17-7301 and K.S.A. 60-306)
4. Evidence of work experience of the firm or individuals of the firm which indicates that work of a similar type has been successfully accomplished.
5. Employees include licensed individuals with one or more such individuals licensed with the Kansas State Board of Technical Professions or a willingness to obtain such licensure prior to receiving work. (K.S.A. 74-7001)
6. The firm's willingness to submit to reasonable audits and to maintain accounting systems adequate to isolate and accumulate project costs.

The Kansas Department of Transportation is an equal opportunity employer. It will negotiate contracts with prequalified firms on the basis of the services required and at a just, reasonable fee in accordance with K.S.A. 75-5801.

Prequalification information is available upon request by contacting the Kansas Department of Transportation, State Transportation Engineer, State Office Building, Topeka 66612, Attention: Bureau of Management and Budget.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004365

(Published in the KANSAS REGISTER, June 26, 1986.)

**NOTICE OF BOND SALE
\$130,000
GENERAL OBLIGATION BONDS
SERIES A, 1986
OF THE
CITY OF VALLEY CENTER, KANSAS
(general obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Sealed bids will be received by the undersigned, City Clerk of the City of Valley Center, Kansas, on behalf of the governing body at the City Hall, 116 S. Park, Valley Center, Kansas, until 7:30 p.m. C.D.T., on Tuesday, July 1, 1986, for the purchase of \$130,000 principal amount of general obligation bonds, series A, 1986, of the city hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, dated July 15, 1986, and becoming due serially on December 1 in the years as follows:

Year	Principal Amount
1987	\$ 5,000
1988	10,000
1989	10,000
1990	10,000
1991	15,000
1992	15,000
1993	15,000
1994	15,000
1995	15,000
1996	20,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1987.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day of the month preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the city and the Attorney General of the State of Kansas.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondowners.

(continued)

The number and denominations of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar at least two weeks prior to the closing date.

Redemption of Bonds Prior to Maturity

Bonds maturing in the years 1987 to 1994, inclusive, shall become due without option of prior payment. At the option of the city, bonds maturing in the years 1995 and thereafter may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the city in such equitable manner as it may determine) on December 1, 1994, or on any interest payment date thereafter at the redemption price of 100 percent (expressed as a percentage of the principal amount), plus accrued interest to the redemption date.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bonds for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to call and pay said bonds on a specified date, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds to the Treasurer of the State of Kansas, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 3 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be authorized. Each bid shall specify the total interest cost to the city during the life of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid, 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 shall also specify the average annual net interest rate to the city on the basis of such bid.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body shall determine which bid, if any, shall be accepted, and its determination shall be final. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-6a01 *et seq.*, as amended and supplemented, for the purpose of paying the cost of certain internal improvements. The bonds and the interest thereon will constitute general obligations of the city, payable in part from special assessments levied upon the property benefited by the construction of said improvements and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law, it would be applicable to the bonds.

The bill is subject to change, and, if it becomes law, may contain requirements which differ from those contained in the bill. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax-exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in

the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

On May 6, 1986, the Senate Finance Committee reported an amendment to the bill. As of the date hereof, final drafts of the amendment have not been prepared. According to a "Summary of Tax Reform Provisions and H.R. 3838," as ordered reported by the Senate Finance Committee and prepared by the Joint Committee on Taxation, the amendment will contain a provision under which "one-half of the reported proceeds of a corporation not otherwise included in the minimum tax base would be [treated as] a preference." The effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

The city intends to designate the bonds as "qualified tax exempt obligations" under Section 802(e) of the bill.

Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered. Said opinion will state that in the opinion of bond counsel, 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.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before July 31, 1986; at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. The successful bidder will also be furnished with a certified transcript of the 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 federal reserve funds, immediately subject to use by the city.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America equal to 2 percent of the par value of the bonds payable to the order of the city. If a bid is accepted, said check or the proceeds thereof will be held by the city until the bidder shall have complied with all of the terms and conditions of this notice. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the

proceeds of such check will be retained by the city as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Bond Bid." Bids may be submitted by mail or delivered in person to the undersigned at the City Hall and must be received by the undersigned prior to 7:30 p.m. C.D.T., on July 1, 1986.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city, for the year 1985, is as follows:

Equalized assessed valuation of taxable tangible property	\$7,336,976
Tangible valuation of motor vehicles	<u>2,382,222</u>
Equalized assessed tangible valuation for computation of bonded debt limitations	\$9,719,198

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,703,000. Temporary notes in the principal amount of \$130,000 will be retired out of proceeds of the bonds and other available funds.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk.

Dated June 17, 1986.

CITY OF VALLEY CENTER, KANSAS
By Carol A. Reffner, City Clerk
City Hall
116 S. Park
Valley Center, KS 67147
(316) 755-1231

Doc. No. 004350

(Published in the KANSAS REGISTER, June 26, 1986.)

