

MINUTES OF THE House COMMITTEE ON Federal and State Affairs

The meeting was called to order by Rep. Neal D. Whitaker at \_\_\_\_\_  
Chairperson

1:30 ~~xxx~~ p.m. on February 24, 1983 in room 526-s of the Capitol.

All members were present except:

Committee staff present:

Russ Mills, Legislative Research  
Mary Torrence, Revisor of Statute's Office  
Nora Crouch, Committee Secretary

Conferees appearing before the committee:

Ernie Mosher, League of Kansas Municipalities

Chairman Whitaker called the meeting to order and announced that HB 2451 was on hearing status. He further informed the Committee that action would be taken on a number of bills.

Ernie Mosher, Executive Director, League of Kansas Municipalities, appeared to explain the provisions of HB 2451 stating it provides a base for county treasurers to distribute sales tax collections. The bill would assure that the population used by county treasurers is the most recent available. (See Attachment A)

Rep. Barr moved, Rep. Cobb seconding, that HB 2088 be reported favorably for passage. The motion carried.

Rep. Matlack moved, Rep. Rameriz seconding, that HB 2451 be reported favorably for passage. The motion carried.

Rep. Peterson moved, Rep. Fuller seconding, that HB 2145 be reported adversely. The motion Carried.

Rep. Peterson moved, Rep. Cobb seconding, that HB 2328 be reported adversely. The motion carried.

Rep. Vancrum presented the Committee with a revised copy of HB 2382 containing amendments that the Department of Revenue had requested. The amendments are to Line 93 on Page 3 (See Attachment B). Rep. Vancrum moved, Rep. Peterson seconding, that the amendments to Line 93 after (e): The motion carried. Rep. Vancrum moved, Rep. Sughrue seconding that on page 3, Line 93 a new sentence be added "Lend any driver's license, nondriver's identification card or other form of identification to aid another person in wrongfully obtaining a driver's license or duplicate or substitute driver's license." The motion passed. Rep. Brady moved, Rep. Sughrue seconding that on Line 9# proposed amendment (g) read "an affidavit of the person's parent or guardian stating the person's name and date of birth." The motion carried. Rep. Vancrum moved, Rep. Cobb seconding, that on Page 2, Line 49 the words "nondrivers' identification card or other form of identification" be added, and on Line 81 after the word "card" the words "driver's license or other form of identification" be added. The motion carried. Rep. Vancrum moved, Rep. Peterson seconding, that penalty provisions be provided in this bill. After Committee discussion the motion and second were withdrawn. Rep. Ott moved, Rep. Sughrue seconding, that HB 2382 be introduced as a substitute bill due to the many changes. Rep. Murphy made a substitute motion, Rep. Eckert seconding, that the words "military dependent identification card" be added to the list of acceptable documents. The motion carried. Rep. Ott moved, Rep. Vancrum seconding, that HB 2382 be introduced as a substitute bill. The motion carried. Rep. Vancrum moved, Rep. Ediger seconding, that a Committee bill be introduced including language stating that it be unlawful for any person to "Display or possess any photograph, photostat, duplicate or facsimile of a driver's license unless authorized by law" and that the penalty for dealing in false ID's be raised from a class A misdemeanor to a class E felony. The motion carried.

CONTINUATION SHEET

Minutes of the House Committee on Federal & State Affairs, 19    

February 24, 1983

Rep. Vancrum moved, Rep. Ott seconding, that HB 2382 be recommended favorably for passage as amended. The motion carried.

Rep. Vancrum moved, Rep. Matlack seconding that on HB 2185 on Line 53 the words "if the land subject to the interest or certificate is situated in Kansas and;" be added, and that on Line 85 it should read "subsections (a), (e) or (n) of that section,...", and that the stricken language on Lines 52 & 53 be reinstated. The motion carried. Rep. Vancrum moved, Rep. Ott seconding, that HB 2185 be reported favorably for passage as amended.

Rep. Matlack moved, Rep. Murphy seconding, that on HB 2169 the amendment from the Department of Administration on Line 199 (b) be accepted striking the word "may" and inserting "shall" and on Line 201 including the words "include in construction related contracts...". The motion carried. Rep. Sughrue moved, Rep. Ediger seconding, that HB 2169 be reported favorably for passage as amended. The motion carried.

