

KANSAS REGISTER

State of Kansas

BILL GRAVES
Secretary of State

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Because of the Labor Day holiday, the deadline for submission of items to be published in the September 10 Kansas Register will be 5 p.m. Wednesday, September 2.

State of Kansas
**SOCIAL AND REHABILITATION SERVICES
 HOME AND COMMUNITY BASED SERVICES
 ADVISORY COMMITTEE**

NOTICE OF MEETING

The Home and Community Based Services Advisory Committee will meet at 10 a.m. Wednesday, September 9, at the SRS Staff Development Training Center, Feldman Building, 2700 W. 6th, State Complex West, Topeka.

JANET SCHALANSKY
 Acting Commissioner of
 Adult Services

Doc. No. 005704

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 36,800 cubic yard detention dam, site D-64 in Jefferson County, will be received by the Delaware Watershed Joint District No. 10 at the district office, 125 W. 4th, Holton 66436, until 8 p.m. September 14. Bids will be opened at that time at the district office. Copies of the plans and specifications can be obtained from the district office, (913) 364-4309.

KENNETH F. KERN
 Executive Director

Doc. No. 005696

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 60,000 cubic yard detention dam, site 203 in Lyon County, will be received by the Rock Creek Watershed Joint District No. 84 at the City Cafe, Americus 66835, until 8:55 a.m. September 15. Bids will be opened at 9 a.m. September 15 at the City Cafe. A copy of the invitation for bid and plans and specifications can be obtained from Miles Engineering & Surveying, P.A., 815 Graham St., Emporia 66801, (316) 343-6600.

KENNETH F. KERN
 Executive Director

Doc. No. 005697

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 24,000 cubic yard detention dam, site 125 in Lyon County, will be received by the Allen Creek Watershed District No. 89 at the City Cafe, Americus 66835, until 8:10 a.m. September 15. Bids will be opened at 8:15 a.m. September 15 at the City Cafe. A copy of the invitation for bid and plans and specifications can be obtained from Miles Engineering & Surveying, P.A., 815 Graham St., Emporia 66801, (316) 343-6600.

KENNETH F. KERN
 Executive Director

Doc. No. 005698

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



Phone: (913) 296-3489

State of Kansas

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

NOTICE OF MEETINGS

There will be a special meeting of the Kansas Council on Employment and Training at 10 a.m. Friday, September 4, in the third floor conference room at 401 S.W. Topeka Blvd., Topeka, to recommend approval or disapproval of the proposed modification to the Service Delivery Area II Job Training Partnership Act two-year job training plan.

The regular Kansas Council on Employment and Training meeting is scheduled for 9 a.m. Friday, September 11, in the Centennial Room, Pozez Education Center, 1500 S.W. 10th, Topeka.

Both meetings are open to the public.

DENNIS R. TAYLOR
Secretary of Human Resources

Doc. No. 005703

State of Kansas

**KANSAS PUBLIC
DISCLOSURE COMMISSION**

Advisory Opinion No. 87-19

Written August 13, 1987 to F. Elaine Martin, Kansas Department on Aging, Topeka, Kansas.

This opinion is in response to your letter of July 8, 1987, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that this opinion is limited to the application of K.S.A. 46-215 *et seq.* Thus, whether some other statutory system, common law, or agency rule or policy relates to your question is not covered by this opinion.

We understand you request this opinion in your capacity as a grants manager for the Kansas Department on Aging. You advise us that the Kansas Department on Aging (KDOA) administers funds authorized by the *Older Americans Act of 1965*, as amended. These funds are allocated to 11 planning and service areas (PSA's) in Kansas. Each PSA is allocated funds based upon a funding formula. This formula is required by the *Older Americans Act* (P.L. 98-459 Sec. 304 (a)(2)(C)&(D)) and approved by the Department of Health and Human Services as a part of the Kansas State Plan on Aging.

Each PSA is represented by an area agency on aging. Each area agency on aging submits an area plan to KDOA which includes goals and objectives for delivery of services as well as budgets for expenditure of these funds. Each area agency on aging is required to present their area plan for comments at public hearings in the area being served.

You also state that you are currently a grants manager for KDOA and have applied for a position as assistant to an area agency director. In your current

position with KDOA, you perform initial reviews of area plans and recommend these plans for approval/disapproval. The area plans are also reviewed by the nutritionist and area representative for the PSA before being presented to the individual department heads for further review. The final approval authority for the area plans rests with the Secretary of Aging. These area plans result in the issuance of grant awards for the *Older Americans Act* funds.

You ask whether you may accept a position as an assistant to an area agency director. K.S.A. 46-233 applies to your question. We find it unnecessary to recite the section at length except to note that it prohibits state employees in some cases from accepting employment with entities with which the state employee has participated in the making of contracts.

Subsection (d) states: "Subsections (a) and (b) shall not apply to the following: (1) Contracts let after competitive bidding has been advertised for by published notice; and (2) Contracts for property or services for which the price or rate is fixed by law."