NOTICE OF BOND SALE
\$8,600,000
GENERAL OBLIGATION
SCHOOL BUILDING BONDS
SERIES 1986
OF
UNIFIED SCHOOL DISTRICT NO. 497
DOUGLAS COUNTY, KANSAS (LAWRENCE)
 (general obligation bonds payable from
 unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned, Clerk of Unified School District No. 497, Douglas County, Kansas (Lawrence), on behalf of the Board of Education at its office, 2017 Louisiana, Lawrence, Kansas, until 5 p.m. on Tuesday, July 8, 1986, for the purchase of \$8,600,000 principal amount of general obligation school building bonds, series 1986, of the district hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the Board of Education immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, dated July 1, 1986, and becoming due serially on December 1 in the years as follows:

Year	Principal Amount
1987	\$860,000
1988	860,000
1989	860,000
1990	860,000
1991	860,000
1992	860,000
1993	860,000
1994	860,000
1995	860,000
1996	860,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1987.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day of the month preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the district and the Attorney General of the State of Kansas.

The district will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondowners.

The number and denominations of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the district and bond registrar at least two weeks prior to the closing date.

Redemption of Bonds Prior to Maturity

At the option of the district, bonds maturing in the years 1994, and thereafter, may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of bonds within the same maturity to be by lot by the district in such equitable manner as it may determine) on December 1, 1993, or on any interest payment date thereafter at the redemption price of 100 percent, expressed as a percentage of the principal amount, plus accrued interest to the redemption date.

Whenever the district is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the district shall elect to call any bonds for redemption and payment prior to the maturity thereof, the district shall give written notice of its intention to call and pay said bonds on a specified date, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the Treasurer of the State of Kansas, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified,

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2.5 percent. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be authorized. Each bid shall specify the total interest cost to the district during the life of the bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the district on the basis of such bid, all certified by the bidder to be correct, and the district will be entitled to rely on the certificate of correctness of the bidder. Each bid shall

also specify the average annual net interest rate to the district on the basis of such bid.

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the district. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the Board of Education shall determine which bid, if any, shall be accepted, and its determination shall be final. The district reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 72-6761, for the purpose of paying the cost of constructing, furnishing and equipping a new elementary school building and constructing, furnishing and equipping additions to existing school buildings in the school district. The bonds and the interest thereon will constitute general obligations of the district, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the district.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill. Therefore, there can be no assurance that the district will be able to comply with such requirements. The failure or inability of the district to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The district has relied on the joint statement in issuance of the bonds.

On May 6, 1986, the Senate Finance Committee reported an amendment to the bill. As of the date hereof, final drafts of the amendment have not been

prepared. According to a "Summary of Tax Reform Provisions and H.R. 3838" as ordered reported by the Senate Finance Committee and prepared by the Joint Committee on Taxation, the amendment will contain a provision under which "one-half of the reported proceeds of a corporation not otherwise included in the minimum tax base would be [treated as] a preference." The effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered. Said opinion will state that in the opinion of bond counsel, 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.

Delivery and Payment

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 22, 1986 at such bank or trust company in the state of Kansas or Kansas City, Missouri, New York City, San Francisco, Los Angeles, or Chicago, as may be specified by the successful bidder. The successful bidder will also be furnished with a certified transcript of the 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 federal reserve funds, immediately subject to use by the district.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America equal to 2 percent of the total amount of the bid payable to the order of the district. If a bid is accepted, said check or the proceeds thereof will be held by the district until the bidder shall have complied with all of the terms and conditions of this notice. If a bid is accepted but the district shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the district as and for liquidated damages. No interest will be paid upon the successful bidder's good faith check.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on certificated bonds or assigned to uncertificated bonds, but neither the failure to print

(continued)

such number on or assign such number to any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the district.

Bond Rating

The district has applied for rating on the bonds herein offered for sale with Moody's Investor Service, Inc.

Bid Forms

All bids must be made on forms which may be procured from the clerk or the financial adviser. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The district reserves the right to waive irregularities and to reject any and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned clerk and marked "Bond Bid." Bids may be submitted by mail or delivered in person to the undersigned at the office of the Board of Education and must be received by the undersigned prior to 5 p.m. C.D.T., on July 8, 1986.

Official Statement

The district has prepared an official statement, copies of which may be obtained from the clerk or from the financial adviser. Upon the sale of the bonds, the district will adopt the final official statement and will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered by the successful bidder at his expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the district, for the year 1985, is as follows:

Equalized assessed valuation of taxable tangible property	\$182,774,324
Tangible valuation of motor vehicles	30,186,589
Equalized assessed tangible valuation for computation of bonded debt limitations	\$212,960,913

The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$8,885,000.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, or the financial adviser, Stern Brothers & Co., Suite 810, One Main Place, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 265-8622.

Dated June 9, 1986.

