

HOUSE BILL No. 2601

By Committee on Appropriations

4-26

AN ACT concerning the lottery; abolishing the lottery commission; transferring the powers and duties of the lottery; amending K.S.A. 74-8702, as amended by section 5 of 2001 House Bill No. 2038, 74-8706, as amended by section 2 of 2001 House Bill No. 2038, 74-8714, 74-8716 and 74-8720 and K.S.A. 2000 Supp. 74-8705, as amended by section 4 of 2001 House Bill No. 2038, 74-8707, as amended by section 3 of 2001 House Bill No. 2038, 74-8710, as amended by section 6 of 2001 House Bill No. 2038, and 74-8723, as amended by section 1 of 2001 House Bill No. 2038 and repealing the existing sections; also repealing K.S.A. 2000 Supp. 74-8709.

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

New Section 1. (a) The Kansas lottery commission created by K.S.A. 74-8709, and amendments thereto, is hereby abolished.

(b) Except as otherwise provided by law, whenever the lottery commission, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the executive director.

(c) Except as otherwise provided by law, whenever the chairperson of the lottery commission, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the executive director.

(d) All rules and regulations of the lottery commission in existence on July 1, 2002, shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the executive director until revised, amended or nullified pursuant to law.

(e) All orders and directives of the lottery commission in existence on the effective date of this act shall continue to be effective and shall be deemed to be orders and directors of the executive director until revised, amended or nullified pursuant to law.

(f) The executive director shall succeed to whatever right, title or interest the lottery commission has acquired in any property, and the executive director shall hold the same for and in the name of the state of Kansas. On and after July 1, 2002, whenever any statute, contract, deed or other document concerns the power or authority of the lottery com-

1 mission to acquire, hold or dispose of any property or any interest therein,
2 the executive director shall succeed to such power or authority.

3 Sec. 2. K.S.A. 74-8702 as amended by section 5 of 2001 House Bill
4 No. 2038 is hereby amended to read as follows: 74-8702. As used in the
5 Kansas lottery act, unless the context otherwise requires:

6 (a) "Commission" means the Kansas lottery commission *abolished by*
7 *section 1, and amendments thereto.*

8 (b) "Executive director" means the executive director of the Kansas
9 lottery.

10 (c) "Gaming equipment" means any electric, electronic or mechani-
11 cal device or other equipment unique to the Kansas lottery used directly
12 in the operation of any lottery and in the determination of winners pur-
13 suant to this act.

14 (d) "Kansas lottery" means the state agency created by this act to
15 operate a lottery or lotteries pursuant to this act.

16 (e) "Lottery retailer" means any person with whom the Kansas lottery
17 has contracted to sell lottery tickets or shares, or both, to the public.

18 (f) "Lottery" or "state lottery" means the lottery or lotteries operated
19 pursuant to this act.

20 (g) "Major procurement" means any gaming product or service, in-
21 cluding but not limited to facilities, advertising and promotional services,
22 annuity contracts, prize payment agreements, consulting services, equip-
23 ment, tickets and other products and services unique to the Kansas lot-
24 tery, but not including materials, supplies, equipment and services com-
25 mon to the ordinary operations of state agencies.

26 (h) "Person" means any natural person, association, corporation or
27 partnership.

28 (i) "Prize" means any prize paid directly by the Kansas lottery pur-
29 suant to its rules and regulations.

30 (j) "Share" means any intangible manifestation authorized by the
31 Kansas lottery to prove participation in a lottery game.

32 (k) "Ticket" means any tangible evidence issued by the Kansas lottery
33 to prove participation in a lottery game.

34 (l) "Vendor" means any person who has entered into a major pro-
35 curement contract with the Kansas lottery.

36 (m) "Returned ticket" means any ticket which was transferred to a
37 lottery retailer, which was not sold by the lottery retailer and which was
38 returned to the Kansas lottery for refund by issuance of a credit or
39 otherwise.

40 (n) "Video lottery machine" means any electronic video game ma-
41 chine that, upon insertion of cash, is available to play or simulate the play
42 of a video game authorized by the commission, including but not limited
43 to bingo, poker, black jack and keno, and which uses a video display and

1 microprocessors and in which, by chance, the player may receive free
2 games or credits that can be redeemed for cash.

