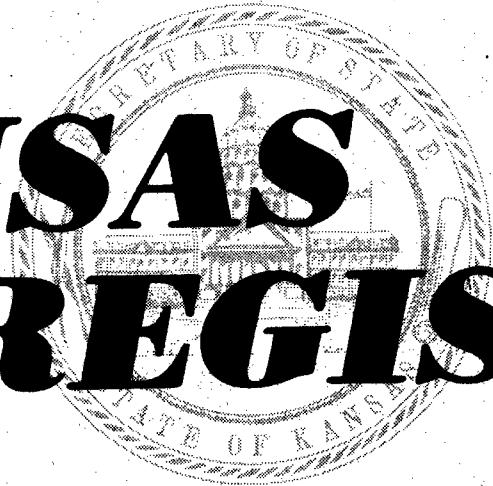


# KANSAS REGISTER



State of Kansas

**JACK H. BRIER**  
Secretary of State

Vol. 5, No. 30

July 24, 1986

Pages 1065-1080

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State of Kansas  
**DEPARTMENT OF ADMINISTRATION  
 EMPLOYEE AWARD BOARD**

**NOTICE OF MEETING**

The Employee Award Board will meet at 2 p.m. Wednesday, July 30, in Room 132-S, State Office Building, Topeka.

DEBRA L. MILLER  
 Chairperson

Doc. No. 004413

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 surveying services to determine boundaries and develop a legal description of the Adjutant General's Department property on South Topeka Boulevard, Topeka.

Questions or expressions of interest should be directed to Lt. Col. William Vonderschmidt, Adjutant General's Department, 2800 S. Topeka Blvd., Topeka 66611, (913) 233-7560, prior to August 8, 1986.

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

Doc. No. 004430

State of Kansas  
**STATE CONSERVATION COMMISSION**  
**NOTICE TO CONTRACTORS**

Sealed bids for the construction of flood control dam site 15 in Pottawatomie County will be received by the Rock Creek Watershed District No. 45 in the Soil Conservation Service Field Office, 5th and State, Westmoreland 66549, until 8 p.m., August 12, 1986, and then will be publicly opened. Proposals will be issued upon request to all prospective bidders by calling (913) 457-3398. Copies of plans and specifications are available at the Soil Conservation Service field office.

KENNETH F. KERN  
 Executive Director

Doc. No. 004415

State of Kansas  
**STATE CONSERVATION COMMISSION**  
**NOTICE TO CONTRACTORS**

Sealed bids for the construction of detention/grade stabilization dam site 116 in Brown County will be received by the Pony Creek Watershed District No. 78 at the home of Harlan Bailey, President, Route 1, Box 18, Sabetha 66534, until 11 a.m., August 4, 1986. Bids will also be received at 1:30 p.m. on August 4 and then publicly opened at the Sycamore Springs Museum, Route 1, Sabetha. Proposals and copies of plans and specifications will be issued upon request to all prospective bidders by contacting Harlan Bailey at (913) 459-2428 or Speaker-King, Inc., 125 W. 4th, Holton 66436, (913) 364-4309.

KENNETH F. KERN  
 Executive Director

Doc. No. 004416

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PUBLISHED BY  
 JACK H. BRIER  
 Secretary of State  
 2nd Floor, State Capitol  
 Topeka, KS 66612-1594



PHONE: 913/296-3489

## State of Kansas

**BOARD OF ACCOUNTANCY****NOTICE OF MEETING**

The State Board of Accountancy will meet at 9 a.m. Wednesday, July 30, in room 237, 503 Kansas Ave., Topeka. Persons interested in agenda items or in attending should contact the board office, Room 236 at the address above, (913) 296-2162.

GLENDIA SHERMAN  
Board Secretary

Doc. No. 004418

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES  
DIVISION OF SERVICES FOR THE BLIND  
ADVISORY COMMITTEE****NOTICE OF MEETING**

The Division of Services for the Blind Advisory Committee will meet at 10 a.m. Friday, August 8, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

RICHARD A. SCHUTZ  
Director, Division of  
Services for the Blind

Doc. No. 004427

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES  
KANSAS COUNCIL ON  
EMPLOYMENT AND TRAINING****NOTICE OF MEETING**

The Kansas Council on Employment and Training will meet from 8 a.m. to noon Friday, July 25, in the Pozez Education Center, Stormont-Vail Regional Medical Center, 1500 S.W. 10th, Topeka.

The agenda includes:

1. KCET Bylaw amendments
2. Rural Employment Assistance Program
3. Update on House Bill 2799
4. Corrections programs and JTPA
5. Subcommittee reports
6. The Employment and Training Policy & Procedures Manual
7. Task Force on Women and Minorities progress report
8. Economic Development/JTPA Coordination

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.  
Secretary of Human Resources

Doc. No. 004424

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES  
KANSAS COUNCIL ON  
EMPLOYMENT AND TRAINING****NOTICE OF DISLOCATED WORKER  
SUBCOMMITTEE MEETING**

The Kansas Council on Employment and Training Dislocated Worker Subcommittee will meet at 7:30 p.m. Thursday, July 24, in the second floor conference room of the Employment and Training administrative offices at 512 W. 6th, Topeka.

Topics to be discussed will include the budget for the 1986 program year and the accomplishments of the preceding year.

