

Approved February 21, 1991
Date

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Jim Allen at
Chairperson

10:11 a.m./~~p.m.~~ on February 20, 1991 in room 423-S of the Capitol.

All members were present ~~except~~ Senator McClure (excused)

Committee staff present: Raney Gilliland, Legislative Research Department
Lynne Holt, Legislative Research Department
Jill Wolters, Revisor of Statutes Department

Conferees appearing before the committee: Chris Wilson, Kansas Fertilizer and Chemical
Association
Catherine Deever, Executive Director, Kansas
Veterinary Medical Association,
Inc.

Senator Allen called the Committee to order and called upon Chris Wilson to make a bill request.

Ms. Wilson requested that the Committee request a bill be drafted to amend the Noxious Weed Law that would allow a Board of County Commissioners to adopt a program to provide chemical materials through local retailers with a provision to reimburse the retailer for the difference between the lower price the county sells the product for and the price a retailer charges.

Senator Doyen made a motion the Committee request a bill be drafted to amend the Noxious Weed Laws so that a Board of County Commissioners may adopt a program to provide chemical materials through local retailers with a county reimbursement plan for the retailers. Senator Francisco seconded the motion. Motion carried.

The Chairman called on Catherine Deever to make a bill request.

Ms. Deever provided copies of a bill draft with explanation (attachment 1) and requested that the Committee request introduction of the bill concerning confidentiality of veterinary records.

Senator Doyen made a motion the Committee accept the request for introduction of the proposed bill regarding confidentiality of records for veterinarians. Senator Sallee seconded the motion. Motion carried.

The Chairman turned Committee attention to SB 73 and called attention to copies of a letter from Billie Flora (attachment 2) requesting that the Committee vote against changing the Kansas Cooperative Marketing Act, a letter from Midwest Cooperative (attachment 3) expressing support for the proposed changes for the Cooperative Marketing Act including sections 17-1611, 17-1612 and 17-1613 as long as they remain voluntary and a sheet of information from the Coop Council (attachment 4).

The Chairman called on staff to review the changes as proposed in SB 73.

Staff provided copies to the Committee (attachment 5) of a section by section explanation and reviewed the changes as proposed in SB 73.

The Chairman explained that discussion would continue at a later Committee meeting and then called for action on Committee minutes.

Senator Montgomery made a motion the minutes of February 19 be approved; seconded by Senator Sallee; motion carried.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

Senator Allen adjourned the Committee at 10:58 a.m.



KANSAS VETERINARY MEDICAL ASSOCIATION, INC.

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Catharine A. Deever
Executive Director
712 South Kansas Avenue
Topeka, Kansas 66603

February 19, 1991

Senator Jim Allen, Chairman and
Members of the Senate Committee on Agriculture
1st Floor, State Capitol
Topeka, Ks. 66612-1594

Dear Senator Allen and
Members of the Senate Committee on Agriculture:

The Executive Board of the Kansas Veterinary Medical Association respectfully requests your consideration of the proposed legislation attached for introduction to and passage by the Legislature during the 1991 Session.

This legislation provides for confidentiality of veterinary records except as otherwise provided by law, by client waiver and / or written authorization, lawful court orders and / or subpoenae.

We request this amendment to K.S.A. 47-830 in order to:

- 1) Secure legal support for the position taken by the American Veterinary Medical Association regarding confidentiality:

The ethical ideals of the veterinary profession imply that a doctor of veterinary medicine and the veterinarian's staff will protect the personal privacy of clients, unless it becomes necessary in order to protect the health and welfare of the individual, the animals, and / or others whose health and welfare may be endangered;

Thus, those benefitting from this legislation are not necessarily Kansas veterinarians, but rather, the Kansas public they serve.