As we understand the factual situation, the area agency on aging is providing the service of administering the granted funds and the amount of the grant is fixed by federal law. With that understanding, it is our opinion that the exception is applicable and K.S.A. 46-233 does not prohibit the acceptance of the position.

Advisory Opinion No. 87-20

Written August 13, 1987 to Steven L. Boyce, Coffey County Attorney, Burlington, Kansas.

This opinion is in response to your letter of July 7, 1987, in which you request an opinion from the Kansas Public Disclosure Commission.

We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 75-4301 *et seq.* Thus, whether some other statutory system or common law applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as Coffey County Attorney on behalf of a county commissioner. You advise us that the commissioner may wish to participate in the county's decision-making process concerning contracts with a business in which a first cousin holds an interest. You ask whether his participation would constitute a conflict of interest.

Under the local conflict of interest law contained in K.S.A. 75-4301 *et seq.*, the only situation where a relation's interest might lead to a conflict is when the relation is the spouse of the officeholder. Since this is not the case here, it is our opinion that the situation you describe does not constitute a conflict under the sections cited above.

LOWELL K. ABELDT
Chairman

Doc. No. 005695

State of Kansas

**BEHAVIORAL SCIENCES
REGULATORY BOARD****NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

A public hearing will be conducted at 10 a.m. Tuesday, September 15, in Room 857-S of the Landon State Office Building, 900 Jackson, Topeka, to consider the adoption of proposed temporary and permanent rules and regulations establishing fees for the registration of master level psychologists and professional counselors, as well as permanent rules and regulations amending the social work regulations on definitions, continuing education approval for sponsors, and unprofessional conduct.

All interested parties may submit written comments prior to the hearing to the executive secretary of the Behavioral Sciences Regulatory Board, 900 Jackson, Room 855-S, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to orally express their views in regard to the adoption of the proposed regulations. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Following the hearing, all written and oral comments submitted by interested parties will be considered by the board as the basis for making changes to the proposed regulations. A copy of the regulations and the fiscal impact statement may be obtained by writing to the board office. Please specify which set of regulations you are requesting.

The fiscal impact resulting from K.A.R. 102-3-2 establishing fees for the registration of professional counselors is as follows: application, renewal of registration, specialty recognition, reinstatement of registration, and renewal of specialty recognition—\$75; examination—\$100; and duplicate registration—\$20.

The fiscal impact resulting from K.A.R. 102-4-2 establishing fees for the registration of master level psychologists is as follows: application, renewal of registration, and temporary permit—\$75; and duplicate registration—\$20.

The fiscal impact resulting from amending K.A.R. 102-2-7, professional conduct, is that persons who fail to notify the board of having employment terminated or suspended for some form of misfeasance, malfeasance, or nonfeasance may have their license suspended or revoked, thus, resulting in loss of employment and/or income.

The fiscal impact resulting from amending K.A.R. 102-2-1a, definitions, and K.A.R. 102-2-4b, continuing education approval for sponsors, will be to the sponsor's and board's benefit inasmuch as approval will be extended from a two-year renewal period to a three-year renewal period, which will reduce the work both on the part of the sponsor and the board's staff.

MARY ANN GABEL
Executive Secretary

Doc. No. 005706

State of Kansas

**NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO. 4****NOTICE OF MEETING**

The Northwest Kansas Groundwater Management District No. 4 will meet at 10 a.m. Thursday, September 3, in the district office, 1175 S. Range, Colby. General administrative matters and other business will be discussed.

WAYNE A. BOSSERT
Manager

Doc. No. 005710

State of Kansas

KANSAS WATER OFFICE**NOTICE OF AVAILABILITY
OF THE KANSAS WATER PLAN**

Copies of the new fiscal year 1989 Kansas Water Plan are now available for distribution.

The new plan sets out an environmental protection strategy to address water pollution problems statewide. This strategy would establish county departments of health and environment across the state on a county option basis.

The plan also establishes a stream rehabilitation program to repair certain streams that have been damaged by improper channelization projects.

Copies of the plan can be obtained by contacting the Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

JOSEPH F. HARKINS
Director

Doc. No. 005702

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 August 12 through August 21:

Court of Appeals Judge, Position 6

Frederick Newton Six, 1001 Avalon Road, Lawrence 66044. Effective August 20, 1987. Succeeds Sherman A. Parks, retired.

District Judge, 9th Judicial District

Theodore B. "Ted" Ice, 220 E. 1st, Newton 67114. Effective August 20, 1987. Term expires when a suc-

cessor is elected and qualifies according to law. Succeeds Sam H. Sturm, Division 1, retired.

District Judge, 10th Judicial District

John Anderson III, 305 Brittany, Olathe 66061. Effective August 21, 1987. Term expires when a successor is elected and qualifies according to law. Fills Division 16 created by the 1987 Legislature.

District Judge, 18th Judicial District

Karl W. Friedel, P.O. Box 334, Wichita 67201. Effective August 20, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Willis W. Wall, Division 1.