3 (o) (1) "Lottery machine" means any machine or device that allows
4 a player to insert cash or other form of consideration and may deliver as
5 the result of an element of chance, regardless of the skill required by the
6 player, a prize or evidence of a prize, including, but not limited to:

7 (A) Any machine or device in which the prize or evidence of a prize
8 is determined by both chance and the player's or players' skill, including,
9 but not limited to, any machine or device on which a lottery game or
10 lottery games, such as poker or blackjack, are played;

11 (B) any machine or device in which the prize or evidence of a prize
12 is determined only by chance, including, but not limited to, any slot ma-
13 chine or bingo machine; or

14 (C) any lottery ticket vending machine, such as a keno ticket vending
15 machine, pull-tab vending machine or an instant-bingo vending machine.

16 (2) "Lottery machine" shall not mean:

17 (A) Any food vending machine defined by K.S.A. 36-501, and amend-
18 ments thereto;

19 (B) any nonprescription drug machine authorized under K.S.A. 65-
20 650, and amendments thereto;

21 (C) any machine which dispenses only bottled or canned soft drinks,
22 chewing gum, nuts or candies; or

23 (D) any machine excluded from the definition of gambling devices
24 under subsection (d) of K.S.A. 21-4302, and amendments thereto.

25 Sec. 3. K.S.A. 2000 Supp. 74-8705 as amended by section 4 of 2001
26 House Bill No. 2038 is hereby amended to read as follows: 74-8705. (a)
27 Major procurement contracts shall be awarded in accordance with K.S.A.
28 75-3738 through 75-3744, and amendments thereto, or subsection (b), as
29 determined by the director *of the division of purchases*, except that:

30 (1) The contract or contracts for the initial lease of facilities for the
31 Kansas lottery shall be awarded upon the evaluation and approval of the
32 director, the secretary of administration and the director of architectural
33 services;

34 (2) The ~~commission~~ *executive director* shall designate certain major
35 procurement contracts or portions thereof to be awarded, in accordance
36 with rules and regulations of the ~~commission~~ *executive director*, solely to
37 minority business enterprises.

38 (b) The director *of the division of purchases* may award any major
39 procurement contract by use of a procurement negotiating committee.
40 Such committee shall be composed of: (1) The executive director or a
41 Kansas lottery employee designated by the executive director; (2) the
42 chairperson of the commission or a commission member designated by
43 the chairperson; and (3) the director of the division of purchases or an

1 employee of such division designated by the director. Prior to negotiating
2 a major procurement contract, the committee shall solicit bids or pro-
3 posals thereon. The division of purchases shall provide staff support for
4 the committee's solicitations. Upon receipt of bids or proposals, the com-
5 mittee may negotiate with one or more of the persons submitting such
6 bids or proposals and select from among such persons the person to whom
7 the contract is awarded. Such procurements shall be open and competi-
8 tive and shall consider relevant factors, including security, competence,
9 experience, timely performance and maximization of net revenues to the
10 state. If a procurement negotiating committee is utilized, the provisions
11 of K.S.A. 75-3738 through 75-3744, and amendments thereto, shall not
12 apply. Meetings conducted by the procurement negotiating committee
13 shall be exempt from the provisions of the Kansas open meeting act,
14 K.S.A. 75-4317 through 75-4320a, and amendments thereto.

15 (c) Before a major procurement contract is awarded, the executive
16 director shall conduct a background investigation of: (1) The vendor to
17 whom the contract is to be awarded; (2) all officers and directors of such
18 vendor; (3) all persons who own a 5% or more interest in such vendor;
19 (4) all persons who own a controlling interest in such vendor; and (5) any
20 subsidiary or other business in which such vendor owns a controlling
21 interest. The vendor shall submit appropriate investigation authorizations
22 to facilitate such investigation. The executive director may require, in
23 accordance with rules and regulations of the commission, that a vendor
24 submit any additional information considered appropriate to preserve the
25 integrity and security of the lottery. In addition, the executive director
26 may conduct a background investigation of any person having a beneficial
27 interest in a vendor. The secretary of revenue, securities commissioner,
28 attorney general and director of the Kansas bureau of investigation shall
29 assist in any investigation pursuant to this subsection upon request of the
30 executive director. Whenever the secretary of revenue, securities com-
31 missioner, attorney general or director of the Kansas bureau of investi-
32 gation assists in such an investigation and incurs costs in addition to those
33 attributable to the operations of the office or bureau, such additional costs
34 shall be paid by the Kansas lottery. The furnishing of assistance in such
35 an investigation shall be a transaction between the Kansas lottery and the
36 respective officer and shall be settled in accordance with K.S.A. 75-5516,
37 and amendments thereto.