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.  
Secretary of Human Resources

Doc. No. 004423

## State of Kansas

**STATE HISTORICAL SOCIETY****NOTICE OF ACCEPTANCE OF  
PRE-APPLICATIONS FOR  
PRESERVATION GRANTS**

Owners of National Register properties and other persons interested in historic preservation are advised that the Historic Preservation Department, Kansas State Historical Society, will accept pre-applications for federal fiscal year 1987 federal Historic Preservation Fund grants until September 19, 1986. These are 50/50 matching grants.

There are two types of grants: (1) survey and planning grants for such activities as local historic resource surveys, archeological surveys, preparation of local preservation plans, and preparation of historic district, multiple resource, and thematic National Register nominations; and (2) acquisition and development grants for the preservation of properties listed on the National Register. It should be noted that the latter type has not been funded in recent years; however, pre-applications will be accepted in case funds become available during the year.

Questions concerning eligibility of projects, buildings, or applicants as well as requests for pre-applications should be directed to the Historic Preservation Department, Kansas State Historical Society, 120 W. 10th, Topeka 66612, (913) 296-7080.

JOSEPH W. SNELL  
Executive Director

Doc. No. 004414

State of Kansas  
**SOCIAL AND REHABILITATION SERVICES**  
**KANSAS TASK FORCE ON**  
**PERMANENCY PLANNING**

**NOTICE OF MEETING**

The Kansas Task Force on Permanency Planning will meet at 10 a.m. Friday, August 1, in Hearing Room 2, Kansas Judicial Center, 301 W. 10th, Topeka.

ROBERT C. BARNUM, Chairman  
 Kansas Task Force on  
 Permanency Planning

Doc. No. 004433

State of Kansas  
**BOARD OF AGRICULTURE**

**NOTICE OF HEARING**  
**ON PROPOSED**  
**ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 11 a.m. Friday, August 8, in Conference Room B of the Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, at which time all interested persons will have the opportunity to be heard regarding the adoption of a proposed amendment to K.A.R. 4-7-213. This amendment will become effective May 1, 1986 as a permanent rule and regulation and as a temporary rule and regulation upon approval by the Rules and Regulations Board.

The proposed amendment adopts by reference federal changes in standards and procedures regarding milk for manufacturing purposes which include reducing the allowable number of somatic cells in producer milk from 1,500,000 per ml. to 1,000,000 per ml.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. Those persons unable to attend may submit comments in writing to the Division of Inspections of the Kansas State Board of Agriculture at or before the time of the hearing. Prior notice is requested for those who wish to present testimony in person at the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Copies of this regulation and the fiscal impact statement may be obtained by writing to Larry D. Woodson, Director, Division of Inspections, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka 66612.

LARRY D. WOODSON, Director  
 Division of Inspections  
 DONALD L. JACKA, JR.  
 Acting Secretary of Agriculture

Doc. No. 004426

State of Kansas  
**ATTORNEY GENERAL**

Opinion No. 86-99

**Intoxicating Liquors and Beverages—Licensing and Related Provisions; City Option—Ability of a Retail Liquor Licensee to be a Riley County Commissioner. John A. Lamb, Director, Alcoholic Beverage Control, Department of Revenue, Topeka, July 14, 1986.**

Though K.S.A. 1985 Supp. 41-311(a)(7) provides that no license for the retail sale of alcoholic liquor shall be issued to a person who appoints or is a law enforcement official, the prohibitive mandates and layers of procedure found in Kansas statutory law create an attenuation sufficient to allow a retail liquor licensee to hold the office of Riley County Commissioner under specified circumstances. As a commissioner/licensee, the person should not serve on the county law enforcement agency established pursuant to K.S.A. 19-4427 *et seq.*, nor vote in selecting the commissioner and county resident who are to serve upon the agency. These actions, coupled with existing law, would remove the person from the prohibition of K.S.A. 1985 Supp. 41-311(a)(7), thus allowing the person to serve as a commissioner while holding a retail liquor license. Cited herein: K.S.A. 1985 Supp. 19-4427; K.S.A. 19-4428; 19-4429; 19-4430; 19-4431; K.S.A. 1985 Supp. 22-2202; 41-311. TL

Opinion No. 86-100

**Elections—Conduct of Elections—Procedure for Filling Vacancy in Office of Judge of the District Court. Jack H. Brier, Secretary of State, Topeka, July 15, 1986.**

K.S.A. 1985 Supp. 25-312a provides that a vacancy in the office of judge of the district court shall be filled at the next general election that occurs more than 30 days after such vacancy. Where such vacancy occurs in the office of district judge, which office was not subject to election at the next general election, and the vacancy occurs after the filing deadline but prior to the primary, a party candidacy is created as provided in K.S.A. 25-3906. Pursuant to that statute, such vacancy in a party candidacy shall be filled by district convention held as provided in K.S.A. 25-3904. Since in this instance, the office of district judge was not subject to election at the next general election, no party had a candidate running for the position of district judge. Consequently, each party may place a candidate on the ballot pursuant to the district convention procedure. The person elected at the general election to the position of district judge will commence his or her official duties on the second Monday in January, 1987, and will serve for the remainder of the unexpired term. Cited herein: K.S.A. 1985 Supp. 312a; K.S.A. 25-313; 25-3901; 25-3904; 25-3906. BPA

Opinion No. 86-101

**Laws, Journals and Public Information—Records Open to Public—Records Subject to Disclo-**

sure. Peter E. Rinn, Chief Counsel, Department of Social and Rehabilitation Services, Topeka, July 15, 1986.