UNIFIED SCHOOL DISTRICT NO. 497
DOUGLAS COUNTY, KANSAS (LAWRENCE)

By Joan Vantuyl, Clerk
Office of the Board of Education
2017 Louisiana
Lawrence, KS 66046
(913) 842-6222

Doc. No. 004346

(Published in the KANSAS REGISTER, June 26, 1986.)

NOTICE OF BOND SALE
\$820,000
INTERNAL IMPROVEMENT BONDS
SERIES T
CITY OF HAYS, KANSAS
(general obligations, payable from
unlimited ad valorem taxes)

Pursuant to K.S.A. 10-106 as amended, written sealed bids will be received by the City Clerk of the City of Hays, Kansas, in the office of the City Clerk, City Hall, P.O. Box 490, Hays, KS 67601, until 5 p.m. C.D.T., on Monday, June 30, 1986, at which time and place said bids will be publicly opened and read aloud for the purchase of \$820,000 aggregate principal amount of general obligation internal improvement bonds, series T. All bids received will be reported to the city commission for determination of the best bid at a meeting of the commission to be held at said time, place and date.

Details of the Bond

The bonds will consist of an issue of \$820,000 principal amount of general obligation internal improvement bonds, series T. The bonds will consist of fully registered bonds in the denomination of \$5,000 each, or any integral multiple thereof, dated July 1, 1986, and becoming due serially on September 1 of each year in the principal amounts as follows:

\$85,000—September 1, 1987 to 1990, inclusive
\$80,000—September 1, 1991 to 1996, inclusive

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 of each year, beginning March 1, 1987.

Both principal and interest on the bonds will be payable in lawful money of the United States of America at the office of the Treasurer of the State of Kansas in the city of Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names are on the registration books of the bond registrar as of the 15th day of the month preceding each interest payment date.

The bonds will be registered in the office of the Kansas State Treasurer pursuant to a plan of registration approved by the city and the Attorney General of the State of Kansas, registered as either fully registered certificated bonds and uncertificated bonds. The successful bidder (the purchaser) may express his preference and the city will honor the successful purchaser's preference regarding the plan of registration.

The city will pay for all initial registration costs and for printing of a reasonable supply of registered bond blanks as determined by the registrar and paying agent. Any additional costs or fees that might be incurred in the secondary market will be the responsibility of the bondholder.

The type and denomination of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city by August 1, 1986.

Redemption of Bonds

None of said bonds shall be callable for redemption prior to its stated maturity.

Authority, Purpose and Security for the Bonds

The bonds are being issued pursuant to and in full compliance with the constitution and laws of the state of Kansas, for the purpose of paying the cost of certain street and storm sewer improvements.

General obligation internal improvement bonds, series T, will be 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 on all the taxable tangible property within the city.

Conditions of Bids

Bids will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds maturing in the same year. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on Monday next preceding the day on which the bonds are sold, plus 2 percent, and the difference between the highest and lowest rates specified in any bid shall not exceed 2 percent. No bid of less than the principal amount of the bonds, plus accrued interest thereon to the date of their delivery, will be considered. Each bid shall specify the total interest cost to the city on the basis of such bid, and the average annual net interest rate on the basis of such bid.

Basis of Award

The award of the bonds shall be made on the basis of the lowest net interest cost to the city, which shall be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between said net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids which provide for identical amounts for the lowest net interest cost are received, the city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Delivery of and Payment for the Bonds

The city will pay for printing and registering the bonds and will deliver the same properly prepared, executed and registered to the successful bidder within 45 days after the date of sale at such bank or trust company located in the contiguous United States of America, as may be specified by the successful bidder, without cost to the successful bidder. Payment for the bonds shall be made in federal reserve funds or other funds which shall be available to the city on the same day the bonds are delivered to the successful bidder. The successful bidder will be furnished with a certified transcript 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 the delivery of the bonds affecting their validity.

Legal Opinion and Tax Exemption

All legal matters relating to the authorization and issuance of the bonds are subject to the approving opinion of Fred W. Rausch, Jr., Topeka, Kansas, as bond counsel, whose approving opinion will be printed on the bonds and an original of which will be delivered at closing to the purchasers of the bonds.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill in its present form imposes additional requirements which must be satisfied in order for interest on the obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law in its present form, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill in its present form. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax-exempt status of the bonds from their date of issuance. Holders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

Subsequent to the adoption of the bill, the U.S. House of Representatives passed House Resolution 335, which states in substance that it was the sense of the House of Representatives that the chairman and ranking member of the House Committee on Ways and Means be instructed, in conjunction with the Secretary of the Treasury and the chairman and ranking member of the Senate Committee on Finance, to make public an agreed-upon statement which would have the effect of postponing the effective date of selected items of the bill. In addition, the U.S. Senate passed Senate Resolution 281, which provides in substance that it was the sense of the Senate that the effective date of the bill should be delayed.