38 Upon the request of the chairperson, the Kansas bureau of investiga-
39 tion and other criminal justice agencies shall provide to the chairperson
40 all background investigation information including criminal history record
41 information, arrest and nonconviction data, criminal intelligence infor-
42 mation and information relating to criminal and background investiga-
43 tions of a vendor to whom a major procurement contract is to be awarded.

1 Such information, other than conviction data, shall be confidential and
2 shall not be disclosed, except as provided in this section. In addition to
3 any other penalty provided by law, disclosure of such information shall
4 be grounds for removal from office or termination of employment.

5 ~~(d) All major procurement contracts shall be subject to approval of~~
6 ~~the commission.~~

7 ~~(e) (d)~~ The executive director shall not agree to any renewal or ex-
8 tension of a major procurement contract unless such extension or renewal
9 is awarded in the manner provided by this section.

10 Sec. 4. K.S.A. 74-8706 as amended by section 2 of 2001 House Bill
11 No. 2038 is hereby amended to read as follows: 74-8706. The executive
12 director shall have the duty to:

13 (a) Make and keep books and records which accurately and fairly
14 reflect each day's transactions, including but not limited to: The distri-
15 bution of tickets and shares to lottery retailers; receipt of funds, prize
16 claims, prize disbursements made by the Kansas lottery or otherwise or
17 prizes liable to be paid by the Kansas lottery; expenses and other financial
18 transactions of the Kansas lottery necessary so as to permit daily
19 accountability.

20 (b) Make quarterly and annual financial reports to ~~the commission,~~
21 the governor, the state treasurer and the legislature. Such reports shall
22 be based upon generally accepted accounting principles and include a full
23 and complete statement of lottery revenues, prize disbursements, ex-
24 penses, net revenues and other financial transactions for the reporting
25 period.

26 ~~(c) Make available for inspection by the commission, upon request,~~
27 ~~all books, records, files and other information and documents of the Kan-~~
28 ~~sas lottery.~~

29 ~~(d) (c)~~ Engage, in accordance with K.S.A. 74-8705, and amendments
30 thereto, an independent firm experienced in marketing research and anal-
31 ysis to conduct periodically an evaluation to determine the effectiveness
32 of marketing, promotion and public information programs used by the
33 Kansas lottery and make recommendations which will enhance such
34 programs.

35 ~~(e) (d)~~ Prepare and submit budgets and proposals for the operation
36 of the Kansas lottery.

37 ~~(f) (e)~~ Operate the Kansas lottery in such a manner that, after the
38 initial state appropriation, it is self-sustaining and self-funded.

39 ~~(g) (f)~~ Make available at the point of sale of any lottery tickets or
40 shares a list of the odds of winning such game, based upon the number
41 of tickets or shares projected to be sold.

42 ~~(h) (g)~~ Make provision for the timely and efficient transfer of funds
43 due from lottery retailers to the lottery operating fund, including the use

1 of electronic funds transfers whenever possible.

2 *(h) Make an ongoing study of the operation and administration of*
3 *lotteries in operation in other states or countries, of available literature*
4 *on the subject, of federal laws and regulations which may affect the op-*
5 *eration of the lottery and of the reaction of citizens of this state to existing*
6 *or proposed features of lottery games, with a view toward implementing*
7 *improvements that will tend to serve the purposes of this act.*

8 *(i) Enter into written agreements with one or more other states or*
9 *corporations made up of representatives of one or more other states' lot-*
10 *teries and participate in the operation, marketing and promotion of a joint*
11 *lottery or joint lottery games, conforming to the provisions of this act.*
12 *Such agreements shall not be subject to the provisions of K.S.A. 75-3738*
13 *through 75-3744, and amendments thereto.*