It is the public policy of this state that public records must be open for inspection by any person unless otherwise provided by law. In that the exceptions listed in the KORA are not applicable to the information in question and disclosure of the information is not prohibited by statute, we must conclude that the financial information contained in reports submitted by an adult care home to SRS is subject to disclosure under the Kansas Open Records Act. Cited herein: K.S.A. 1985 Supp. 39-708c(x); K.S.A. 45-215 *et seq.*; K.S.A. 1985 Supp. 45-217; 45-221; K.A.R. 30-10-12; K.A.R. 30-10-13. RLN

ROBERT T. STEPHAN  
Attorney General

Doc. No. 004425

State of Kansas

SECRETARY OF STATE

EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed July 1 through July 15:

Applied Remote Sensing,  
Kansas Commission on

Sen. Don Montgomery, 1218 Main, Sabetha 66534. Effective July 14, 1986. Expires June 30, 1988. Fills vacancy. Appointed by the President of the Senate.

Civil Rights, Commission on

Anita Neal Favors, 2757 N. 32nd, Kansas City 66104. Effective July 9, 1986. Subject to Senate confirmation. Expires July 1, 1990. Reappointment.

Lou Ann Clintsman Smith, 2820 Shawnee Drive, Topeka 66605. Effective July 9, 1986. Subject to Senate confirmation. Expires July 1, 1990. Reappointment.

B. A. Villarreal, 8619 W. 68th Terrace, Overland Park 66204. Effective July 9, 1986. Subject to Senate confirmation. Expires July 9, 1988. Succeeds Edward Martinez, resigned.

Marilyn V. Yarbrough, 926 Indiana, Lawrence 66044. Effective July 10, 1986. Subject to Senate confirmation. Expires July 9, 1990. Succeeds Susan Marshall.

Cowley County Treasurer

Patty L. McDonald, Route 2, Box 601, Arkansas City 67005. Effective July 9, 1986. Expires when a

successor is elected and qualifies according to law. Succeeds Ethel White, resigned.

Employee Award Board

Debra L. Miller, 920 N.E. 62nd, Topeka 66618. Effective July 1, 1986. Serves at the pleasure of the Secretary of Administration.

Linda L. Morse, 2118 Spain Drive, Manhattan 66502. Effective July 1, 1986. Serves at the pleasure of the Secretary of Administration.

J. Charles Stevenson, 9315 S.W. 53rd, Topeka 66604. Effective July 1, 1986. Serves at the pleasure of the Secretary of Administration.

Juvenile Offender Programs,  
Advisory Commission on

Sue W. Lockett, 3751 Warwick Town Road, Topeka 66610. Effective July 9, 1986. Expires June 30, 1988. Succeeds Lois Jebo.

Peg Martin, 922 Chestnut, Emporia 66801. Effective July 9, 1986. Expires June 30, 1988. Succeeds Sally Northcutt.

Mental Health and Retardation Services  
and Community Mental Health Programs,  
Advisory Commission on

James M. Donnell, M.D., 6908 O'Neil, Wichita 67212. Effective July 9, 1986. Expires May 14, 1990. Reappointment.

Arno Knapper, Ph.D., University of Kansas, School of Business, Summerfield Hall, Lawrence 66045. Effective July 9, 1986. Expires May 14, 1990. Reappointment.

William Walter Menninger, M.D., 1505 Plass, Topeka 66604. Effective July 9, 1986. Expires May 14, 1990. Reappointment.

Juliette Schwaller, 2200 Pershing Drive, Hays 67601. Effective July 9, 1986. Expires May 14, 1990. Reappointment.

Park and Resources Authority, State

James H. Snavelly, Box 263, Thayer 66776. Effective July 9, 1986. Subject to Senate confirmation. Expires June 30, 1990. Reappointment.

Water Authority, Kansas

Lowell K. Abeldt, 900 N.W. 2nd, Abilene 67410. Effective July 9, 1986. Expires May 1, 1990. Succeeds Hugh Armstrong.

Larry K. Panning, 500 W. 4th, Ellinwood 67526. Effective July 9, 1986. Expires May 1, 1990. Reappointment.

Dennis F. Schwartz, 3260 S.E. Tecumseh Road, Tecumseh 66542. Effective July 9, 1986. Expires May 1, 1988. Succeeds Marshall Tatum, resigned.

JACK H. BRIER  
Secretary of State

## State of Kansas

STATE HISTORICAL SOCIETY  
STATE RECORDS BOARD

## NOTICE OF MEETING

The Kansas State Records Board will meet at 10 a.m. Thursday, July 31, in the fourth floor conference room of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for disposition of non-current government records.

In addition, general administrative matters and other business will be discussed.