*Senate Agriculture Committee
2-20-91
attachment 1*

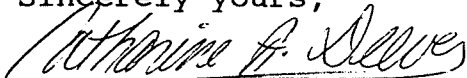
Senator Allen and
Members of the Senate Committee on Agriculture
Re: Client Privilege
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2) Provide a privilege for citizens which is consistent with existing privileges already established by law, e.g.:

- * attorney-client K.S.A. 60-426
- * physician/osteopathic surgeon/chiropractor-patient K.S.A. 60-427
- * husband-wife K.S.A. 60-428
- * priest/clergyman-confessor K.S.A. 60-429
- * psychologist-patient K.S.A. 65-5601 et seq.
K.S.A. 74-5323 and K.S.A. 1989 Supp. 74-5372
- * certified public accountant-client K.S.A. 1-401
- * mental health facility-patient K.S.A. 59-2931
- * pharmacist-client K.S.A. 1989 Supp. 65-1654
- * alcohol treatment facility-patient
K.S.A. 65-4050
- * drug abuse treatment facility-patient
K.S.A. 65-5225
- * registered professional counselor-patient
K.S.A. 1989 Supp. 65-5810
- * treatment facility-patient K.S.A. 1989 Supp.
65-5601 et seq.
- * social worker-client K.S.A. 1989 Supp.
65-6315

The primary concern of Kansas veterinarians is to promote public health through timely and effective treatment of disease. By insuring client privacy, we believe the public will more readily seek diagnosis and cure, demonstrating greater concern for their animals health and welfare than for their own exposure to civil and / or criminal penalties.

Sincerely yours,



Catharine A. Deever
Executive Director

SENATE BILL NO. _____

AN ACT concerning veterinarians; prohibiting disclosure of certain information; amending K.S.A. 47-830 and repealing the existing section.

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

Section 1. K.S.A. 47-830 is hereby amended to read as follows: 47-830. Upon written complaint sworn to by any person, the board ~~may~~, after a hearing conducted in accordance with the provisions of the Kansas administrative procedure act, and by a concurrence of four members, may revoke or suspend for a certain time certain the license of, or otherwise discipline, any licensed veterinarian for any of the following reasons:

(a) The employment of fraud, misrepresentation or deception in obtaining a license;

(b) an adjudication of incapacity by a court of competent jurisdiction;

(c) habitual intemperance in the use of intoxicating liquors, or habitual addiction to the use of morphine, cocaine, or other habit forming drugs; or conviction of a violation of any federal or state law relating to narcotic drugs;

(d) the publication or use of any untruthful or improper statement, or representation, with a view of deceiving the public, or any client or customer in connection with the practice of veterinary medicine;

(e) conviction of a felony;

(f) gross malpractice, including failure to furnish to the board, upon written application by it, any report or information relating thereto;

(g) employing any person practicing veterinary medicine unlawfully;

(h) fraud or dishonest conduct in applying or reporting

diagnostic biological tests or in issuing health certificates;

(i) failure to keep veterinary premises and equipment in a clean and sanitary condition;

(j) failure to report as required by law, or making false report of any contagious or infectious disease;

(k) dishonesty or gross negligence in the inspection of foodstuffs;

(l) conviction on a charge of cruelty or inhumane treatment to animals;

(m) revocation of a license to practice veterinary medicine by another state, territory or district of the United States on grounds other than nonpayment of registration fees; or

(n) disclosure of any information concerning the veterinarian's care of an animal in violation of section 2 and amendments thereto; or

~~(n)~~ (o) unprofessional conduct as defined in regulations adopted by the board.

New Sec. 2. (a) Except as otherwise provided under K.S.A. 47-622 and 47-624, and amendments thereto, no veterinarian licensed under the Kansas veterinary practice act shall be required to disclose any information concerning the veterinarian's care of an animal except on written authorization or other waiver by the veterinarian's client or on appropriate court order or subpoena. Any veterinarian's releasing information under written authorization or other waiver by the client or under court order or subpoena shall not be liable to the client or any other person. The privilege provided by this section shall be waived to the extent that the veterinarian's client or the owner of the animal places the veterinarian's care and treatment of the animal or the nature and extent of injuries to the animal at issue in any civil or criminal proceeding.

(b) This section shall be part of and supplemental to the Kansas veterinary practice act.