On March 14, 1986, a joint statement was made by Chairman Dan Rostenkowski, D-Ill., House Committee on Ways and Means; Chairman Bob Packwood, R-Ore., Senate Committee on Finance; Rep. John J. Duncan, ranking member of the Committee on Ways and Means; Sen. Russell Long, ranking member of the Committee on Finance; and Secretary of the Treasury James A. Baker, III, with respect to the effective dates of certain provisions of the Comprehensive Tax Reform Legislation (H.R. 3838) being considered by Congress. Excerpts of such joint statement are as follows:

" . . . It is not our intent, however, to restrict the ability of States and local governments to finance their direct governmental operations or to force States to change their existing

(continued)

practices governing financing of those operations while tax reform legislation is pending.

Therefore, we are endorsing a postponement, until September 1, 1986 (or the date of enactment of tax reform legislation, if earlier) of any application of the provisions and restrictions listed below to bonds that under present law are not (i) industrial development bonds, (ii) bonds that would be IDBs if section 501(c)(3) organizations were nonexempt persons engaged in trades or businesses, (iii) student loan bonds, (iv) mortgage subsidy bonds, or (v) other private ("consumer") loan bonds for which tax-exemption is permitted. In addition, this action does not apply to so-called pension bonds or to bonds which involve payments by private parties for the use of bond-financed property and which would be IDBs if such payments were used to pay debt service.

The provisions and restrictions to which this action applies are—

(1) The definition of nonessential function bond and the new unified volume cap contained in H.R. 3838;

(2) Any extension of arbitrage rebate restrictions, and any other new arbitrage restrictions, other than the method of determining bond yield (i.e., the reversal of the decision in *State of Washington v. Commission*);

(3) Any new restrictions of issuance of these bonds (i.e., provisions requiring certain expenditures within certain periods);

(4) Any new restrictions on advance refunding of bonds which were originally issued before 1986, other than a limitation on the temporary period for refunding bond proceeds to 30 days and the method of determining bond yield (listed in item (2), above);

(5) Any extension of information reporting requirements to these bonds; and

(6) Any treatment of interest on these bonds as a minimum tax preference item under H.R. 3838 as passed by the House."

In reliance upon the joint statement, if the bonds are issued prior to September 1, 1986 or the date of enactment of tax reform legislation, if earlier, the city does not intend to comply with the provisions of the bill for which the effective date was postponed.

With respect to Section 802 of the bill relating to interest incurred by financial institutions to carry tax exempt bonds, the city intends to designate the bonds as qualified project bonds for purposes of Section 802(e) of the bill. The city does not intend to issue bonds in excess of \$10 million during this calendar year.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on certificated bonds, or assigned to uncertificated bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of the successful bid and this notice of bond sale. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid for by the city.

Good Faith Deposit

Each bid must be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America in the amount of 2 percent of the total par value of the bonds, made payable to the order of the Treasurer of the City of Hays, Kansas, to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest

will be paid on the deposit made by the successful bidder. Said check will be returned to the bidder if the bid is not accepted. If a bid is accepted, said check may be deposited by the city or held by the city until the bidder has complied with all the terms and conditions of this notice, at which time the check will be deposited and credited to the order of the bidder. If a bid is accepted, but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check will be retained by the city as and for liquidated damages.

Bid Forms

All bids shall be subject to the terms and conditions contained in this notice of bond sale and must be made on the bid forms which may be obtained from the city clerk, or upon equivalent forms. No additions or alterations may be made to such forms and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes and addressed to the undersigned, City Clerk, City Hall, P.O. Box 490, Hays, KS 67601, and marked "Bid For the Purchase of Bonds." Bids may be submitted by mail or delivered in person and must be received by the undersigned prior to 5 p.m. C.D.T., on June 30, 1986.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1985 is \$47,749,731. In addition, the motor vehicle valuation is \$13,006,969. The total general obligation bonded indebtedness of the city as of December 31, 1985, was \$7,105,000, with \$1,325,000 to be paid in 1986.

Bond Ratings

The outstanding general obligation bonds of the city have not been rated and the city has not applied for a rating on the bonds herein offered for sale.

Dated June 12, 1986.

DOROTHY SODERBLOM, CMC
City Clerk
Hays, KS 67601
(913) 625-3465

Doc. No. 004352

State of Kansas

**OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET**

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

Kansas Court of Appeals
11th Floor Courtroom, Sedgwick County Courthouse
525 N. Main, Wichita, Kansas

Before Rees, P.J.; Parks and Briscoe, JJ.

Monday, July 7, 1986
10:00 a.m.

Case No.	Case Name	Attorney	County
58,409	Boyd Powell, dba Boyd Powell Floor Co., appellee, v. The Very Idea Co., Inc., appellee, v. Bill D. Hubbell, appellant.	Warren M. Wilbert Everett C. Fettis Robert T. Cornwell	Sedgwick
58,884	Peggy Joan Cook, appellee, v. Arthur Earnest Wyss, appellant.	Antonio Ortega Robert W. Reynolds	Sedgwick
58,466	Rodney Vickers, appellant, v. Woodman Accident and Life Co., appellee.	Kelly W. Johnston William R. Sampson	Sedgwick

1:30 p.m.