EUGENE D. DECKER  
State Archivist

Doc. No. 004419

## State of Kansas

DEPARTMENT OF ADMINISTRATION  
DIVISION OF PURCHASES

## NOTICE TO BIDDERS

Sealed bids for the following items 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, AUGUST 4, 1986

#27283

Kansas Highway Patrol—PAGERS

#27289

Pittsburg State University—ELECTRIC  
TYPEWRITER MAINTENANCE

#27293

Statewide—PRINTING AND OFFSET  
DUPLICATING SUPPLIES

#27295

Department of Social and Rehabilitation  
Services—JANITORIAL SERVICES, Osawatomi

#27300

Department of Transportation—REFLECTIVE  
SHEETING

#27303

Statewide—ANHYDROUS AMMONIA

#27304

University of Kansas—PAPER PRINTING AND  
BINDING

#27305

University of Kansas—HEMATOLOGY REAGENTS  
AND CONTROLS

#27313

Kansas state agencies—COFFEE AND TEA

TUESDAY, AUGUST 5, 1986

#A-5519

Kansas State Board of Agriculture—PROVIDE  
ADDITIONAL COOLING EQUIPMENT

#A-5527

Adjutant General's Department—PARTIAL  
REROOF, National Guard Armory, Iola

#27302

University of Kansas—DAIRY PRODUCTS

#66387

University of Kansas Medical Center—  
OPHTHALMOLOGIC EQUIPMENT

#66388

Kansas Correctional Industries—MINERAL  
SPIRITS—XYLOL

#66393

University of Kansas—WAVEFORM ANALYSIS  
SYSTEM, Parsons

#66394

Kansas State University—COMMERCIAL  
WASHERS AND DRYERS

WEDNESDAY, AUGUST 6, 1986

#A-5384

Adjutant General's Department—PARTIAL  
REROOF, National Guard Armory (garage only),  
Norton

#A-5525

Adjutant General's Department—PARTIAL  
REROOF, National Guard Armory, Sabetha

#27297

Department of Transportation—AIC AND MRA  
AGGREGATE, District 1, 2 and 4

#27306

Department of Revenue and political  
subdivisions—IBM SYSTEM 36

THURSDAY, AUGUST 7, 1986

#A-5248

Kansas Industries for the Blind—MAINTENANCE  
REPAIR TO CONCRETE, CONCRETE BLOCK AND  
BRICK MASONRY, Kansas City

#A-5497

Youth Center at Atchison—CONVERT ROOM TO  
REFINISHING ROOM, Maintenance Building

#27299

Department of Transportation—AIC AND MRA  
AGGREGATE, District 3, 5 and 6

#66407

Wichita State University—LOUNGE FURNITURE

FRIDAY, AUGUST 8, 1986

#A-5313

Youth Center at Beloit—REPLACE ITEMS OF  
KITCHEN EQUIPMENT (dishwasher and steam  
booster heater)

#A-5613

Kansas State University—MID-CAMPUS DRIVE  
REPAIR—1986

#27298

Emporia State University—ELEVATOR SERVICE

#66409

Kansas State University—VACUUM EQUIPMENT

#66411

Kansas State University—LAB APPARATUS

#66412

Department of Transportation—FURNISH AND  
INSTALL UNIT HEATERS

#66413

Department of Transportation—STEEL POSTS,  
Norton

#66414

Department of Transportation—FURNISH AND  
INSTALL CHAIN LINK FENCE, Topeka and  
Gardner

#66415

Norton State Hospital—FOLDING WHEELCHAIRS

#66416

Department of Social and Rehabilitation  
Services—WHEELCHAIR MOTORIZED  
PROPORTIONAL CONTROL, Dodge City

#66417

Kansas State University—CONTINUOUS  
FORM—12"×25½"

#66431

Kansas State University—MULTIPLEXER

#66432

University of Kansas Medical Center—WORD  
PROCESSOR—CANNON COMPATIBLE

#66433

Kansas Correctional Industries—REPAIR TO  
TRAILER, Topeka

#66439

University of Kansas—LAB BALANCE SERVICE

#66440

Kansas State Penitentiary—LAUNDRY  
EQUIPMENT AND SUPPLIES

#66441

University of Kansas—PHYSIOLOGICAL  
RECORDER

**TUESDAY, AUGUST 12, 1986**

#A-5294

Winfield State Hospital and Training  
Center—UPGRADE RESIDENT LIVING AREAS,  
Hospital, Treatment, Holly and Juniper buildings

**FRIDAY, AUGUST 29, 1986**

#27242

Department of Transportation—AUTOMOBILE  
LIABILITY INSURANCE

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 004428

State of Kansas

## OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 86-86

### ESTABLISHING THE STATE TASK FORCE ON PARIMUTUEL

WHEREAS, parimutuel wagering operations on dog races have been held by the Supreme Court of Kansas to be prohibited by Article 15, Section 3 of the Constitution of the State of Kansas [*State, ex rel. v. Bissing*, 178 Kan. 111]; and

WHEREAS, the 1986 Session of the Legislature of Kansas adopted House Concurrent Resolution No. 5024, which allows the people of Kansas to vote in November of 1986 as to whether or not the Legislature would be permitted to provide for county option in parimutuel wagering on horse and dog races in Kansas; and

WHEREAS, detailed study and recommendations should be conducted as to the implementation of parimutuel wagering on horse and dog races in Kansas and recommendations should be submitted to the Governor and the 1987 Session of the Legislature as to appropriate statutory changes necessary if the amendment to the Constitution is approved by the people.

NOW, THEREFORE, pursuant to the authority vested in me as Governor and chief executive of the

State of Kansas, I hereby create and establish the State Task Force on Parimutuel, composed of the following nine (9) members:

- (1) Five (5) members of the general public appointed by the Governor, who shall have general expertise in business, real estate development, promotion or the care or breeding of horses or dogs; and
- (2) Four (4) members of the Legislature selected by the Legislative Coordinating Council and appointed by the Governor, so that two (2) are members of the Senate and two (2) are members of the House of Representatives and not more than two (2) are members of the same political party.