Rep. Cobb moved, Rep. Murphy seconding that on HB 2191 that on Line 34 the language authorizing the Fire Marshal to supply copies of the code at the cost of the agency be included. The motion carried. Rep. Hensley moved, Rep. Fuller seconding, that HB 2191 be reported favorably for passage as amended. The motion carried.

Rep. Matlack moved, Rep. Sughrue seconding, that on HB 2192 the language stricken on Lines 139 through 147 with the exception of the words "prior to" to the word "hearing" be reinstated and by striking the new language from Lines 148 through 166. The motion carried. Rep. Matlack moved, Rep. Sughrue seconding, that HB 2192 be reported favorably for passage as amended. The motion carried.

Rep. Fuller moved, Rep. Cobb seconding, that HB 2258 be reported adversely. Rep. Hensley made a substitute motion, Rep. Matlack seconding, that HB 2258 be tabled. The motion passed. Rep. Smith is recorded as voting "no."

Rep. Matlack moved, Rep. Murphy seconding that the amendments to HB 2146 be adopted. Rep. Ramirez made a substitute motion, Rep. Smith seconding, that HB 2146 be tabled. The motion carried. A division was requested. 9 voted yes and 8 voted no.

Rep. Smith moved, Rep. Cobb seconding, that SB 59 be reported favorably for passage. Rep. Barr made a substitute motion, Rep. Eckert seconding, that handicapped persons be included in fee consideration. The motion carried. Rep. Sughrue moved, Rep. Barr seconding, that SB 59 be reported favorably for passage as amended. The motion carried.

The meeting adjourned.

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE 2/24/83

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Chris Graves	Topeka	Assoc Students of Ks
Mark Tailman	Topeka	" " " "
Dennis Mize	Topeka	" " " "
Paul Sterrett	Topeka	ASK/Washburn Univ.
Bill Blankenship	Topeka	ASK/Washburn Univ
Scott Swenson	Lawrence	ASK/Univ of Ks
Lisa Ashner	Lawrence	Univ of Ks
Patricia Bird	Topeka	Washburn University
TEREV L. RAY	MANHATTAN	RAY ENTERPRISES
MOKHTEE AHMAD	TOPEKA	BUDGET.
Ann Salomon		State
Jammy Johnson		Intern
Mark Berangak	Topeka	KBUD
DAVID ADKINS	LAWRENCE	UNIV. of KANSAS
John Miller	Shawnee	Progressive Retailer

Statement on HB 2451--Population Data for Countywide Sales Taxes  
To House Committee on Federal and State Affairs  
By E.A. Mosher, Executive Director, League of Kansas Municipalities  
February 24, 1983

The League supports HB 2451 as an attempt to provide accurate population information to county treasurers for the distribution of countywide retailers' sales tax collections. Under K.S.A. 12-192, one-half the revenue from a countywide sales tax is distributed based on population; the county general fund receives an amount based on the population outside cities; each city receives an amount based on its percentage share of the total county population.

The population information now certified by the division of the budget to the secretary of state does not provide consistent data for this purpose. For example, the report certified as of July 1, 1982 contained the Bureau of the Census July 1, 1981 provisional estimates for countywide figures, but contained the 1980 federal census figures (corrected) for cities--estimates for cities are not available. The division reports only countywide figures and city figures--not unincorporated areas. As a result, we have totals which exceed the sum of their parts if there is countywide growth, or parts exceeding the reported total if there is a countywide decrease.

For example, Scott County (which has a countywide sales tax) has a reported population of 5,782 in 1980 and 5,877 in 1982, an increase of 95. The population of Scott City (the only city) remained the same, at 4,154, in both reports. Further, the available information as to population of the unincorporated areas remained the same, since the countywide figures have not been broken down since 1980 for cities and townships. Where is the money for the 95 people assigned?

This problem has resulted from the failure of the Bureau of the Census to provide updated census information for both cities and counties, as planned when we switched from the annual county enumeration. It is reported that budget cut-backs may prevent the Bureau from preparing such estimates in the future.

The bill would make certain that the population used by county treasurers is the most recent available for which a consistent date base is available. In other words, if updated city and county information is available in 1983 or later years, it will be used.

The reference to K.S.A. 11-203 in the first section of the bill has been stricken since this statute, by its terms, expired on July 1, 1982.