14 Sec. 5. K.S.A. 2000 Supp. 74-8707 as amended by section 3 of 2001
15 House Bill No. 2038 is hereby amended to read as follows: 74-8707. (a)
16 The accounts and transactions of the Kansas lottery and the Kansas lottery
17 ~~commission~~ shall be subject to an annual financial-compliance audit, and
18 such other audits as directed by the legislative post audit committee,
19 under the legislative post audit act. The annual audit shall be conducted
20 as soon after the close of the fiscal year as practicable. The auditor to
21 conduct this audit work shall be specified in accordance with K.S.A. 46-
22 1122, and amendments thereto. If the legislative post audit committee
23 specifies under such statute that a firm, as defined by K.S.A. 46-1112,
24 and amendments thereto, is to perform all or part of such audit work,
25 such firm shall be selected and shall perform such audit work as provided
26 in K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through
27 46-1127, and amendments thereto.

28 The post auditor shall compute annually the reasonably anticipated cost
29 of providing audits pursuant to this subsection, subject to review and
30 approval by the contract audit committee established by K.S.A. 46-1120,
31 and amendments thereto. Upon such approval, the Kansas lottery shall
32 reimburse the division of post audit for the amount approved by the
33 contract audit committee. The furnishing of audit services pursuant to
34 this subsection shall be a transaction between the post auditor and the
35 Kansas lottery and shall be settled in accordance with the provisions of
36 K.S.A. 75-5516, and amendments thereto.

37 (b) On or before December 31, 2004, and at least once every three
38 years thereafter, there shall be conducted a security audit of the Kansas
39 lottery. A security audit shall include a comprehensive study and evalu-
40 ation of all aspects of security in the operation of the Kansas lottery. The
41 auditor to conduct a security audit shall be specified in accordance with
42 K.S.A. 46-1122, and amendments thereto. If the legislative post audit
43 committee specifies under such statute that a person, as defined by K.S.A.

1 46-1112, and amendments thereto, other than the post auditor is to per-
2 form all or part of such audit work, such person shall be selected and
3 shall perform such audit work as provided in the applicable provisions of
4 K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125 through
5 46-1127, and amendments thereto. The person selected to perform a
6 security audit shall be experienced in security procedures, including, but
7 not limited to, computer and systems security. A contract to conduct a
8 security audit required by this subsection, shall be considered a major
9 procurement contract as defined by K.S.A. 74-8702, and amendments
10 thereto, and shall not be awarded until a background investigation is con-
11 ducted on the person or firm selected to perform the audit. Such back-
12 ground investigation shall be subject to the requirements of subsection
13 (c) of K.S.A. 74-8705, and amendments thereto.

14 For the purpose of conducting a security audit under this subsection,
15 a person or a firm selected to perform the security audit shall not be
16 limited to a legal entity permitted by law to engage in practice as a cer-
17 tified public accountant.

18 The post auditor shall compute the reasonably anticipated cost of pro-
19 viding audits pursuant to this subsection, subject to review and approval
20 by the contract audit committee established by K.S.A. 46-1120, and
21 amendments thereto. Upon such approval, the Kansas lottery shall re-
22 imburse the division of post audit for the amount approved by the contract
23 audit committee. The furnishing of audit services pursuant to this sub-
24 section shall be a transaction between the post auditor and the Kansas
25 lottery and shall be settled in accordance with the provisions of K.S.A.
26 75-5516, and amendments thereto.

27 Sec. 6. K.S.A. 2000 Supp. 74-8710 as amended by section 6 of 2001
28 House Bill No. 2038 is hereby amended to read as follows: 74-8710. (a)
29 ~~The commission, upon the recommendation of the executive director,~~
30 shall adopt rules and regulations governing the establishment and oper-
31 ation of a state lottery as necessary to carry out the purposes of this act.
32 Temporary rules and regulations may be adopted by the ~~commission~~ *ex-*
33 *ecutive director* without being subject to the provisions and requirements
34 of K.S.A. 77-415 through 77-438, and amendments thereto, but shall be
35 subject to approval by the attorney general as to legality and shall be filed
36 with the secretary of state and published in the Kansas register. Tem-
37 porary and permanent rules and regulations may include but shall not be
38 limited to:

39 (1) Subject to the provisions of subsection (c), the types of lottery
40 games to be conducted, including but not limited to instant lottery, on-
41 line and traditional games, but not including games on video lottery ma-
42 chines or lottery machines.