The Governor shall designate one of the members of the general public as Chairperson. The Task Force shall meet on call of the Chairperson. The Task Force shall have as a general charge to:

- (1) Conduct a comprehensive study and review of the parimutuel wagering statutes enacted by other states;
- (2) Identify the areas that need to be addressed in the 1987 Session of the Legislature regarding the regulation, licensing and taxation of horse and dog races and parimutuel wagering operations in Kansas; and
- (3) Recommend implementing legislation to be considered by the Legislature should the amendment to the Constitution be approved.

General public members of the Task Force shall serve with no compensation at the pleasure of the Governor. Legislative members of the Task Force may receive compensation and shall serve at the pleasure of the Governor. Staff support shall be provided by the Department of Revenue or other agencies designated by the Governor. Other expenses of the Task Force may be paid by the Department of Revenue upon vouchers approved by the Secretary of Revenue or designee, the Legislative Coordinating Council upon vouchers approved by the Chairman of the Council or designee, or other agencies designated by the Governor upon vouchers approved by the head of such agency or designee and the Governor or designee.

The Study, Report and Recommendations of the Task Force shall be compiled and presented to the Governor not later than November 5, 1986.

From and after March 1, 1987, the State Task Force on Parimutuel created and established by this Executive Order is hereby abolished; and the force and effect of this Executive Order is thereafter rescinded.

This document shall be filed with the Secretary of State as Executive Order No. 86-86 and shall become effective immediately.

Dated July 16, 1986.

JOHN CARLIN

Governor

Attest: JACK H. BRIER  
Secretary of State

Doc. No. 004421

## State of Kansas

## LEGISLATURE

## INTERIM AGENDA

The following committee meetings have been scheduled during the period of July 28 through August 3, 1986:

Date	Room	Time	Committee	Agenda
July 28	123-S		Legislative Post Audit	Legislative matters.
July 28 July 29	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Communication, Computers, and Technology	Briefings on Proposal No. 1—Funding and Interconnection of Public Television and Radio.
July 28 July 29	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Communication, Computers, and Technology	Briefings and presentations on Proposal No. 1—Funding and Interconnection of Public Television and Radio.
July 28 July 29	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Capital Markets and Tax Structure—Legislative Commission on Economic Development	Agenda unavailable at this time.
July 28 July 29	514-S 514-S	10:00 a.m. 9:00 a.m.	Task Force on Education—Legislative Commission on Economic Development	Agenda unavailable at this time.
July 29	527-S	10:00 a.m.	Legislative Budget	Proposal No. 22—State General Fund; staff report on state general fund finances.
July 30 July 31	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Financing of Regents' Institutions	Presentations on enrollment adjustment procedures by Chancellor and university presidents.
July 31 Aug. 1	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Agriculture—Legislative Commission on Economic Development	Agenda unavailable at this time.
Aug. 4 through Aug. 8	No meetings scheduled.			

WILLIAM R. BACHMAN  
Director of Legislative  
Administrative Services



## State of Kansas

**DEPARTMENT OF HEALTH  
AND ENVIRONMENT****NOTICE OF HEARINGS**

A public hearing to discuss the proposed federal fiscal year 1987 priority system and list will be held at 10 a.m. Friday, August 22, at the Topeka-Shawnee County Health Department, 1615 W. 8th, Topeka. The Bureau of Water Protection has made minor additions and clarifications to the priority system.

A public hearing to discuss the proposed addition of two separate projects to the federal fiscal year 1986 priority list will be held immediately following the above hearing.

Comments on these proposals can be presented at the hearings or in writing prior to the hearings. Written comments should be addressed to Robert Nicholson, Bureau of Water Protection, Kansas Department of Health and Environment, Forbes Field, Building 740, Topeka 66620.

**BARBARA J. SABOL**  
Secretary of Health  
and Environment

Doc. No. 004429

## State of Kansas

**DEPARTMENT OF HEALTH  
AND ENVIRONMENT****NOTICE OF HEARING ON  
HAZARDOUS WASTE PERMIT**

The U.S. Environmental Protection Agency, Region 7, 726 Minnesota Ave., Kansas City, KS 66101, and the Kansas Department of Health and Environment, Forbes Field, Topeka 66620, propose to issue a joint hazardous waste treatment, storage, and disposal facility permit to Vulcan Materials Company, 6200 S. Ridge Road, Wichita.

The EPA and KDHE have jointly reviewed the hazardous waste permit application from Vulcan Materials Company. If a final decision is made to issue the joint permit, the EPA portion of the permit would be issued under the authority of the Resource Conservation and Recovery Act (RCRA), and the KDHE portion of the permit would be issued under the authority of K.S.A. 65-3431(s). The KDHE has received final authorization to administer all portions of the RCRA permit program except for the Hazardous and Solid Waste Amendments of 1984 (HSWA), which EPA retains authority. The EPA portion of the joint permit addresses HSWA requirements. The joint permit would allow for operation of an incinerator, container storage area, and an underground injection well disposal facility. The wastes handled at these facilities are generated on site by chemical manufacturing operations.