The other stricken line in Section 1 removes now obsolete material.

*Alec B. A*

1

0083 (d) Violation of any provision of subsection (c) is a class **B A**  
0084 misdemeanor.

0085 Sec. 3. K.S.A. 8-246 is hereby amended to read as follows:  
0086 8-246. In the event that a driver's license issued under the  
0087 provisions of this act is lost or destroyed, the person to whom the  
0088 same was issued may obtain a duplicate, or substitute thereof,  
0089 upon furnishing proof satisfactory to the division that such li-  
0090 cense was lost or destroyed, and upon the payment of a fee of ~~one~~  
0091 ~~dollar (\$1.00)~~ \$1. At least two of the following documents shall be  
0092 furnished as such proof, together with an appropriate affidavit of  
0093 the circumstances:

of the loss or destruction of the license, and at least one of the documents shall bear the person's signature

- 0094 (a) Military identification card;
- 0095 (b) motor vehicle registration;
- 0096 (c) birth certificate;
- 0097 (d) marriage license; ~~and~~
- 0098 (e) medicare identification card;

- (f) military discharge papers;
- (g) military orders;
- (h) military D.D. 214;
- (i) military driver's license;
- (j) certified copy of school transcript or diploma;
- (k) certified copy of income tax return; or
- (l) certified copy of court order identifying person by name

0099 In the case of persons 65 years of age or older, the division may  
0100 waive the furnishing of one of such documents.

0101 Sec. 4. K.S.A. 8-1326 is hereby amended to read as follows:  
0102 8-1326. In the event an identification card issued pursuant to this  
0103 act is lost, destroyed, mutilated, or a new name is acquired, the  
0104 person to whom said card was issued shall obtain a duplicate card  
0105 upon furnishing satisfactory proof of loss to the division and  
0106 payment of a fee of ~~one dollar (\$1)~~ \$1. Any person who loses an  
0107 identification card and who, after obtaining a duplicate, finds the  
0108 original card shall immediately surrender the original card to the  
0109 division. ~~The same documentary evidence shall be furnished for~~  
0110 ~~a duplicate as for an original identification card. At least two of~~  
0111 ~~the following documents shall be furnished as such proof, to-~~  
0112 ~~gether with an appropriate affidavit of the circumstances:~~

of the loss or destruction of the card, and at least one of the documents shall bear the person's signature

- 0113 (a) Military identification card;
- 0114 (b) motor vehicle registration;
- 0115 (c) birth certificate;
- 0116 (d) marriage license; ~~and~~
- 0117 (e) medicare identification card;

- (f) military discharge papers;
- (g) military orders;
- (h) military D.D. 214;
- (i) military driver's license;
- (j) certified copy of school transcript or diploma;
- (k) certified copy of income tax return; or
- (l) certified copy of court order identifying person by name

0118 In the case of persons 65 years of age or older, the division may  
0119 waive the furnishing of one of such documents.

Atch. B

0083 (d) Violation of any provision of subsection (c) is a class B A  
0084 misdemeanor.

0085 Sec. 3. K.S.A. 8-246 is hereby amended to read as follows:  
0086 8-246. In the event that a driver's license issued under the  
0087 provisions of this act is lost or destroyed, the person to whom the  
0088 same was issued may obtain a duplicate, or substitute thereof,  
0089 upon furnishing proof satisfactory to the division that such li-  
0090 cense was lost or destroyed, and upon the payment of a fee of ~~one~~  
0091 ~~dollar (\$1.00)~~ \$1. *At least two of the following documents shall be*  
0092 *furnished as such proof, together with an appropriate affidavit of*  
0093 *the circumstances:*

of  
/the loss or destruction of the license

- 0094 (a) Military identification card;
- 0095 (b) motor vehicle registration;
- 0096 (c) birth certificate;
- 0097 (d) marriage license; and
- 0098 (e) medicare identification card.