58,898	State of Kansas, appellee, v. Richard L. Lawrence, appellant.	Neal Brady, Geary Gorup, Assistant District Attorneys Attorney General Benjamin C. Wood Lucille Marino	Sedgwick
58,285	State of Kansas, appellee, v. Alvin Lee Moss, appellant.	Jay Hinkel, County Attorney Attorney General Robert A. Levy	Finney
58,798	State of Kansas, appellee, v. Armando January, appellant.	Susan Jones, Assistant County Attorney Attorney General Benjamin C. Wood	Finney
58,634	In the Matter of the Estate of Aldula A. Boyer, Deceased.	Lawrence D. Boyer Dan W. Forker	Sedgwick
58,582	Lawrence D. Boyer, Indiv. and as Trustee of Special Appointment Fund, Northern Illinois Conference, United Methodist Church, appellant, v. Dan W. Forker, Jr., and Hodge, Reynolds, Smith, Pierce & Forker, appellees.	Lawrence D. Boyer, <i>pro se</i> Jerry Elliott Robert Siefkin	Reno

Tuesday, July 8, 1986
9:00 a.m.

Case No.	Case Name	Attorney	County
58,612	City of Wichita, appellee, v. Carl J. Savoy, appellant.	Howard Jenkins Thomas M. Warner, Jr.	Sedgwick

(continued)

58,713	City of Wichita, appellee, v. Darrell D. Hull, appellant.	Howard Jenkins Janell R. Jenkins	Sedgwick
58,533	James F. Robinson and Mary May Robinson, appellants, v. Elliot A. Magidson, M.D., and Heinz K. Grohs, M.D., appellees.	Daniel Dale Creitz Richard L. Hines Bradley J. Prochaska	Sedgwick
58,262	Boulevard State Bank, appellee, v. Suburban Ford, Inc., and Ford Motor Credit Co., appellant.	Jerry G. Elliott Darrell L. Warta Ross A. Hollander Rex G. Beasley Edward A. McConwell	Sedgwick

1:30 p.m.

58,570	State of Kansas, appellant, v. Royce Rowland, appellee.	Deborah Wilkinson, Assistant County Attorney Attorney General	Barton
58,477	State of Kansas, appellee, v. Darrick Larry Griffin, appellant.	Dennis J. Keenan Timothy Chambers, County Attorney Attorney General	Reno
57,553	John N. Blank and Mildred M. Blank, appellees, v. Dan F. Callahan, David Callahan, Martha Katherine Callahan, and Eugene Haile Callahan, et al., appellants.	Paul W. Brown Robert S. Wunsch Donald W. Bostwick	Kingman
58,275	L. L. Sanborn, Gillmore J. Osborne and O. J. Stevens, appellants, v. Robert H. English and D. C. Thompson, Jr., appellees.	Gerald L. Green Dennis J. Keenan	Stafford

Wednesday, July 9, 1986

9:00 a.m.

Case No.	Case Name	Attorney	County
58,766	Doris R. Shelley, appellee, v. Joseph C. Shelley, appellant.	Lois A. Lynn	Sedgwick
58,572	In re Marriage of Evalyn L. Brosius and Samuel Leroy Brosius.	Patricia H. Jenkins James L. Pinkerton Roger C. Skinner Michael D. Wilson	Sedgwick
58,739	Kathy Mossberg, appellant, v. Ohse Meats Products, Inc., Thies Companies, Inc., and Hobart Corp., appellees.	Tom Berscheidt Jeff C. Spahn, Jr.	Sedgwick
58,591	Danny Howard Williams, appellant, v. State of Kansas, appellee.	Brent I. Anderson Geary Gorup, Assistant District Attorney Attorney General	Sedgwick

Kansas Court of Appeals
District Courtroom, Allen County Courthouse
Iola, Kansas

Before Brazil, P.J.; Meyer, J.; and William F. Lyle, Jr.,
District Judge, assigned

Monday, July 7, 1986
10:00 a.m.

Case No.	Case Name	Attorney	County
58,643 S.C.	In re Marriage of Mitchell.	Glenn E. Casebeer II W. J. Fitzpatrick	Montgomery
58,244	Dennis Peters and Pamela Sue Peters, appellees, Robert Buscher, appellee/cross-appellant, v. Frederick P. Hoffman and Barbara L. Hoffman, appellants.	Glenn E. Casebeer II Fredrick G. Apt, Jr. Morris D. Hildreth	Montgomery
58,788	Superior Wireline Service, Inc., appellant, Danny Stark, dba Data Tel., <i>et al.</i> , v. Todd A. Keeley and Leon M. Keeley, dba Superior Wireline Serv., appellee.	Tom Crossan Glenn E. Casebeer II Jeffrey A. Chubb Robert L. Eastman Peter W. Goddu	Montgomery

1:30 p.m.