Copies of the administrative record, which include the draft joint permit, the permit application and all information submitted by Vulcan, are available for public review at the EPA Region 7 Library in Kansas

City from 7:30 a.m. to 4:30 p.m. weekdays; at the KDHE, Room 131, Building 321, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. weekdays; and at the KDHE District Office, 3244 E. Douglas, Wichita, from 8 a.m. to 4:30 p.m. weekdays. Copies are also available at the following Wichita Public Libraries: Seneca Square Branch, 3137-225 S. Seneca; Westlink Branch, 8515 Bekemeyer; and Orchard Park Branch, 4808 W. 9th, during normal business hours.

Comments on the proposed joint permit may be directed in writing to Lyndell L. Harrington, RCRA Branch, EPA Region 7, Kansas City, or to John Goetz, Hazardous Waste Section, KDHE, Topeka. Comments must be submitted in writing prior to September 8, 1986. Requests for additional information, including the fact sheet, may be made by contacting EPA at (913) 236-2888 or KDHE at (913) 862-9360.

A joint EPA and KDHE public hearing has been scheduled for 7 p.m. Wednesday, August 27, in the Nelson Elementary School Cafeteria, 245 N. Delos, Haysville.

The EPA Regional Administrator and the KDHE Secretary will make a joint final permit decision after consideration of all comments received and of the requirements of state statutes and regulations and RCRA. If the decision is made to issue a joint permit substantially unchanged from those drafts made available for public comment as announced in this notice, the EPA Regional Administrator and the KDHE Secretary will jointly notify all persons in writing who have submitted comments or requested notice of the final decision. If the draft permit is substantially changed, the EPA Regional Administrator and the KDHE Secretary will jointly issue a public notice of the revisions.

The incinerator proposed for permitting under RCRA burns a waste that contains polychlorinated biphenyls (PCBs), which are regulated under the Toxic Substances Control Act. EPA administers the TSCA requirements. A separate TSCA draft approval for the incinerator is available at the same locations listed above for public review. Comments on the draft approval may be submitted at the public hearing or in writing to EPA before September 8, 1986.

**BARBARA J. SABOL**  
Secretary of Health  
and Environment

Doc. No. 004422

## 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. C.S.T., August 21, 1986, and then publicly opened:

## DISTRICT ONE—Northeast

**Doniphan—22 C-2412-01**—County road, 4.0 miles south and 0.5 mile east of Troy, then east, 0.1 mile, grading. (Federal Funds)

**Doniphan—22 C-2413-01**—County road, 4.0 miles south and 2.1 miles east of Troy, then east, 0.1 mile, grading. (Federal Funds)

**Doniphan—22 C-2416-01**—County road, 1.0 mile north and 1.5 miles west of Doniphan, grading. (Federal Funds)

**Doniphan—22 C-2418-01**—County road, 2.0 miles east and 4.0 miles north of Troy, 0.1 mile, grading. (Federal Funds)

**Johnson—56-46 K-2418-04**—U.S. 56, Moonlight Road at I-35 and ramps, grading and surfacing. (Federal Funds)

**Johnson—46 U-1039-01**—119th Street over Tomahawk Creek in Leawood, 0.1 mile, grading, bituminous surfacing, and bridge replacement. (Federal Funds)

**Johnson—46 U-1044-01**—Intersection of Dennis and Harrison Streets in Olathe, grading and bituminous surfacing. (Federal Funds)

**Johnson—35-46 M-1438-01**—I-35, Miami-Johnson county line, then northeast on I-35 to the U.S. 169 Interchange, 13.6 miles, bituminous overlay (1½"). (State Funds)

**Leavenworth—52 C-1839-01**—County road, 1.6 miles northwest of Leavenworth at the junction of U.S. 73, then south, 2.6 miles, grading and bridge. (Federal Funds)

**Marshall—58 C-1989-01**—County road, 1.5 miles west of Frankfort, then west, 0.1 mile, grading and bridge replacement. (Federal Funds)

**Shawnee—89 C-1670-01**—County road, 4.0 miles north of Topeka, then north, 0.1 mile, grading, bituminous surfacing and bridge replacement. (Federal Funds)

**Wyandotte—105 U-1029-01**—10th and Kansas Avenue in Kansas City, traffic signal installation. (Federal Funds)

**Wyandotte—105 U-1030-01**—7th (U.S. 69) and Central (K-32) in Kansas City, grading and surfacing. (Federal Funds)

## DISTRICT TWO—Northcentral

**Chase—50-9 M-1437-01**—U.S. 50, Diamond Creek bridge 48, 2.8 miles northeast of K-150, bridge. (State Funds)

**Lincoln—53 C-2073-01**—County road, 5.8 miles east and 2.0 miles south of Barnard, then south, 0.1 mile, grading and bridge replacement. (Federal Funds)

**McPherson—59 C-1923-01**—County road, 0.4 mile south and 2.5 miles east of Moundridge, then east, 0.2 mile, grading and bridge replacement. (Federal Funds)

**Republic—79 C-1754-01**—County road, 1.9 miles west and 2.0 miles north of Munden, then north, 0.2 mile, bridge replacement. (Federal Funds)

## DISTRICT THREE—Northwest

**Osborne—71 C-2339-01**—County road, 16.5 miles south and 2.2 miles east of Osborne, then east, two bridge replacements. (Federal Funds)