0099 *In the case of persons 65 years of age or older, the division may*  
0100 *waive the furnishing of one of such documents.*

0101 Sec. 4. K.S.A. 8-1326 is hereby amended to read as follows:  
0102 8-1326. In the event an identification card issued pursuant to this  
0103 act is lost, destroyed, mutilated, or a new name is acquired, the  
0104 person to whom said card was issued shall obtain a duplicate card  
0105 upon furnishing satisfactory proof of loss to the division and  
0106 payment of a fee of ~~one dollar (\$1)~~ \$1. Any person who loses an  
0107 identification card and who, after obtaining a duplicate, finds the  
0108 original card shall immediately surrender the original card to the  
0109 division. ~~The same documentary evidence shall be furnished for~~  
0110 ~~a duplicate as for an original identification card. At least two of~~  
0111 ~~the following documents shall be furnished as such proof, to-~~  
0112 ~~gether with an appropriate affidavit of the circumstances:~~

- ; (f) student identification card bearing the photograph and date of birth of the person; or
- (g) an affidavit of the person's parent, <sup>or guardian</sup> stating the person's name and date of birth, if the person is less than 18 years of age

of the loss or destruction of the card

- 0113 (a) Military identification card;
- 0114 (b) motor vehicle registration;
- 0115 (c) birth certificate;
- 0116 (d) marriage license; and
- 0117 (e) medicare identification card.

0118 *In the case of persons 65 years of age or older, the division may*  
0119 *waive the furnishing of one of such documents.*

- ; (f) student identification card bearing the photo-graph and date of birth of the person; or
- (g) an affidavit of the person's parent, stating the person's name and date of birth, if the person is less than 18 years of age



0046 (2) Lend any driver's license to or knowingly permit the use  
 0047 of any driver's license by a person under ~~eighteen (18)~~ 18 years  
 0048 old for use in the purchase of any cereal malt beverage.

0049 (3) *Lend any driver's license to aid another person in wrong-*  
 0050 *fully obtaining a driver's license or duplicate driver's license.*

0051 (d) Violation of any provision of subsection (c) is a class ~~B~~ A  
 0052 misdemeanor.

0053 Sec. 2. K.S.A. 8-1327 is hereby amended to read as follows:  
 0054 8-1327. (a) It shall be unlawful for any person to: (1) Display,  
 0055 cause or permit to be displayed, or have in possession, any  
 0056 canceled, fictitious, fraudulently altered, or fraudulently ob-  
 0057 tained identification card.

0058 (2) Lend any identification card to any other person or know-  
 0059 ingly permit the use thereof by another.

0060 (3) Display or represent any identification card not issued to  
 0061 such person as being ~~his or her~~ *such person's* card.

0062 (4) Permit any unlawful use of an identification card issued to  
 0063 such person.

0064 (5) Do any act forbidden or fail to perform any act required by  
 0065 this act.

0066 (6) Photograph, photostat, duplicate or in any way reproduce  
 0067 any identification card or facsimile thereof in such a manner that  
 0068 it could be mistaken for a valid identification card or display or  
 0069 have in possession any such photograph, photostat, duplicate,  
 0070 reproduction or facsimile unless authorized by the provisions of  
 0071 this act.

0072 (b) Violation of any provision of subsection (a) is a class ~~C~~ B  
 0073 misdemeanor.

0074 (c) It shall be unlawful for any person to:

0075 (1) Lend any identification card to or knowingly permit the  
 0076 use of any identification card by any person under ~~twenty-one~~  
 0077 ~~(21)~~ 21 years old for use in the purchase of any alcoholic liquor.

0078 (2) Lend any identification card to or knowingly permit the  
 0079 use of any identification card by any person under ~~eighteen (18)~~  
 0080 18 years old for use in the purchase of any cereal malt beverage.

0081 (3) *Lend any identification card to aid another person in*  
 0082 *obtaining an identification card or duplicate identification card.*

, nondriver's identification card or other form of  
 identification

, driver's license or other form of identification

HOUSE BILL No. 2382

By Representative Vancrum

2-9

0017 AN ACT concerning motor vehicles; drivers' licenses and non-
0018 driver's identification; ~~evidence for obtaining duplicates; un-~~
0019 ~~lawful use;~~ amending K.S.A. 8-246, 8-260, 8-1326 and 8-1327.
0020 and repealing the existing sections.

relating to

prohibiting certain acts and providing penalties there-
for

0021 Be it enacted by the Legislature of the State of Kansas:

0022 Section 1. K.S.A. 8-260 is hereby amended to read as follows:

0023 8-260. (a) It shall be unlawful for any person, for any purpose, to:

0024 (1) Display or cause or permit to be displayed or have in
0025 possession any canceled, revoked, suspended, fictitious or fraud-
0026 ulently altered driver's license.