Karen Mitchell Humphreys, 3443 E. Pine, Wichita 67208. Effective August 20, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Elliott Fry, Division 14, deceased.

William D. Rustin, 6004 Oneida, Wichita 67208. Effective August 20, 1987. Term expires when a successor is elected and qualifies according to law. Fills Division 23 created by the 1987 Legislature.

Randall E. Fisher, 6004 Oneida, Wichita 67208. Effective August 20, 1987. Term expires when a successor is elected and qualifies according to law. Fills Division 24 created by the 1987 Legislature.

District Judge, 29th Judicial District

Robert H. Foerschler, 7114 Greeley, Kansas City 66109. Effective August 20, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Robert J. Foster, Division 14, retired.

Montgomery County Register of Deeds

Jeanne Burton, Route 2, Independence 67301. Effective September 1, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Nora Steinberger, resigned.

Rooks County Attorney

Leonard J. Dix, 620 N. Walnut, Stockton 67669. Effective August 18, 1987. Term expires when a successor is elected and qualifies according to law. Succeeds Anita M. Rodriguez, resigned.

Capitol Area Plaza Authority

Rep. Bill Bunten, 1701 W. 30th, Topeka 66611. Effective August 18, 1987. Term expires August 12, 1991. Succeeds Lowell F. Miller.

Sen. Jeanne Hoferer, 1916 Oakley, Topeka 66604. Effective August 18, 1987. Serves at the pleasure of the Governor. Succeeds Lowell F. Miller as Chairman.

Marc Lahr, 3621 S.W. Stratford Road, Topeka 66604. Effective August 18, 1987. Term expires August 12, 1991. Reappointed.

Credit Union Council

Michael A. Patrick, 8025 Park, Lenexa 66215. Effective August 21, 1987. Subject to Senate confirmation. Term expires August 19, 1990. Succeeds Elmer L. Hellweg.

Duane C. Raine, 1229 Webster, Topeka 66604. Effective August 21, 1987. Subject to Senate confirmation. Term expires August 19, 1990. Reappointment.

Office of the Governor

Jane Lewis, Coordinator of Drug Abuse Programs, 900 S.W. Robinson, Apt. 707, Topeka 66606. Effective March 30, 1987. Serves at the pleasure of the Governor.

Mined-Land Conservation and Reclamation Board

Dr. William Browning, Browning Ranch, Madison 66860. Effective August 13, 1987. Serves at the pleasure of the Governor. Represents the Wildlife and Parks Commission. Succeeds Joe Fowler.

James Cubit, Route 2, Garnett 66032. Effective August 13, 1987. Serves at the pleasure of the Governor. Represents the general public. Succeeds Sam Ross.

Jim Patterson, 2612 N. 10th, Independence 67301. Effective August 13, 1987. Serves at the pleasure of the Governor. Represents the general public. Succeeds Tom Bryant.

Joel Wentz, 2719 Huntoon, Topeka 66604. Effective August 13, 1987. Serves at the pleasure of the Governor. Represents the Water Resources Board. Succeeds Gerald Hargadine.

Kansas Public Broadcasting Commission

Florence Metcalf, 613 S. Madison, Hugoton 67951. Effective August 18, 1987. Term expires August 17, 1989. Reappointment.

Wichita State University Board of Trustees

W. Frank Barton, 8028 Cork, Wichita 67206. Effective August 12, 1987. Term expires August 11, 1990. Succeeds Othello H. Curry, Jr.

Brenda Farha, 300 N. Terrace, Wichita 67288. Effective August 12, 1987. Term expires August 11, 1990. Succeeds Ralph McCarty.

Secretary of Wildlife and Parks

Robert L. Meinen, 12105 Florida Drive, Boise, ID 83709. Effective September 14, 1987. Subject to Senate confirmation. Serves at the pleasure of the Governor.

BILL GRAVES
Secretary of State

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of August 31 through September 13:

Date	Room	Time	Committee	Agenda
Special Session begins August 31 at 9 a.m.				
Sept. 1	423-S	7:00 a.m.-	Special Committee on Ways and Means—SRS	1st: Continued review of SRS medical program. 2nd: Department of Human Resources JTPA programs. 3rd: Testimony from local and state government representatives on AFDC work programs.
Sept. 2	423-S	10:00 a.m.		
Sept. 3	423-S	each day		
Sept. 2	526-S	11:00 a.m.	Special Committee on Federal and State Affairs	Agenda unavailable.
Sept. 8	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review certain temporary regulations adopted by the Savings and Loan Department, the Board of Accounting, the Consumer Credit Commission, the Securities Commission, and the Board of Regents; comments from the Board of Nursing; staff review of Board of Examiners in Optometry, and staff review of Rule and Regulation Filing Act bill draft.
Sept. 9	514-S	9:00 a.m.		
Sept. 9	519-S	10:00 a.m.	Special Committee on Transportation	Agenda unavailable.
Sept. 10	526-S	9:00 a.m.		
Sept. 10	531-N	10:00 a.m.	Legislative Budget	Staff reports; conferences with Secretary of Corrections (10:00 a.m. on Sept. 10), representative of Department of Administration (1:30 p.m. on Sept. 10), and Secretary of SRS (9:00 a.m. on Sept. 11).
Sept. 11	531-N	9:00 a.m.		
Sept. 10	Hutchinson	10:00 a.m.	Special Committee on Agriculture and Livestock	Hearings on Proposal No. 4—Commodity Commissions, review of structure and duties.
Sept. 11	Hutchinson	9:00 a.m.		