58,670	Karen L. Bishop, appellant, v. L. Ray McGraw, appellee.	W. J. Fitzpatrick Monte Heasty	Montgomery
58,642	Shirley Williams and Merritt Williams, appellees, v. Eric Rolls and Brad Stevens, appellants.	Jeffrey A. Chubb Joe L. Levy	Montgomery
58,796	Fred L. Bellmyer, appellee, v. Jerry L. Phillips, Indv., and Jerry L. Phillips Oil and Ind. Supply, appellant.	John L. Horst Alan D. Weber	Neosho
59,143	Circle Drug, Inc., G/H Limited, Inc., and G/H Systems, Inc., appellants, v. J. M. Smith Corp., appellee.	John W. Fink Nelson E. Toburen	Cherokee
58,608	State of Kansas, appellee, v. James Overby, appellant.	Sharon E. Stice, County Attorney Attorney General Timothy J. Grillot	Labette

Tuesday, July 8, 1986
9:00 a.m.

Case No.	Case Name	Attorney	County
58,623	Darrell W. Masoner, appellee, v. Masoner R. Masoner, appellant.	Louie L. Barney Murvyl M. Sullinger	Crawford
58,621	Cherokee Resources, Inc., appellee, v. Gold Energy Corp., appellant.	Robert Talkington Ronald L. Gold	Allen
59,006	Creason Stubbs Chevrolet, Olds, Inc., appellant, v. Larry W. King, appellee.	John L. Richeson Wendell J. Barker	Franklin
58,744	Klein Tools, Inc., appellee, v. SEKCO Gas Co., Inc., and Compton Industries, Inc., appellants.	James M. Immel John L. Richeson	Allen

(continued)

58,077	State of Kansas, appellee, v. Sidney E. Bryant, appellant.	Jim Pringle, County Attorney Attorney General Richard H. Ebersole	Sumner
1:30 p.m.			
58,253	Gerald P. Timi, appellant, v. Mid-America Bancshares, Inc., dba First National Bank of Girard, appellee.	Timothy A. Short John I. O'Connor	Crawford
(58,333) (59,088) (Consol.)	Bank of Kincaid, appellees, v. J. Thomas Thexton and Laree Thexton, and Karen Sue Holt and Richard D. Thexton, Trustees, appellants.	Steven B. Doering Dan E. Turner	Anderson
58,609	Utility Trailers of Wichita, Inc., appellee, v. Citizens National Bank & Trust Company, appellant.	Jo Lynne Justus Larry J. Putnam Thomas A. Krueger	Lyon
58,762	State of Kansas, appellee, v. Marcus Wilson, appellant.	Sally Porkorney, County Attorney Attorney General Benjamin C. Wood Lucille Marino	Montgomery
58,836	State of Kansas, appellee, v. Leroy Miller, appellant.	Carla J. Stovall Roitz, County Attorney Attorney General Benjamin C. Wood Steven R. Zinn	Crawford

Wednesday, July 9, 1986

9:00 a.m.

Case No.	Case Name	Attorney	County
59,200	In the Interest of D.B. and J.A., Children under age of 18.	Larry Markle, Assistant County Attorney Attorney General M. Doug Bell Garen Cox Philip J. Bernhart	Montgomery
58,916	In the Interest of J.B. and D.B., Children under age of 18.	Larry Markle, Assistant County Attorney Attorney General Robert C. Claus, Gdn. A/L Philip J. Bernhart Rawley J. Dent	Montgomery
58,669	Wanda L. Savage, appellee, v. Topco Laminates Inc., and U. S. F. & G. Co., appellants, and Workers' Compensation Fund.	Walter B. Patterson James E. Martin Renee Markl Leigh Hudson	Bourbon
58,672 S.C.	Frank F. Dikeman, appellee, v. Sutcliffe Truck Lines, Inc., and New Hampshire Ins. Co., appellants.	Walter B. Patterson Richmond M. Enochs Leonard J. Schapker	Bourbon

LEWIS C. CARTER
Clerk of the Appellate Courts

Kansas—Its people are its pride

The soil and the sky furnish Kansas' two best known exports—wheat and airplanes. But the state's greatest contribution—a product of its rich pioneer heritage—is its people. They are vigorous, hard-working and out-spoken. "The Kansas spirit," wrote Carl Becker in a 1910 essay, "is one that finds something exhilarating in the challenge of an extreme difficulty."

* * *

During the brawling, bustling era of the "cowtown," several Kansas lawmen achieved near mythic proportions. James Butler "Wild Bill" Hickok, who called Kansas home in the 1860s and 1870s, gained fame as city marshal of untamed Abilene. During the same era, Wyatt Earp was a lawman in Abilene and Dodge City and "Bat" Masterson was sheriff of Ford County. Even after leaving western Kansas, Masterson, who was extremely popular in Dodge City, was often called back to help settle disputes. He spent his last years as a sports writer for a New York City newspaper. William Frederick Cody earned his nickname "Buffalo Bill" while hunting buffalo to supply meat to laborers on the Kansas Pacific Railroad. Cody, an Indian scout and Pony Express rider, lived much of his life in Kansas.