Sec. 3. K.S.A. 47-830 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

Quinter, Kansas
February 4, 1991

Senator Jim Allen, Chairman
State House
Topeka, Kansas

Dear Senator Allen,

The proposed changes and tampering with the Kansas Cooperative Marketing Act poses a great threat to the effectiveness, if not the eventual demise of farmer coops. Cooperatives in Kansas is democracy in action. They are organizations of people not of money. Each member, no matter how wealthy or poor, has one vote, one member one vote. If a coop is successful, then all members of that coop benefits. When members benefit the whole of the rural community benefits from the democratic actions of that member owned and member administered business.

Big farmers with voting shares based upon patronage can only cause mistrust and puts small & older farmers at a disadvantage.

A cooperative community is a democratic way of life and helps to keep Family Farms-people in the community so we can have schools, churches and small businesses.

Each person gets a vote when he or she goes to the pole at elections. That person isn't given another vote or more because he or she spends more money than the next voter behind him.

Lets get this thing in perspective. There must be continuous education. There is no room for board members who are not members of the cooperative. There must be democratic control, one vote for each member-owner, regardless of number of shares held.

If expertise on the board is needed it can be hired for the specific need.

Cooperatives are democratic in make-up and Lets Keep it that way. I'm asking you and your committee to vote against changing the Kansas Cooperative Marketing Act.

c.c.Senator Sheila Frahm

Respectfully,

Billie Flora
Pt. 3 Box 85
Quinter, Kansas 67752

phone 913 754 3861

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attachment 2*

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MIDWEST COOPERATIVE

QUINTER — COLLYER — GRAINFIELD — PARK

POST OFFICE BOX 366

QUINTER, KANSAS 67752

PHONE 913 754-3348

Feb. 5, 1991

Senator Jim Allen
State Capitol
Room 128 S.
Topeka, Kansas 66612

Re: Proposed changes in the Kansas Cooperative Marketing Act.

Dear Mr. Allen:

On 2-4-91 at our Board of Directors monthly meeting we had a concerned member of our Coop meet with us to discuss the proposed changes in the Kansas Cooperative Marketing Act. Her major concern was sections 17-1611, 17-1612 and 17-1613.

We told her that the way these proposed changes to the Act were presented to us by the Kansas Coop Council would not be mandatory and would still have to be approved by each local Cooperative members.

We know that you are Chairman of the Committee that is going to review these proposed changes on Wednesday Feb. 6, 1991. This letter is a follow up to a phone conversation I had with your office on 2-4-91.

The Board of Directors of Midwest Cooperative and its Management want to go on record that we support the proposed changes in the Kansas Cooperative Market Act even Sections 17-1611, 17-1612 and 17-1613. However, we would also want these changes to remain voluntary.

Sincerely,

Ronald D. Koehn
Ronald D. Koehn

General manager

RDKmab

*Senate agriculture committee
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attachment 3*

Farmers Involvement in Updating The Kansas Cooperative Marketing Act

On August 7, 1990 the Kansas Cooperative Council (KCC) sent our proposed changes in the Kansas Cooperative Marketing Act, with the explanation of these changes, to nine producer organizations. This was the entire act with new language underlined and old language crossed out.

Farm Bureau

- * August 21, 1990, KCC met with Farm Bureau Executive Director, Government Affairs Staff and their Attorney
- * Farm Bureau Resolution Committee decided to send out questionnaires to 3,500 members
- * Resolution Committee voted to submit the proposed changes of the Act to their members at their annual meeting in December
- * December 14, 1990, delegates at Kansas Farm Bureau Annual Meeting voted to update the Act as long as local control remained in the hands of members

Kansas Wheat Growers Association

- * September 10, 1990 KCC went before the full board of directors of KWGA and explained the proposed changes for the Act
- * During November, KCC Staff and Board members, as well as KWGA Staff, explained changes of the Act in about 12 area meetings to approximately 500 farmers
- * December 11, 1990, delegates at the Kansas Wheat Growers Association voted unanimously to support the changes proposed by the KCC

Kansas State Grange

- * October 6, 1990, KCC Staff made a presentation before delegates at the Grange's Annual Meeting.
- * Delegates unanimously voted to have a task force study the proposed changes
- * Task Force reported back to the Grange Executive Committee
- * Executive Committee accepted unanimously, the updating of the "Act" except the changes which allowed cooperatives to invest in other business and having nonmembers on the Board

The Kansas Pork Producers Board voted to support updating the Act.