Sept. 10	Wichita State University	10:00 a.m.	Special Committee on Energy and Natural Resources	10th: Meet at Wichita State University for briefings and public hearing on Proposal No. 11—Wildlife and Parks Department.
Sept. 11	Butler County Community College	9:00 a.m.		11th: Meet at Butler County Community College for public hearing on Proposal No. 11 and a tour of El Dorado State Park and Wildlife Area.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 005701

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

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.D.T. September 17, 1987, and then publicly opened:

DISTRICT ONE—Northeast

Brown—7 C-2030-02—County road, 1.2 miles east and 1.1 miles north of Everest, then north, rock embankment. (Federal Funds)

Douglas—10-23 U-1125-01—K-10, 23rd and Louisiana in Lawrence, intersection improvement. (Federal Funds)

Johnson—46 U-1031-01—71st and Quivira Road in Shawnee, intersection improvement. (Federal Funds)

Nemaha—66 C-2004-01—County road, 5.4 miles west and 1.3 miles north of Seneca, then north, 0.1 mile, bridge replacement. (Federal Funds)

Osage—56-70 K-3091-01—Intersection reconstruction at U.S. 56 and old U.S. 75, 0.2 mile. (Federal Funds)

Osage—170-70 X-1000-02—Atchison, Topeka and Santa Fe Railway crossing of K-170 south of Osage City, grading and surfacing. (Federal Funds)

Pottawatomie—75 C-2489-01—County road, 1.0 mile north and 0.5 mile west of Louisville, then west, 0.1 mile, bridge replacement. (Federal Funds)

Shawnee—470-89 K-3157-01—I-470 and 21st Street interchange, grading and surfacing. (Federal Funds)

DISTRICT TWO—Northcentral

Dickinson—21 C-2057-01—County road, 1.0 mile north and 1.5 miles east of Solomon, then east, 0.1 mile, bridge replacement. (Federal Funds)

McPherson—59 C-2484-01—County road, 8.2 miles south of U.S. 56 on the Rice-McPherson county line, then north, 0.6 mile, grading and bridge. (Federal Funds)

DISTRICT FIVE—Southcentral

Harvey—40 C-2343-01—County road, 3.1 miles

south of Hesston, then south, 0.1 mile, bridge replacement. (Federal Funds)

Pratt—76 C-2365-01—County road, 0.5 mile west of Pratt at U.S. 54, then south, 0.2 mile, bridge replacement. (Federal Funds)

Sedgwick—87 C-2615-01—County road, intersection of 47th Street south and Rock Road, southeast of Wichita, traffic signal. (Federal Funds)

Sedgwick—87 C-2616-01—County road, intersection of 63rd Street south and Rock Road, southeast of Wichita, traffic signal. (Federal Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 005685

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. September 17, 1987, and then publicly opened:

DISTRICT TWO—Northcentral

Cloud—81-15 M-1296-02—U.S. 81, one mile south of Concordia on east side, slide repair. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 005699

State of Kansas

ATTORNEY GENERAL

Opinion No. 87-121

Courts—Supreme Court—Qualifications of Justices:

Courts—Court of Appeals—Qualifications of Judges. Robert C. Foulston, Chairman of the Supreme Court Nominating Commission, Wichita, August 17, 1987.

K.S.A. 20-105 provides that to be qualified to hold the office of justice of the supreme court or judge of the court of appeals, a person must have been regularly admitted to practice law in Kansas and have engaged in the active and continuous practice of law for a period of at least 10 years prior to the date of

appointment as justice or judge. Though the strict definition of "active practice" would require that the legal activities of the person in question be pursued on a full-time basis and constitute his regular business, the general rule that statutory provisions imposing qualifications for office should be construed in favor of those seeking to hold office would serve to soften this requirement. Thus, a potential nominee need not be a full-time trial attorney to be considered as actively engaged in the practice of law, and is not automatically disqualified merely for holding a position which does not require legal expertise. Cited herein: K.S.A. 20-105; 20-3002; K.S.A. 1986 Supp. 22-3707. JLM

Opinion No. 87-122

Drainage and Levees—Watershed Districts; Formation of Watershed Districts; General Powers and Duties of District—Transfer or Sale of Watershed District Property. Dennis G. Hall, Attorney at Law, Topeka, August 19, 1987.