Edmund G. Ross, a U.S. Senator from 1866 to 1871, is remembered for his part in the impeachment trial of President Andrew Johnson. Ross, voting against the wishes of most other Republicans, cast his vote for Johnson's acquittal. The popular story that Ross' vote alone saved Johnson is said by historians to be exaggerated, since other Republicans did vote for acquittal and still others might have done so if necessary. However, Ross' vote did occur at the right time in the roll call to provide the needed number of votes for acquittal, and it is acknowledged that Ross acted with great personal courage in voting for Johnson. Ross was accused of being a traitor and the incident virtually ended his political career in Kansas. Ross is profiled in President John F. Kennedy's book, "Profiles in Courage."

U.S. Senator John J. Ingalls gained nationwide acclaim in the 1860s as an orator. While a state senator, Ingalls submitted the design for the Great Seal of Kansas. He also proposed the state motto, "Ad Astra per Aspera," Latin for "To the Stars Through Difficulties."

Kansas has produced a President of the United States, a Vice President and unsuccessful major party nominees for both positions. Dwight D. Eisenhower, who was raised in Abilene, gained national fame as Commander-in-Chief of the Allied Armies in Europe during World War II. Later, "Ike" rode that popularity into the White House. He was U.S. President from 1953 to 1961. He is buried in Abilene. Topekan Charles Curtis, who was part Kaw Indian, served as Vice President of the United States under Herbert Hoover. Curtis served in the U.S. House of Representatives from 1893 to 1907 and served in the U.S. Senate from 1907 until he was elected vice president in 1929. As Senate Majority Leader under President Woodrow Wilson in 1919, Curtis led the floor fight for

women's suffrage. Alf Landon, Kansas governor from 1933 to 1937, was the Republican Presidential nominee in 1936. Landon lost the election to Franklin D. Roosevelt by one of the greatest margins in American political history. Senator Bob Dole, of Russell, was the Republican candidate for Vice President in 1976. In 1984, Dole was elected majority leader of the U.S. Senate.

Between 1854 and 1936 more newspapers were published in Kansas than any other state. Kansas journalists have always been highly opinionated; early day Kansas newspaper editors were dubbed "Pistol-Packin' Pencil Pushers." No man more typified Kansas journalism than William Allen White, editor and publisher of the Emporia Gazette. White's audience and influence spread far beyond Kansas borders and in 1923 he was awarded a Pulitzer Prize for his editorial, "To An Anxious Friend."

The Hutchinson News received a Pulitzer Prize in 1965 for its role in getting reapportionment of state legislative districts in Kansas. Ben Hibbs, who was born in Fontana and grew up in Pretty Prairie, was editor of the Saturday Evening Post from 1942 to 1961, during which time he modernized the magazine's style and broadened its scope. He was senior editor of Reader's Digest from 1962 to 1972. William "Bill" Kurtis, formerly co-anchor for the CBS "Morning News," attended the University of Kansas and Washburn University, where he received a law degree. Kurtis was also an anchorman for WIBW-TV, IN Topeka. He later covered such historical news events as the trial of the Chicago Seven and the fall of Saigon. Radio and television news commentator John Cameron Swayze was born in Wichita. Swayze, who attended the University of Kansas, worked for both NBC and ABC and is also an author.

Well-known Kansas artists include Henry Worrall, Topeka, who did portraits and Kansas landscapes during the 1860s. He was known for his contributions to popular magazines of the day. The works of John Steuart Curry, who was born on a farm in Jefferson County, include the stunning murals in the east and west wings of the Kansas Capitol. Best known among those murals is the towering figure of John Brown. Beside him are the contending free-soil and pro-slavery forces. At their feet, two figures symbolize the million and a half killed in the Civil War. The late Laurence Schmeckebier, author and art critic, called the Capitol murals "the greatest mural achievements in America." Artist Sven Birger Sandzen came to the United States from Sweden in 1894 to teach at Bethany College in Lindsborg. Museums there honor him. Artist Rudolph Wendelin is known as the "caretaker" of the Smokey Bear image. As a U.S. Forest Service artist, Wendelin has drawn Smokey numerous times and approved commercial versions of Smokey. Now retired, Wendelin's recent work includes a historical mural for Rawlins County, where he spent his childhood.

Kansans excel in other fine arts as well. William Inge, a native of Independence, was a Pulitzer Prize-

(continued)

winning playwright. He wrote "Picnic," "Bus Stop," and "Come Back, Little Sheba." Also, from Independence, Vivian Vance, of TV's "I Love Lucy." Gordon Parks, born in Fort Scott, is a world-renowned photographer, writer and motion picture producer. He won a Pulitzer Prize for photography in 1973. Parks wrote the books "The Learning Tree" and "A Choice of Weapons," and he directed the movie "Shaft." Brian Lanker, a photographer for the Topeka Capital-Journal, also won a Pulitzer Prize for photography in 1973. Actor Edward Asner, who played popular television character "Lou Grant," is from the Kansas City, Kansas area and Milburn Stone, who played "Doc" on the long-running series "Gunsmoke," grew up in Kansas. Stone's characterization of "Doc" was patterned after his own country-doctor grandfather. Don Johnson, star of the award-winning "Miami Vice," is a Wichita native. He attended the University of Kansas.