0027 (2) Lend any driver's license to any other person or knowingly
0028 permit the use thereof by another.

0029 (3) Display or represent as such person's own, any driver's
0030 license not issued to such person.

0031 (4) Fail or refuse to surrender to the division upon its lawful
0032 demand any driver's license which has been suspended, revoked,
0033 or canceled.

0034 (5) Use a false or fictitious name in any application for a
0035 driver's license, or any renewal or duplicate thereof, or knowingly
0036 conceal a material fact, or otherwise commit a fraud in any such
0037 application.

0038 (6) Permit any unlawful use of a driver's license issued to
0039 such person.

0040 (b) Violation of any provision of subsection (a) is a class G B
0041 misdemeanor.

0042 (c) It shall be unlawful for any person to:

0043 (1) Lend any driver's license to or knowingly permit the use
0044 of any driver's license by any person under ~~twenty-one (21)~~ 21
0045 years old for use in the purchase of any alcoholic liquor.

(7) Display or possess any photograph, photostat,
duplicate or facsimile of a driver's license unless
authorized by law.



0046 (2) Lend any driver's license to or knowingly permit the use  
0047 of any driver's license by a person under ~~eighteen (18)~~ 18 years  
0048 old for use in the purchase of any cereal malt beverage.

0049 (3) Lend any driver's license to aid another person in wrong-  
0050 fully obtaining a driver's license or duplicate driver's license.

0051 (d) Violation of any provision of subsection (c) is a class ~~B~~ A  
0052 misdemeanor.

0053 Sec. 2. K.S.A. 8-1327 is hereby amended to read as follows:

0054 8-1327. (a) It shall be unlawful for any person to: (1) Display,  
0055 cause or permit to be displayed, or ~~have in possession,~~ any  
0056 canceled, fictitious, fraudulently altered, or fraudulently ob-  
0057 tained identification card.

possess

0058 (2) Lend any identification card to any other person or know-  
0059 ingly permit the use thereof by another.

0060 (3) Display or represent any identification card not issued to  
0061 such person as being ~~his or her~~ such person's card.

0062 (4) Permit any unlawful use of an identification card issued to  
0063 such person.

0064 (5) Do any act forbidden or fail to perform any act required by  
0065 this act.

0066 (6) ~~Photograph, photostat, duplicate or in any way reproduce  
0067 any identification card or facsimile thereof in such a manner that  
0068 it could be mistaken for a valid identification card or display or  
0069 have in possession any such~~ photograph, photostat, duplicate,  
0070 reproduction or facsimile, unless authorized by the provisions of  
0071 this act.

Display or possess any

of an identification card

0072 (b) Violation of any provision of subsection (a) is a class ~~C~~ B  
0073 misdemeanor.

0074 (c) It shall be unlawful for any person to:

0075 (1) Lend any identification card to or knowingly permit the  
0076 use of any identification card by any person under ~~twenty-one~~  
0077 ~~(21)~~ 21 years old for use in the purchase of any alcoholic liquor.

0078 (2) Lend any identification card to or knowingly permit the  
0079 use of any identification card by any person under ~~eighteen (18)~~  
0080 18 years old for use in the purchase of any cereal malt beverage.

0081 (3) Lend any identification card to aid another person in  
0082 obtaining an identification card or duplicate identification card.

0120 Sec. ~~5~~ K.S.A. 8-246, 8-260, 8-1326 and 8-1327 are hereby  
0121 repealed. 6

0122 Sec. ~~6~~ This act shall take effect and be in force from and after  
0123 its publication in the statute book. 7

New Sec. 5. (a) No person shall photograph, photo-  
stat, duplicate or in any way reproduce any driver's  
license or nondriver's identification card, or  
produce any facsimile thereof, in such a manner that  
it may be mistaken for a valid driver's license or  
nondriver's identification card.

(b) This section shall not apply to duplication of  
drivers' licenses or nondrivers' identification cards  
by the division of vehicles.

(c) Violation of this section is a class E felony.