The sale or transfer of watershed district property to a governmental entity for recreational purposes is permissible under relevant watershed district statutes, K.S.A. 24-1209 *Third* and 24-1201a. No specific procedures exist for the sale of watershed district property. Accordingly, Cross Creek Watershed Joint District No. 42 may transfer or sell real estate to a governmental entity at little or no cost, provided general requirements concerning any sale of municipally-owned property are observed. Cited herein: K.S.A. 24-1201a; 24-1209 *Third*. BPA

Opinion No. 87-123

Procedure, Civil—Liens for Labor and Material—Certificate of Deposit in Lieu of Surety Bond for Public Works. Leonard J. Dix, Attorney at Law, Stockton, August 19, 1987.

K.S.A. 60-1112 authorizes the state director of purchases to accept a certificate of deposit from a bidder for state capital improvement projects in lieu of a required surety bond. This statute is not applicable to public works projects for municipalities. Accordingly, a rural water district may not accept a certificate of deposit from a bidder in lieu of a performance bond-payment bond. Cited herein: K.S.A. 60-1112; Ks. Const. Art. II, § 16; G.S. 1867, ch. 132, § 4. BPA

ROBERT T. STEPHAN
Attorney General

Doc. No. 005607

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, Landon State Office Building, 900 Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

TUESDAY, SEPTEMBER 8, 1987

#A-5719

Adjutant General's Department—ADDITION TO USP AND FO HEADQUARTERS BUILDING
#27128 Supplement

Department of Health and Environment and statewide—FAMILY PLANNING
PHARMACEUTICAL AND SUPPLIES
#27300

Department of Transportation—REFLECTIVE SHEETING

#70429

Department of Administration, Division of Information and Communications
Systems—HARDWARE

#70448

Kansas State Penitentiary—BIOFEEDBACK DEVICES

#70456

Kansas State University—GRAIN

WEDNESDAY, SEPTEMBER 9, 1987

#A-5425(a)

Department of Administration, Buildings and Grounds Services—FURNISH (FOB DESTINATION) FOUR (4) REPLACEMENT ELECTRICAL TRANSFORMERS

#A-5707 and #A-5708

University of Kansas—CLEAN, TUCKPOINT AND WATERPROOF EXTERIOR MASONRY, Lindley Hall and Hoch Auditorium

#27348

Statewide—OFFICE SUPPLIES

#27388

Statewide—GLOVES, PACKS AND TRAYS (CLASS 06)

#70446

Department of Transportation—FURNISH AND INSTALL HEATING AND AIR CONDITIONING SYSTEM

#70447

Kansas State University—SHEET METAL SIDING

#70455

Department of Transportation—AGGREGATE, Riley County

#70457

Kansas Correctional Industries—TWILL FABRIC

#70461

University of Kansas Medical Center—BOARDS/SOFTWARE

#70546

Department of Revenue—FURNISH ALL LABOR AND EQUIPMENT TO REMOVE AND REPLACE SCALES, Olathe

THURSDAY, SEPTEMBER 10, 1987

#A-5747-1

University of Kansas—ENERGY CONSERVATION MEASURES, Lewis Hall

#A-5763

Larned State Hospital—REROOF COMMODITY WAREHOUSE

#27686

Winfield State Hospital and Training Center—REAGENT AGREEMENT

#70467

Winfield State Hospital and Training Center—DENTAL LABORATORY EQUIPMENT

#70481

Kansas State Penitentiary—DENTAL LABORATORY EQUIPMENT AND DENTAL EXAM FURNITURE

#70482

Youth Center at Topeka, Kansas Industrial Reformatory, and Kansas State Penitentiary—CLOTHING

FRIDAY, SEPTEMBER 11, 1987

#A-5752

Adjutant General's Department—REROOF ORGANIZATIONAL MAINTENANCE SHOP #8, Ottawa

#70489

University of Kansas—MICROSCOPES

#70490

University of Kansas Medical Center—X-RAY REFURBISHMENT

#70515

Kansas Correctional Industries—STEEL SHEETS

#70516

Department of Transportation—STROBE LIGHTS, Topeka and Hutchinson

#70534

University of Kansas—PAPER, PRINTING AND BINDING

#70535

Kansas State University—CENTRIFUGE ROTORS

#70536

Department of Transportation—REPAIR AND INSPECTION OF CHILLER

TUESDAY, SEPTEMBER 15, 1987

#A-4854(d)

Emporia State University—RENOVATION PHASE IV, Memorial Union Facility

#70488

Pittsburg State University—PUBLIC ADDRESS SYSTEM

WEDNESDAY, SEPTEMBER 16, 1987

#27387

University of Kansas Medical Center and other state agencies—SYRINGES, NEEDLES AND VACUAINERS (CLASS 11)

THURSDAY, SEPTEMBER 17, 1987

#A-5411 Revised

University of Kansas Medical Center—ANIMAL RESEARCH LABORATORY, College of Health Science and Hospital

WEDNESDAY, SEPTEMBER 30, 1987

#70517

Kansas State University—CONSULTING SERVICES

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 005700

Vol. 6, No. 35, August 27, 1987

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NOTICE OF REDEMPTION

**City of Oakley, Kansas
Electric and Waterworks
Refunding Revenue Bonds, Series 1978**

Notice is hereby given that \$60,000 principal amount of bonds, as listed below, are called for redemption on October 1, 1987 at the price of 103 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. These bonds were originally Series 1976A. The serial numbers of the bonds to be redeemed are as follows:

- April 1, 1989: 36, 37, 38, 39, 40, 41
- April 1, 1990: 42, 43, 44, 45, 46, 47

On October 1, 1987, all bonds designated for redemption will become due and payable upon presentation thereof at the office of the State Treasurer, 900 Jackson, Suite 201, Topeka, KS 66612.