**Sheridan—9-90 K-2808-01**—K-9, culvert 517 and 518, 1.6 miles and 1.9 miles east of K-123, grading. (State Funds)

## DISTRICT FOUR—Southeast

**Bourbon—54-6 K-2585-01**—U.S. 54, Mill Creek bridge 4, 1.4 miles east of K-7, grading, plant mix (comm. gr.) and bridge replacement. (Federal Funds)

**Elk—25 C-0838-01**—County road, 1.0 mile west and 1.2 miles south of Howard, then north, 0.5 mile, grading and bridge replacement. (Federal Funds)

**Franklin—35-30 M-1441-01**—I-35, from 0.9 mile south of the junction of U.S. 59 and I-35, then south (southbound lane), 5.2 miles, concrete pavement and patching. (State Funds)

## DISTRICT FIVE—Southcentral

**Barber—4 C-0895-01**—County road, 0.5 mile east of Medicine Lodge, then east, 0.1 mile, grading and bridge replacement. (Federal Funds)

**Cowley—18 C-1464-01**—County road, 2.3 miles north of Geuda Springs, then north, 0.3 mile, grading and bridge replacement. (Federal Funds)

**Rush—83 C-2043-01**—County road, 0.5 mile west and 0.6 mile north of McCracken, then north, 0.2 mile, grading and bridge replacement. (Federal Funds)

**Sumner—166-96 M-1426-01**—U.S. 166 bridge 77 over KTA east of South Haven, bridge repair. (State Funds)

## DISTRICT SIX—Southwest

**Ness—68 C-1018-01**—County road, 3.8 miles west and 1.2 miles south of Bazine, then west, 0.3 mile, grading and bridge. (Federal 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. 004431

(Published in the KANSAS REGISTER, July 24, 1986.)

**NOTICE OF BOND SALE  
THE CITY OF PAOLA, KANSAS  
\$128,000  
GENERAL OBLIGATION BONDS  
SERIES B, 1986**

The city of Paola, Kansas will receive sealed bids at the office of the City Clerk, City Hall, Paola, Kansas, until 4:30 p.m. C.D.T. on Tuesday, August 12, 1986, for the purchase of \$128,000 par value general obligation bonds, series B, 1986, 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, 1986 bonds initially issued will be dated as of August 1, 1986, and shall mature on October 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 or integral multiples thereof, except one bond in the denomination of \$3,000, not exceeding the principal amount of bonds maturing in each year. Interest will be payable semiannually, commencing April 1, 1987 and each October 1 and April 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 15th day of the month next preceding each interest payment date. 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:

Principal Amount	Maturity Date
\$ 8,000	October 1, 1987
\$10,000	October 1, 1988
\$10,000	October 1, 1989
\$10,000	October 1, 1990
\$15,000	October 1, 1991
\$15,000	October 1, 1992
\$15,000	October 1, 1993
\$15,000	October 1, 1994
\$15,000	October 1, 1995
\$15,000	October 1, 1996

Proposals will be received on the bonds bearing such rate or rates of interest, not exceeding five 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 1/8 or 1/20 of 1 percent. The difference between the highest and lowest rates specified in any bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2 percent above the 20 bond index published in Credit Markets on Monday, August 11, 1986, and no bid of

less than par and accrued interest will be considered. A bid for the purchase of less than the entire issue of bonds or bid at a price less than par and accrued interest will not be considered.

Bids shall be submitted on the official bid form furnished by the city, and shall be addressed to the city at City Hall, P.O. Box 409, Paola, KS 66071, 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 2 percent of the total amount of the bid, and shall be payable to the City of Paola, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

The bonds, duly printed, executed and registered, will be furnished and paid for by the city, and the bonds will be sold subject to the unqualified approving opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose opinion will be paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

On December 17, 1985, the United States House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill contains a number of requirements which generally are effective for all state and local obligations issued after December 31, 1985, and if the bill becomes law in its present form would be applicable to the bonds. On June 24, 1986, the U.S. Senate passed an amendment in the nature of a substitute to the bill which would provide among other things that one-half of the reported proceeds of a corporation not otherwise included in its minimum tax base would be treated as a preference item. The effect of such provision may be to subject interest on the bonds, if held by a corporation, to alternative minimum taxation for taxable years commencing after December 31, 1986. It is anticipated that the House and Senate versions of the bill will next be considered by a House-Senate conference committee.

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 issuance date. Bondowners 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 with respect to the postponement, until September 1, 1986 (or the date of enactment of tax reform legislation, if earlier) of certain provisions of

(continued)

the bill. In reliance upon the joint statement, 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 of the bill.

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 August 19, 1986. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The purchaser will be furnished with a complete transcript of the proceedings evidencing 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 August 29, 1986, 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.

The bonds will constitute general obligations of the city, payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable, tangible property within the territorial limits of the city. The series B, 1986 bonds are being issued for the purpose of providing funds to pay the cost of purchasing and acquiring fire-fighting equipment for the use of the fire department of the city of Paola, Kansas, as authorized by K.S.A. 12-110c.

The sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice. The city reserves the right to reject any and 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 any amount of any premium paid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number or assign a 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. All expenses incurred in connection with the printing of CUSIP numbers on the bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be paid for by the city.

The total assessed valuation of the taxable tangible property within the city (including motor vehicle valuation and motor vehicle dealers' inventory valuation) for the year 1985 is \$14,058,037. The total general obligation bonded indebtedness of the city at the date

hereof, including this proposed issue of bonds, is \$2,565,000.