The Committee of Kansas Farm Organizations support updating the Act

(OVER)

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Kansas Cooperative Council (KCC)

- * January 16, 1990, the Council Legislative Action Committee decided to set up an Ad Hoc Committee to discuss whether to make changes in the Act
- * The Ad Hoc Committee met March 23, 1990 and May 30, 1990 to discuss possible changes in the Act
- * The Kansas Cooperative Council Board of Directors voted unanimously on July 19, 1990 to accept the Ad Hoc Committee's recommendations to make changes in the Act
- * On September 17, 1990 Terry Bertholf and Joe Lieber made presentations to 85 managers explaining the changes. Each manager was asked to take 100 - 200 brochures to send to their active members
- * September 26, 1990 the KCC sent out 100 brochures to local managers who had not attended the September 17 meeting
- * October and November, 1990, KCC staff presented changes at KCC fall district meetings. Over 400 attended the meetings
- * November 19, 1990, Terry Bertholf and Joe Lieber made a presentation to 207 local Co-op Directors on the proposed changes

As you can see, the Kansas Cooperative Council went to the country with the proposed changes and did receive support to update the Act.

MEMORANDUM

TO: Senate Agriculture Committee
FROM: Jill Wolters, Assistant Revisor
RE: SB 73, Amendments to the Cooperative Marketing Act

This memorandum is a review of SB 73, stating the current law, as well as reviewing the proposed changes in the bill.

Section 1 amends K.S.A. 17-1601, which is currently, and will remain, the purpose section of the act. Briefly, this section states that the purpose of the act is to promote, encourage and develop the marketing of agricultural products and to distribute the agricultural products efficiently.

Section 2 amends K.S.A. 17-1602, the definition section of the bill. The first three terms are not amended; however, the term "person" is amended to include trusts. The terms "patronage", "equity" and "cooperative" are added and defined.

Subsection (b) states that associations that organize under this act shall be nonprofit. The act shall be referred to as the Cooperative Marketing Act.

Section 3 amends K.S.A. 17-1603. Currently, under subsection (a), it takes 10 persons engaged in agricultural production to form a coop. The bill changes that number to five.

Subsection (b), at present, allows a corporation, organized under this act, to join with four other members or stockholders of the corporation to form a corporation under this act, to act as a subsidiary of the original corporation and conduct any business of such corporation. The amendment strikes the four-member requirement and would allow a corporation to form a new corporation to act as a subsidiary and conduct business.

Subsection (c) amendments are technical. This subsection states that all cooperatives who organize under this act shall have the benefits and be bound by the provisions of the act.

Subsection (d) states what "this act" includes.

The first paragraph of section 4, K.S.A. 17-1604, states what an association may be organized to do. Such activities include

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attachment 5*

the marketing or selling of agricultural products of the association's members, as well as those activities listed on the top of page 3, lines 1 through 12.

Paragraph 2 makes it clear that an association shall not engage in banking. It further states that, unless prohibited by the articles of incorporation, associations may deal in products of nonmembers and provide services to nonmembers. The amendments in lines 18 through 21 allow the association to supply to nonmembers services, products, etc., whether or not supplied to members and otherwise engage in business with nonmembers. The last sentence states that the association shall not market, deal, etc., services or supplies to nonmembers in an amount greater in value than the association provides for members. The amendments to that sentence are the same as stated above, so they are included in the amount of value of services to nonmembers.

The powers of the association are set forth in section 5, K.S.A. 17-1605. Subsection (a) allows the association to engage in any activity in connection with marketing, selling, processing or handling of any agricultural products, as well as agricultural education and research.

Subsection (b) permits the association to collect dues; the ability to borrow money and make advances to members is granted in subsection (c).

The association may act as the agent of the members in subsection (d).

Subsection (e) discusses the association's rights with respect to the shares of the capital stock or bonds.

Subsection (f) has an amendment to note. Current law allows the association to become a member of a corporation engaged in any "related activity". The proposed amendment would allow the association to engage in any "lawful activity".