JAMES D. DENNISON
Assistant Trust Officer

Doc. No. 005708

(Published in the KANSAS REGISTER, August 27, 1987.)

NOTICE OF REDEMPTION

**Shawnee County, Kansas
Industrial Revenue Bonds, Series A
(Taracom, Inc.)**

Notice is hereby given that \$50,000 principal amount of bonds, as listed below, are called for redemption on October 1, 1987 at the price of 102 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date:

- October 1, 1988: 17, 18, 19
- October 1, 1989: 20, 21, 22
- October 1, 1990: 23, 24, 25, 26

On October 1, 1987, all bonds designated for redemption will become due and payable upon presentation thereof at the address given below. On and after October 1, 1987, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer I.D. number), may be presented for payment in person or by mail at the Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601.

JAMES D. DENNISON
Assistant Trust Officer

Doc. No. 005707

NOTICE OF REDEMPTION

**Cowley County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,285,000 principal amount of the bonds are called for redemption October 1, 1987, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

- Due April 1, 1988 Cusip #223900 AH: 166, 178, 190
- Due April 1, 1989 Cusip #223900 AJ: 202, 216, 229
- Due April 1, 1990 Cusip #223900 AK: 242, 256, 270
- Due April 1, 1991 Cusip #223900 AL: 284, 300, 310, 323
- Due April 1, 1992 Cusip #223900 AM: 340, 355, 369, 382
- Due April 1, 1993 Cusip #223900 AN: 392, 406, 424, 440
- Due April 1, 1994 Cusip #223900 AP: 471, 483, 494

Due April 1, 2011 (Cusip #223900 AQ)

518	1072	1581	2095	2625	3178
533	1086	1595	2116	2635	3193
543	1104	1607	2130	2653	3204
555	1115	1637	2145	2666	3214
568	1127	1648	2181	2677	3227
585	1152	1665	2198	2696	3238
601	1171	1677	2209	2710	3250
614	1184	1689	2220	2724	3264
630	1200	1704	2233	2738	3275
646	1212	1716	2248	2754	3288
657	1225	1731	2262	2770	3306
671	1240	1743	2275	2784	3324
684	1253	1755	2286	2797	3334
694	1263	1772	2305	2812	3346
715	1275	1784	2314	2826	3359
728	1288	1800	2326	2840	3374
741	1302	1811	2337	2851	3385
755	1315	1824	2349	2867	3397
769	1326	1837	2367	2892	3410
780	1339	1853	2382	2907	3422
793	1352	1864	2394	2921	3438
812	1364	1875	2406	2934	3449
826	1377	1888	2421	2946	3465
843	1391	1900	2436	2966	3481
856	1405	1914	2447	2984	3495
872	1421	1929	2460	2998	3510
883	1443	1941	2473	3013	3528
904	1456	1952	2487	3031	3541
917	1466	1968	2500	3047	3558
944	1478	1984	2518	3070	3571
957	1491	1997	2535	3090	3583
972	1502	2008	2545	3102	3600
984	1514	2021	2558	3115	3611
1000	1528	2031	2569	3128	
1016	1540	2049	2580	3140	
1037	1552	2069	2595	3154	
1054	1567	2081	2608	3166	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

Due April 1, 1994 (Cusip #223900 AP):

Registered Bond Number	Amount Called
R57	\$10,000

Due April 1, 2001 (Cusip #233900 AQ):

Registered Bond Number	Amount Called
R19	\$ 5,000
R53	5,000
R61	5,000
R73	35,000
R75	10,000
R77	5,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after October 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City, Kansas
Trustee

Doc. No. 005690

(Published in the KANSAS REGISTER, August 27, 1987.)