George Washington Carver, once called the "foremost agricultural scientist of the age," lived in various parts of Kansas during his youth. He was graduated from Minneapolis High School and briefly homesteaded in Ness County. Burlingame was the birthplace of Earl Sutherland, who won the Nobel Prize for physiology and medicine in 1971. The Menninger family of Topeka founded and operates the world-famous Menninger Foundation mental health facility. Industrialist Walter P. Chrysler, who established the Chrysler Corporation in 1925, was born at Wamego and grew up in Ellis.

Kansas' motto, "To the Stars Through Difficulties," has taken on even greater significance in view of the accomplishments of four native sons. Clyde Tombaugh discovered the planet Pluto on February 18, 1930. Tombaugh, who grew up in Burdette, began his amateur observations with a telescope purchased from Sears and Roebuck. A generation later, Ron Evans was commander of the pilot ship during the flight of Apollo

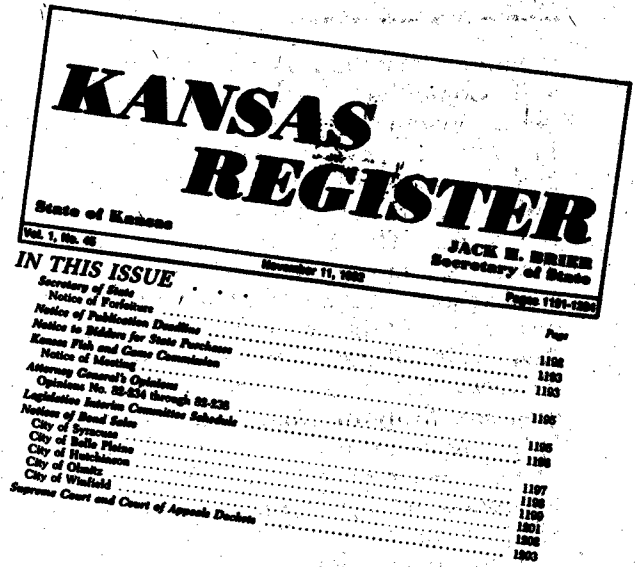
17 to the moon. Evans was born in St. Francis and is a graduate of Topeka public schools and the University of Kansas. Evans was the first of three Kansas astronauts. Joe Engle, a Chapman native, was commander of the Space Shuttle Columbia's second mission. Engle was the number two Air Force pilot for NASA-AFB X-15 program. He made nine flights in the X-15. Steve Hawley, who was born in Ottawa and raised in Salina, was a mission specialist aboard the maiden flight of the Space Shuttle Discovery. Like Evans, both Engle and Hawley attended the University of Kansas. Hawley is married to Sally Ride, the United States' first female astronaut.

Behind the grease paint worn by the clown "Weary Willie" was Emmett Kelly, a native of Sedan. A museum has been established in Kelly's honor in his hometown.

General Frederick Funston became a national hero in 1906 as he oversaw rescue and clean-up efforts following the San Francisco earthquake. Funston Street in San Francisco was named in his honor. Funston, who was born and reared on a farm near Iola, also received the Congressional Medal of Honor. General Bernard W. Rogers, Fairview, has been commander of the NATO forces in Europe since 1979. Another military leader from Kansas was General Lewis Walt, former assistant commandant of the U.S. Marine Corps. General Walt is from Wabaunsee County. Frank E. Petersen, Jr., the first black brigadier general in the history of the U.S. Marine Corps, is from Topeka. He was named NAACP Man of the Year in 1979. In July, 1985, General Larry D. Welch, a graduate of Liberal High School, became commander-in-chief of the Strategic Air Command. Prior to that assignment, Welch had been vice chief of staff for the U.S. Air Force. Welch began his military career in Liberal after enlisting in the Kansas National Guard in 1951.

NOW AVAILABLE . . .

**CUSTOM-MADE
LOOSELEAF BINDERS
for the
KANSAS REGISTER**



We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

Kansas Register binders. . . \$14.00 each includes shipping and handling.

CLIP AND MAIL

Dear Secretary Brier: Please send _____ *Kansas Register* binders.
(Quantity)

Price: \$14.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

Shipping is by
U.P.S. Delivery Service;
STREET ADDRESS
IS NECESSARY.

Mail order, WITH PAYMENT, to: *Kansas Register*; Secretary of State; State Capitol; Topeka, KS 66612.

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612-1594

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 order, WITH PAYMENT, to: Kansas Register; Secretary of State; State Capitol; Topeka, KS 66612-1594.

**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 66612-1594