43 (2) The manner of selecting the winning tickets or shares, except that,

1 if a lottery game utilizes a drawing of winning numbers, a drawing among
2 entries or a drawing among finalists, such drawings shall always be open
3 to the public and shall be recorded on both video and audio tape.

4 (3) The manner of payment of prizes to the holders of winning tickets
5 or shares.

6 (4) The frequency of the drawings or selections of winning tickets or
7 shares.

8 (5) The type or types of locations at which tickets or shares may be
9 sold.

10 (6) The method or methods to be used in selling tickets or shares.

11 (7) Additional qualifications for the selection of lottery retailers and
12 the amount of application fees to be paid by each.

13 (8) The amount and method of compensation to be paid to lottery
14 retailers, including special bonuses and incentives.

15 (9) Deadlines for claims for prizes by winners of each lottery game.

16 (10) Provisions for confidentiality of information submitted by ven-
17 dors pursuant to K.S.A. 74-8705, and amendments thereto.

18 (11) Information required to be submitted by vendors, in addition to
19 that required by K.S.A. 74-8705, and amendments thereto.

20 (12) The major procurement contracts or portions thereof to be
21 awarded to minority business enterprises pursuant to subsection (a) of
22 K.S.A. 74-8705, and amendments thereto, and procedures for the award
23 thereof.

24 (b) No new lottery game shall commence operation after the effective
25 date of this act unless first approved by the governor or, in the governor's
26 absence or disability, the lieutenant governor.

27 (c) The ~~lottery~~ *executive director* shall adopt rules and regulations
28 concerning the game of keno. Such rules and regulations shall require
29 that the amount of time which elapses between the start of games shall
30 not be less than four minutes.

31 Sec. 7. K.S.A. 74-8714 is hereby amended to read as follows: 74-
32 8714. (a) Employees of the Kansas lottery designated by the executive
33 director are hereby vested with the power and authority of law enforce-
34 ment officers in the execution of the duties imposed upon the executive
35 director by this act and in enforcing the provisions of this act.

36 (b) Employees designated by the executive director pursuant to sub-
37 section (a) shall have the authority to:

38 (1) Make arrests, conduct searches and seizures and carry firearms
39 while investigating violations of this act and during routine conduct of
40 their duties as determined by the executive director or designee of the
41 executive director;

42 (2) make arrests, conduct searches and seizures and generally to en-
43 force all the criminal laws of the state as violations of those laws are

1 encountered by such employees during the routine performance of their
2 duties; and

3 (3) issue notices to appear pursuant to K.S.A. 22-2408 and amend-
4 ments thereto.

5 (c) No employee of the Kansas lottery shall be certified to carry fire-
6 arms under the provisions of this section without having first successfully
7 completed the firearm training course or courses prescribed for law en-
8 forcement officers under subsection (a) of K.S.A. 74-5604a, and amend-
9 ments thereto.

10 (d) The ~~commission~~ *executive director* may adopt rules and regula-
11 tions prescribing other training required for such employees.

12 Sec. 8. K.S.A. 74-8716 is hereby amended to read as follows: 74-
13 8716. (a) It is unlawful for the executive director, ~~a member of the com-~~
14 ~~mission~~ or any employee of the Kansas lottery, or any person residing in
15 the household thereof to:

16 (1) Have, either directly or indirectly, an interest in a business know-
17 ing that such business contracts with the Kansas lottery for a major pro-
18 curement, whether such interest is as a natural person, partner, member
19 of an association, stockholder or director or officer of a corporation; or

20 (2) accept or agree to accept any economic opportunity, gift, loan,
21 gratuity, special discount, favor or service, or hospitality other than food
22 and beverages, having an aggregate value of \$20 or more in any calendar
23 year from a person knowing that such person (A) contracts or seeks to
24 contract with the state to supply gaming equipment, materials, tickets or
25 consulting services for use in the lottery or (B) is a lottery retailer or an
26 applicant for lottery retailer.