STATE OF KANSAS  
DEPARTMENT OF ADMINISTRATION  
JOHN CARLIN, Governor  
PATRICK J. HURLEY, Secretary of Administration  
Room 263-E, Capitol Building  
(913) 296-3011

MEMORANDUM

TO: Neal Whitaker, Chairman, House Federal and State  
Affairs Committee

FROM: Arthur *AH* Griggs, Chief Attorney *3012*

DATE: February 14, 1983

SUBJECT: House Bill 2169

Please find enclosed a copy of a proposed change to House Bill 2169. Although the Joint Committee on Administrative Rules and Regulations and our Department felt that the building and construction standards should be set out in construction contracts rather than formal rules and regulations, the proposed amendment in lines 198 through 204 does not clearly express this thought.

At the hearing on the bill, a member of your Committee questioned whether the amendment in lines 198 through 204 would permit our Department to choose whether or not to adopt building and construction standards. While this was certainly not the intention of the Joint Committee or our Department, the existing wording of the amendment does make it appear that the decision of whether to adopt standards is discretionary.

I believe that the attached ballon amendment clearly eliminates this question.

AHG:ca

Enclosure



0192 (e) (4) develop and adopt standards, with the advice and  
0193 assistance of the director of architectural services, for the inspec-  
0194 tion and acceptance of projects for the construction of buildings  
0195 and major repairs and improvements to buildings for state agen-  
0196 cies and for the qualifications of inspection personnel employed  
0197 by state agencies.

0198 (b) *With the advice of the state building advisory commission,*  
0199 *the secretary of administration ~~may develop and adopt rules and~~*  
0200 *~~regulations in accordance with the provisions of K.S.A. 77-415 et~~*  
0201 *~~seq. and amendments thereto, establishing~~ standards for plan-*  
0202 *ning, design and construction of buildings and major repairs and*  
0203 *improvements to buildings for state agencies, which standards*  
0204 *shall include energy conservation standards.*

shall

include in construction related contracts

0205 Sec. 3. K.S.A. 1982 Supp. 75-4703 is hereby amended to read  
0206 as follows: 75-4703. The secretary of administration ~~shall~~ *may*  
0207 adopt rules and regulations as provided in K.S.A. ~~1982 Supp.~~  
0208 ~~75-3706, and amendments thereto,~~ relating to the following:

0209 (a) Establishment of rates and charges for services performed  
0210 by the division of information systems and computing for any  
0211 other division, department or state agency. Such rates and charges  
0212 shall be maintained by a cost system in accordance with generally  
0213 accepted accounting principles. In determining cost rates for  
0214 billing to agencies, overhead expenses shall include but not be  
0215 limited to light, heat, power, insurance, labor, ~~depreciation, etc~~  
0216 *and depreciation.* Billings shall include direct and indirect costs  
0217 and shall be based on the foregoing cost accounting practices.

0218 (b) For determination of priorities for services performed by  
0219 the division of information systems and computing, including  
0220 authority to decline new projects under specified conditions.

0221 (c) Specification of standards for submission of data to be  
0222 processed by the division of information systems and computing,  
0223 including authority to decline to process computer programs and  
0224 projects not conforming to published standards.

0225 (d) Specification of standards and measures relating to secur-  
0226 ity, confidentiality and availability of data processed by the  
0227 division of information systems and computing.

0228 Sec. 4. K.S.A. 75-5514 is hereby amended to read as follows:

0119 pursuant to section 2.

0120 (f) "Nonprofit veterans' organization" means any organiza-  
0121 tion within this state or any branch, lodge, or chapter of a national  
0122 or state organization within this state, the membership of which  
0123 consists exclusively of individuals who qualify for membership  
0124 because they were or are members of the armed services or forces  
0125 of the United States, or an auxiliary unit or society of such a  
0126 nonprofit veterans' organization the membership of which con-  
0127 sists exclusively of individuals who were or are members of the  
0128 armed services or forces of the United States, or are cadets, or are  
0129 spouses, widows or widowers of individuals who were or are  
0130 members of the armed services or forces of the United States, and  
0131 of which if:

0132 (1) No part of the net earnings inures to the benefit of any  
0133 private shareholder or individual member of such organization;;  
0134 and

0135 (2) (A) *the organization* has been determined by the secretary  
0136 of revenue to be organized and operated as a bona fide veterans'  
0137 organization and which has been exempted from the payment of  
0138 federal income taxes as provided by section 501(c)(4) or  
0139 501(c)(19) of the federal internal revenue code of 1954, as  
0140 amended, or determined to be organized and operated as a bona  
0141 fide nonprofit veterans' organization by the secretary of revenue;  
0142 or