Subsection (g) permits the association to establish reserves and invest funds.

The association, pursuant to subsection (h), may own real and personal property as is necessary to conduct its business.

Subsection (i) currently allows the association to do all that is necessary to benefit the association, as well as to exercise all powers and privileges "necessary or incidental to the purposes for which the association is organized", in addition to other rights under the laws of Kansas that are granted to corporations. The amendment strikes the incidental language and allows associations to do all that ordinary corporations in Kansas may do.

Section 6, K.S.A. 17-1606, states who may be a member of an association. A member must be engaged in the production of agricultural products. This section currently allows the association to accept associate or sustaining members, without voting power, to anyone regardless of occupation. The amendments strike the use of "sustaining" member and insert a participating nonmember and participant as nonvoting members.

Subsection (b) currently permits a member who is not a natural person to be represented by an individual or officer if authorized in writing. The amendments insert "stockholder" along with member and allows a trustee to represent a stockholder or member who is not a natural person.

Subsection (c) allows the association to become a member or stockholder of any association organized under this act.

K.S.A. 17-1607, section 7, sets forth that an association must file an application for charter stating the name and purpose of the association. Current law requires that the application state where the association's principal business will be transacted; the bill strikes that language. Presently, the association's charter can have a term of existence not to exceed 50 years. This language is redrafted to allow perpetual existence, or a set term. The association shall have five or more directors. The charter of the association shall further state that, if organized without capital stock, the property rights of each member shall be determined and fixed. The association may admit new members in accordance with the association's general rules, but the provisions of the application for charter cannot be altered, except by the vote or written consent of 3/4 of the members. If organized with capital stock, the charter shall state the amount of stock and the number of shares, as well as its par value.

Subsection (b) allows the stock to be divided into preferred and common stock. This section further states that the application to charter must be witnessed and acknowledged by the incorporators and duly filed.

Section 8, K.S.A. 17-1608, discusses when a charter may be altered or amended. An amendment must be first approved by 2/3 of the directors and then adopted by a vote representing a majority of all members. In lieu of this vote, the amendment may be adopted by 2/3 vote of voting members attending the annual or a special meeting. The remaining language provides that notice of the meeting must have been mailed at least 10 days prior to the meeting. The changes in the bill draft allow "voting stockholders" to vote and be counted in the majority of the association. At the meeting, the voters (members and stockholders) must be present and voting to be counted in the 2/3 majority.

Section 9, K.S.A. 17-1609, states that an association, 30 days after incorporation, shall adopt bylaws. The association may include in its bylaws, such things as the time and place of meeting, penalties for violations, membership fees and the number of directors to constitute a quorum.

The amendment in subsection (b) [page 6, line 30] allows the bylaws to state the number or voting power of stockholders or members to constitute a quorum. Current law allows the bylaws to set the number of stockholders or members.

Subsection (i) provides other items the bylaws may contain. The current law requires an association to pay a member who withdrew or was expelled from membership an equitable amount for such member's interest within one year of withdrawal/expulsion. This language has been deleted in the bill draft.

Subsection (j) currently sets a limit of 8% interest on annual dividends paid on stock. The amendments allow the interest rate to be higher, as set forth in the contract interest rate. (Currently 11.10%). An association will want to be very careful here; to meet the requirements of the Capper-Volstead Act, an association must have the one-member one-vote rule or limit the dividends on stock to 8% per year.

Section 10, K.S.A. 17-1610, requires the bylaws to provide for an annual meeting, as well as setting standards for calling a special meeting. The amendments to this section require the special meeting to be held within 60 days of receipt of demand. Notice shall be mailed to members at least 10 days prior to the meeting. The amendment strikes the provision that allows the bylaws to instead provide for notice by publication in a newspaper.

Section 11, K.S.A. 17-1611, currently mandates a board of at least five directors elected by the members or stockholders from the membership. The amendments allow the members and "voting" stockholders to elect the directors and also allows 20% of the board to be nonmembers. This section further allows the bylaws to state how elections will be carried out, the compensation for officers and directors, and how a vacancy on the board will be filled.