NOTICE OF REDEMPTION
Riley County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,740,000 principal amount of the bonds are called for redemption October 1, 1987, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

Due April 1, 1988	Cusip #766642 AG:	98, 103, 108
Due April 1, 1989	Cusip #766642 AH:	124, 132, 142
Due April 1, 1990	Cusip #766642 AJ:	150, 154, 162, 169
Due April 1, 1991	Cusip #766642 AK:	178, 179, 187, 197
Due April 1, 1992	Cusip #766642 AL:	210, 216, 221, 227, 231
Due April 1, 1993	Cusip #766642 AM:	246, 255, 261, 270, 277
Due April 1, 1994	Cusip #766642 AN:	288, 296, 301, 306, 313, 325

Due April 1, 2011 (Cusip #766642 AP)

336	756	1173	1591	2048	2506
366	765	1181	1599	2056	2514
374	772	1188	1607	2067	2521
381	788	1196	1614	2075	2528
391	801	1202	1619	2083	2534
398	806	1209	1627	2096	2544
404	813	1217	1636	2104	2558
410	819	1224	1644	2112	2569
419	828	1231	1653	2123	2575
429	835	1240	1663	2131	2604
438	843	1244	1690	2140	2614
443	851	1252	1695	2149	2620
450	858	1261	1701	2158	2627
456	865	1269	1715	2176	2634
462	871	1276	1722	2182	2641
470	881	1291	1741	2189	2647
477	888	1302	1760	2198	2654
486	895	1319	1773	2206	2663

493	901	1331	1780	2214	2672
502	911	1341	1788	2221	2678
513	922	1349	1797	2231	2685
519	929	1361	1806	2238	2691
525	935	1367	1816	2245	2701
537	942	1373	1824	2257	2707
543	950	1383	1835	2265	2715
550	958	1393	1841	2273	2722
563	964	1402	1848	2280	2730
571	972	1408	1856	2288	2737
579	980	1414	1867	2293	2745
588	987	1420	1877	2301	2757
594	999	1429	1884	2308	2766
603	1009	1441	1893	2314	2773
615	1017	1455	1904	2320	2779
622	1028	1463	1911	2325	2785
628	1037	1470	1917	2331	2794
635	1045	1477	1925	2339	2800
645	1051	1486	1933	2348	2809
657	1060	1493	1940	2363	2819
664	1068	1501	1949	2375	2825
675	1087	1508	1957	2383	2836
682	1093	1516	1964	2407	2843
694	1103	1526	1973	2418	2850
699	1113	1542	1986	2425	2862
707	1121	1548	1999	2454	2870
718	1130	1555	2006	2465	2876
728	1137	1563	2014	2474	2883
738	1146	1569	2022	2482	
744	1155	1575	2029	2490	
749	1166	1582	2039	2497	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

Due April 1, 2011 (Cusip #766642 AP):

Registered Bond Number	Amount Called
R23	\$ 5,000
R38	5,000
R68	5,000
R81	5,000
R82	5,000
R83	10,000
R84	10,000
R85	45,000
R86	35,000
R87	10,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after October 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City, Kansas
Trustee

Doc. No. 005692

(Published in the KANSAS REGISTER, August 27, 1987.)

NOTICE OF CALL FOR REDEMPTION
 to the holders of
City of McPherson, Kansas
Industrial Revenue Bonds
(Vanguard Plastics, Inc.)
Series A-1977—\$400,000
Dated April 1, 1977

Notice is hereby given that pursuant to the provisions of Section 4 of Ordinance No. 1906 of the city of McPherson, Kansas, duly adopted on March 21, 1977, the following bonds of the above-referenced issuance, maturing April 1, 1988 and thereafter, and all unmatured coupons appertaining thereto, have been called for redemption and payment on October 1, 1987 at the principal corporate trust office of Home State Bank & Trust Co., McPherson, Kansas:

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
44 to 50, incl.	4-1-88	\$35,000	7½%
51 to 57, incl.	4-1-89	\$35,000	7¾%
58 to 64, incl.	4-1-90	\$35,000	7¾%
65 to 72, incl.	4-1-91	\$40,000	8%
73 to 80, incl.	4-1-92	\$40,000	8%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 103 percent of the principal amount of each bond together with interest accrued thereon to the redemption date (upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto). Interest shall cease to accrue on the bonds so called for redemption from and after October 1, 1987, provided that sufficient funds for redemption are on deposit with the trustee and paying agent.

CITY OF MCPHERSON, KANSAS
 Home State Bank & Trust Co.,
 McPherson, Kansas
 as Trustee and Paying Agent

Doc. No. 005709

(Published in the KANSAS REGISTER, August 27, 1987.)

NOTICE OF REDEMPTION
Geary County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$1,180,000 principal amount of the bonds are called for redemption October 1, 1987, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the bearer bonds to be redeemed are as follows:

Due April 1, 1988	Cusip #368342 AG: 65, 73
Due April 1, 1989	Cusip #368342 AH: 82, 92
Due April 1, 1990	Cusip #368342 AJ: 100, 104, 113
Due April 1, 1991	Cusip #368342 AK: 115, 126, 133
Due April 1, 1992	Cusip #368342 AL: 147, 154
Due April 1, 1993	Cusip #368342 AM: 166, 172, 182
Due April 1, 1994	Cusip #368342 AN: 189, 194, 200, 206

Due April 1, 2011 (Cusip #368342 AP)