0143 (B) *for the purpose of obtaining a temporary license only, has*  
0144 *been determined to be a nonprofit veterans' organization pursuant*  
0145 *to section 2.*

0146 (g) "Lessor" means the owner, co-owner, lessor or sublessor  
0147 of premises upon which a licensee is permitted to manage,  
0148 operate or conduct games of bingo, whether or not a written lease  
0149 has been entered into and submitted to the secretary of revenue as  
0150 required in subsection (c) of K.S.A. 79-4703 and amendments  
0151 thereto, and includes all political subdivisions and other public  
0152 agencies.

0153 New Sec. 2. (a) The governing body of a city or county of this  
0154 state may make application to the secretary of revenue for a  
0155 temporary license to manage, operate or conduct games of bingo.

0156 The temporary license shall be valid for not more than two days  
0157 and only for premises within the respective city or county. Not  
0158 more than one temporary license shall be issued to a city or  
0159 county in any calendar year.

consecutive

0160 (b) A temporary license shall authorize games of bingo to be  
0161 managed, operated or conducted by ~~one or more organizations~~  
0162 ~~which are~~ determined by the governing body of the city or county  
0163 to be ~~bona fide nonprofit religious, charitable, fraternal, educa-~~  
0164 ~~tional or veterans' organizations~~ and to which the temporary  
0165 license is assigned by the governing body for the term of the  
0166 temporary license's validity.

an organization which is

a

organization

0167 (c) Prior to application for a temporary license, the governing  
0168 body of the city or county shall adopt an ordinance or resolution  
0169 authorizing the application and stating the ~~organizations~~ to  
0170 which the temporary license will be assigned, that the governing  
0171 body has determined the ~~organizations to be~~ bona fide nonprofit  
0172 religious, charitable, fraternal, educational or veterans' organiza-  
0173 ~~tions~~ and the dates for which the temporary license is desired.

organization

organization to be a

organization

0174 (d) The application for a temporary license shall contain or be  
0175 accompanied by:

0176 (1) The name of the city or county making the application and  
0177 the address of the city or county governing body;

0178 (2) a copy of the ordinance or resolution authorizing the  
0179 application;

name and address of the organization

0180 (3) the ~~names and addresses of the organizations~~ to which the  
0181 temporary license will be assigned;

0182 (4) the dates and particular place or location for which the  
0183 license is desired; and

0184 (5) sworn statements ~~verifying that each~~ organization to  
0185 which the license will be assigned:

, signed by two presiding officers of the

, verifying that the organization

0186 (A) Is a bona fide nonprofit religious, charitable, fraternal,  
0187 educational or veterans' organization authorized to operate  
0188 within the state of Kansas ~~signed by the presiding officer and~~  
0189 ~~secretary of the organization~~; and

0190 (B) has no officer, director or official who has been convicted  
0191 of or has pleaded guilty or *nolo contendere* to a violation of the  
0192 gambling laws of any state or of the United States, or has forfeited

bond to appear in court to answer charges for any such violation,  
0194 within five years immediately prior to the date of the application  
0195 for a temporary license.

0196 (d) The fee for a temporary license shall be \$25. The fee shall  
0197 accompany the application for the temporary license.

0198 (e) The tax return required by K.S.A. 79-4705 and amend-  
0199 ments thereto shall, for games of bingo managed, operated or  
0200 conducted under a temporary license, be printed on the back of  
0201 the temporary license.

0202 (f) Except as otherwise provided by this section, the provi-  
0203 sions of K.S.A. 79-4704, 79-4705, 79-4706 and 79-4707, and  
0204 amendments thereto, shall apply to games of bingo managed,  
0205 operated or conducted under a temporary license and, for the  
0206 purposes of those statutes, each organization managing, operating  
0207 or conducting the games of bingo under a temporary license shall  
0208 be considered to be a licensee.

0209 (g) The secretary of revenue may deny a temporary license for  
0210 any reason specified for revocation or suspension of a license  
0211 under K.S.A. 79-4707 and amendments thereto.

0212 Sec. 3. K.S.A. 1982 Supp. 79-4701 is hereby repealed.

0213 Sec. 4. This act shall take effect and be in force from and after  
0214 its publication in the ~~statute book~~.

Kansas register