27 (b) It is unlawful for a lottery retailer, an applicant for lottery retailer
28 or a person who contracts or seeks to contract with the state to supply
29 gaming equipment, materials, tickets or consulting services for use in the
30 lottery to offer, pay, give or make any economic opportunity, gift, loan,
31 gratuity, special discount, favor or service, or hospitality other than food
32 and beverages, having an aggregate value of \$20 or more in any calendar
33 year to a person, knowing such person is the executive director, ~~a member~~
34 ~~of the commission or an~~ *or other* employee of the Kansas lottery, or a
35 person residing in the household thereof.

36 (c) Violation of this section is a class A misdemeanor.

37 (d) If the executive director, ~~a member of the commission or an~~ *or*
38 *other* employee of the Kansas lottery, or any person residing in the house-
39 hold thereof, is convicted of an act described by this section, such exec-
40 utive director, ~~member~~ *or other* employee shall be removed from office
41 or employment with the Kansas lottery.

42 (e) In addition to the provisions of this section, all other provisions
43 of law relating to conflicts of interest of state employees shall apply to the

1 ~~members of the commission and~~ *executive director and other* employees
2 of the Kansas lottery.

3 Sec. 9. K.S.A. 74-8720 is hereby amended to read as follows: 74-
4 8720. (a) As nearly as practical, an amount equal to not less than 45% of
5 the total sales of lottery tickets or shares, computed on an annual basis,
6 shall be allocated for payment of lottery prizes.

7 (b) The prize to be paid or awarded for each winning ticket or share
8 shall be paid to one natural person who is adjudged by the executive
9 director, the director's designee or the retailer paying the prize, to be the
10 holder of such winning ticket or share, or the person designated in writing
11 by the holder of the winning ticket or share on a form satisfactory to the
12 executive director, except that the prize of a deceased winner shall be
13 paid to the duly appointed representative of the estate of such winner or
14 to such other person or persons appearing to be legally entitled thereto.

15 (c) The executive director shall award the designated prize to the
16 holder of the ticket or share upon the validation of a claim or confirmation
17 of a winning share. The executive director shall have the authority to make
18 payment for prizes by any means deemed appropriate upon the validation
19 of winning tickets or shares.

20 (d) The right of a person to a prize drawn or awarded is not
21 assignable.

22 (e) All prizes awarded shall be taxed as Kansas source income and
23 shall be subject to all state and federal income tax laws and rules and
24 regulations. State income taxes shall be withheld from prizes paid when-
25 ever federal income taxes are required to be withheld under current fed-
26 eral law.

27 (f) Unclaimed prize money not payable directly by lottery retailers
28 shall be retained for the period established by rules and regulations and
29 if no claim is made within such period, then such unclaimed prize money
30 shall be added to the prize pools of subsequent lottery games.

31 (g) The state of Kansas, ~~members of the commission~~ and employees
32 of the Kansas lottery shall be discharged of all further liability upon pay-
33 ment of a prize pursuant to this section.

34 (h) The Kansas lottery shall not publicly disclose the identity of any
35 person awarded a prize except upon written authorization of such person.

36 Sec. 10. K.S.A. 2000 Supp. 74-8723 as amended by section 1 of 2001
37 House Bill No. 2038 is hereby amended to read as follows: 74-8723. (a)
38 The Kansas lottery and the office of executive director of the Kansas
39 lottery, established by K.S.A. 74-8703, and amendments thereto, ~~and the~~
40 ~~Kansas lottery commission, created by K.S.A. 74-8700, and amendments~~
41 ~~thereto,~~ shall be and hereby are abolished on July 1, 2008.

42 (b) This section shall be part of and supplemental to the Kansas lot-
43 tery act.

1 Sec. 11. K.S.A. 74-8702, as amended by section 5 of 2001 House Bill
2 No. 2038, 74-8706, as amended by section 2 of 2001 House Bill No. 2038,
3 74-8714, 74-8716 and K.S.A. 74-8720 and K.S.A. 2000 Supp. 74-8705, as
4 amended by section 4 of 2001 House Bill No. 2038, 74-8707, as amended
5 by section 3 of 2001 House Bill No. 2038, 74-8709, 74-8710, as amended
6 by section 6 of 2001 House Bill No. 2038, and 74-8723, as amended by
7 section 1 of 2001 House Bill No. 2038 are hereby repealed.

8 Sec. 12. This act shall take effect and be in force from and after July
9 1, 2002, and its publication in the statute book.

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