Additional copies of this notice of bond sale or further information may be received from the City Clerk, P.O. Box 409, Paola, KS 66071, (913) 294-2397.

Dated July 9, 1986.

CITY OF PAOLA, KANSAS  
By Jill Ann Holmes  
City Clerk

Doc. No. 004417

(Published in the KANSAS REGISTER, July 24, 1986.)

**NOTICE OF BOND SALE**  
**\$9,225,000**  
**CITY OF TOPEKA, KANSAS**  
**GENERAL OBLIGATION BONDS**  
**SERIES 1986-A**  
**(INTERNAL IMPROVEMENT BONDS)**

**Sealed Bids**

Sealed bids for the purchase of \$9,225,000 principal amount of general obligation bonds, series 1986A (internal improvement bonds), of the city hereinafter described, will be received by the undersigned, City Clerk of the City of Topeka, Kansas, on behalf of the governing body at City Hall, 215 E. 7th, Topeka, Kansas, until noon C.D.T. on Tuesday, July 29, 1986. All bids will be publicly opened and read at said time and place and will be acted upon by the city immediately thereafter. No oral or auction bids will be considered.

**Bond Details**

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1986, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1990	\$ 200,000
1991	200,000
1992	300,000
1993	300,000
1994	350,000
1995	350,000
1996	400,000
1997	425,000
1998	450,000
1999	500,000
2000	500,000
2001	500,000
2002	750,000
2003	1,000,000
2004	1,000,000
2005	1,000,000
2006	1,000,000

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 April 1 and October 1 in each year, beginning on April 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). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

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 bondholders.

#### Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on October 1, 1997 and thereafter will be subject to redemption and payment prior to maturity on October 1, 1996, and thereafter in whole or in part on any interest payment date in inverse order of maturity (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

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 bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. 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 1.5 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue 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. 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 city shall determine which bid, if any, shall be accepted, and its determination shall be final.

#### Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to provide funds to permanently finance various internal improvements to the city. The bonds will be general obligations of the city payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city. The balance of the principal of and interest on the bonds is payable from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city.

#### Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, 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 when the bonds are delivered.

#### Pending Federal Tax Legislation

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill in its present form would impose 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 in its present form, would be applicable to the bonds.

(continued)

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 June 24, 1986, the U.S. Senate passed an amendment in the nature of a substitute to the bill which would provide, among other things, that one half of the reported proceeds of a corporation not otherwise included in its minimum tax base would be treated as a preference item. The effect of such provision may be to subject interest on the bonds, if held by a corporation, to alternative minimum taxation for taxable years commencing after December 31, 1986. It is anticipated that the House and Senate versions of the bill will next be considered by a House-Senate conference committee. The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill as passed by the U.S. House of Representatives or as amended by the U.S. Senate. 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 its issuance date. The owners of the bonds 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.

#### **Delivery and Payment**

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or prior to August 15, 1986, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in federal reserve funds, immediately subject to use by the city. The 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 10 days prior to the date of delivery of the bonds. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

#### **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 in the amount of \$184,500 payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of his bid. No interest will be paid upon the

deposit made by the successful bidder. Said check shall be returned to the bidder if his bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. 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 shall 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.

#### **CUSIP Numbers**

CUSIP identification numbers will be printed on the 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 this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

#### **Bond Ratings**

The outstanding general obligation bonds of the city are rated "Aa1+" by Moody's Investor Service, Inc., and the city has applied for rating on the bonds herein offered for sale.

#### **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 "Proposal for the Purchase of General Obligation Bonds." 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 noon C.D.T. on Tuesday, July 29, 1986.

#### **Official Statement**

Upon the sale of the bonds, the city will adopt an official statement in substantially the form as the preliminary official statement subject to minor amendments and supplementation. Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial adviser, Shearson Lehman Brothers Inc., 2345 Grand Ave., Suite 1600, Kansas City, MO 64112, (816) 346-6114. Upon request, a reasonable number of copies of the official statement will be made available to the successful bidder without charge. Additional copies may be obtained at the expense of such bidder.

#### **Assessed Valuation and Indebtedness**

The total assessed valuation of the taxable tangible property within the city for the year 1985 is



\$420,864,108. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$75,561,000, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$10,500,000, of which \$9,220,000 will be retired out of the proceeds of the bonds herein offered for sale. The city has also authorized the sale of \$6,500,000 principal amount of its temporary notes, series 1986-B, dated August 1, 1986, as described in the city's preliminary official statement relating to said notes, copies of which may be obtained from the city clerk or the financial adviser. In accordance with the financial adviser's agreement

with the city, the financial adviser will not be submitting a bid or participating in a group submitting a bid for the purchase of the bonds.

Dated July 15, 1986.

CITY OF TOPEKA, KANSAS  
 Norma E. Robbins  
 City Clerk  
 City Hall  
 215 E. 7th  
 Topeka, KS 66603  
 (913) 295-3940

Doc. No. 004420

----- clip and mail -----

Please send \_\_\_\_\_ clothbound Session Laws @ \$14

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Total enclosed \$ \_\_\_\_\_ (Make checks payable to Secretary of State)

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 Secretary of State, 2nd Floor, State Capitol, Topeka, KS 66612-1594

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**Secretary of State**  
**State Capitol**  
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