218	525	809	1113	1377	1683
226	533	815	1120	1385	1697
233	541	822	1126	1392	1704
240	551	832	1135	1408	1712
252	559	844	1148	1417	1724
260	565	852	1155	1426	1731
268	573	861	1161	1432	1739
276	579	869	1165	1448	1745
288	587	879	1170	1456	1753
294	599	888	1176	1464	1765
302	606	896	1184	1473	1771
317	613	903	1193	1480	1777
325	622	915	1202	1490	1784
334	629	922	1209	1502	1790
344	636	931	1215	1509	1797
352	643	938	1227	1518	1804
357	657	952	1234	1524	1811
366	665	958	1241	1534	1819
382	673	965	1249	1541	1833
389	680	973	1257	1548	1839
398	689	985	1264	1558	1845
405	698	996	1273	1564	1855
418	704	1003	1278	1571	1868
424	712	1014	1284	1577	1875
433	721	1024	1290	1588	1891
442	734	1031	1300	1594	1907
451	742	1038	1309	1601	1917
457	750	1046	1320	1607	1926
462	758	1053	1326	1615	1933
481	764	1060	1333	1626	1940
488	770	1076	1342	1634	
495	780	1083	1348	1640	
504	787	1089	1356	1649	
510	794	1097	1362	1662	
516	801	1104	1370	1674	

The serial numbers of the registered bonds to be partially or fully redeemed in the amounts described below are as follows:

Due April 1, 1992 (Cusip #368342 AL):

Registered Bond Number	Amount Called
R34	\$5,000

Due April 1, 2011 (Cusip #368342 AP):

Registered Bond Number	Amount Called
R6	\$ 5,000
R44	5,000
R52	5,000
R65	5,000
R83	5,000
R86	5,000
R88	10,000
R89	15,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, KS 66117. To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers when presenting their securities for collection.

Notice is hereby given that on and after October 1, 1987, interest on the bonds hereby called for redemption shall cease to accrue.

Security Bank of Kansas City, Kansas
 Trustee

Doc. No. 005691

(Published in the KANSAS REGISTER, August 27, 1987.)

NOTICE OF BOND SALE
\$16,900,000
City of Olathe, Kansas
General Obligation Bonds
Series 177

Sealed Bids

Sealed bids for the purchase of \$16,900,000 principal amount of general obligation bonds, Series 177, of the city hereinafter described will be received by the undersigned, city clerk of the city of Olathe, Kansas, on behalf of the governing body of the city at the office of the Director of Administrative Services, City Hall, 100 W. Santa Fe, Olathe, KS 66061, until noon C.D.T. on Tuesday, September 1, 1987. Such bids will be publicly considered by the governing body of the city thereafter at its regularly called meeting at 7 p.m. C.D.T. on the same date. 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 September 1, 1987, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1988	\$1,125,000
1989	1,125,000
1990	1,125,000
1991	1,125,000
1992	1,125,000
1993	1,125,000
1994	1,125,000
1995	1,150,000
1996	1,150,000
1997	1,150,000
1998	550,000
1999	550,000
2000	550,000
2001	550,000
2002	550,000
2003	550,000
2004	550,000
2005	575,000
2006	575,000
2007	575,000

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 March 1 and September 1 in each year, beginning on March 1, 1988.

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 Kansas State Treasurer, 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 the 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 September 1, 1996 and thereafter will be subject to redemption and payment prior to maturity on September 1, 1995, and thereafter in whole or in part on any interest payment date (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. Rates must be bid in ascending order. No interest rate shall exceed the index of treasury bonds published by the weekly Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 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

(continued)

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 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 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.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 was signed into law by the President of the United States on October 22, 1986. The provisions of the code regarding obligations of state and local units of government are generally effective for obligations such as the bonds issued after August 31, 1986. Certain of these provisions impose requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Further-

more, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. The city does not intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

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. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation.

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 September 30, 1987, 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 not later than 1 p.m. C.D.T. on September 3, 1987. 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 successful bidder shall furnish the city by 5 p.m. C.D.T. on September 17, 1987, a certificate acceptable to the city's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices described therein, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

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 \$338,000 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 the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the 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 shall 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.

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 or 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 City Hall and must be received by the undersigned prior to noon C.D.T. on Tuesday, September 1, 1987.

Official Statement

Upon the sale of the bonds, the city will adopt an official statement, subject to minor amendments and supplementation. Copies of the city's official statement relating to the bonds may be obtained from the city clerk or the city's financial adviser, Evensen Dodge, Inc., Wayne S. Burggraaff, Senior Vice President, 3608 IDS Tower, Minneapolis, MN 55402 (612) 338-3535. 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 (including motor vehicle valuation and motor vehicle dealers' inventory valuation) for the year 1987 is \$194,409,831. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$58,592,000, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$15,961,500, which will be retired out of the proceeds of the bonds herein offered for sale and other funds of the city.

Additional information regarding the bonds may be obtained from either the city or the city's financial adviser.

Dated August 17, 1987.

CITY OF OLATHE, KANSAS
Howard W. Pevehouse
City Clerk
City Hall
100 W. Santa Fe
Olathe, KS 66061
(913) 782-2600

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