Section 12, K.S.A. 17-1612, provides for officers to be elected. The amendments allow the president to be referred to as the chairperson and the vice presidents to be referred to as the vice chairpersons.

Section 13, K.S.A. 17-1613, discusses the payment of membership fees and the certificate of membership. Currently, no stockholder, except another association, shall own more than 5% of the common stock. The association, through the bylaws, may

limit the amount of common stock a member may own to less than 5%. The amendments to the bill allow 20% ownership of the association by one person.

Subsection (b) states the bylaws may require the one-person one-vote rule. The amendments allow voting to be based on patronage or patronage equity, or both. If based on patronage, in no event can this vote exceed 5%, unless the member is another association. Here again, note that a violation of the Capper-Volstead Act may occur if the association enacts this provision, as well as exceeding the 8% limit on dividends.

In subsection (c), the bylaws shall prohibit the transfer of common stock of the association to persons not eligible to be members.

Currently, subsection (d) provides that except when the debts exceed 50% of the assets, the association may buy its common stock at book value within a year. The amendment strikes the debt/asset ratio language, as well as inserting par value along with book value as the purchase price and further, strikes the requirement of paying within one year.

K.S.A. 17-1614, section 14, allows members to bring charges against an officer or director. The removal and filling of the vacancy shall be voted on by a majority of the members. The amendments to this section allow voting stockholders to bring charges and vote under the one-person one-vote plan. It also allows a vote of a majority of the outstanding shares of voting stock.

Subsection (b) provides that the person against whom the charges have been brought shall be informed of the charges and have an opportunity to be heard.

Section 15, K.S.A. 17-1615, provides that if, 1/3 of the board so demands, any matter approved by them shall be referred to the entire membership. The amendment provides that the meeting shall be held not less than 15 but not more than 60 days after the board's action.

Section 16, K.S.A. 17-1616, allows the association to make marketing contracts. Included in the expenses currently is the 8% limit on interest. The amendment changes the interest to a greater amount and the Capper-Volstead concerns apply here, as well.

Subsection (b) permits the bylaws to fix sums, as liquidated damages, if a contract breach occurs.

Section 17, K.S.A. 17-1617a, allows any association to have an interest in, or become a member of, any association. It

further allows any association to have an interest in, or become a part of, another corporation. The language stricken on page 12, lines 9 through 12 is redundant.

Section 18, K.S.A. 17-1618, is technical, merely adding "and amendments thereto".

Section 19, K.S.A. 17-1621, allows associations or corporations organized under other statutes by 2/3 vote of the stockholders or members attending the annual meeting, to accept the benefits and be bound by the provisions of the Cooperative Marketing Act. The amendments include, "voting" stockholders or members "voting" at an annual meeting to by 2/3 majority accept the provisions of this act.

Sections 20, 21, 22 and 23 are technical, merely adding "and amendments thereto".

Section 24, K.S.A. 17-1629, currently allows a corporation organized under this act to increase its capital if approved by 2/3 majority of the outstanding shares of voting stock or 2/3 of members, if one-person one-vote. In lieu of the above, the 2/3 vote may be of those voting and present at a meeting. The amendment allows the increase in capital, but it must first be approved by 2/3 of the directors and then approved by 2/3 of the voting stock or voting stockholders.

Section 25, K.S.A. 17-1630, states, unless otherwise provided by the bylaws, the stockholder meetings shall be at the corporation's principal office. The amendment replaces "principal office" with "the corporation's registered office". Current law further allows the stockholders to hold the meetings elsewhere; but, requires them to maintain a principal office in the state, as well as to have a resident agent. The amendments do not require the corporation to have a principal office in Kansas, just a resident agent.

Sections 26, 27, 28 and 29 are technical.

Section 30, K.S.A. 17-1636, permits a corporation to dispose of its property and assets for consideration as determined by the board. These transactions shall be approved by a 2/3 vote of the members or stockholders, or, in lieu thereof, by a 2/3 vote of members or stockholders at a meeting.

The remaining sections are new language to the Cooperative Marketing Act. They are very similar and, in some cases, identical to the existing merger language found in K.S.A. 17-6701 et seq., and amendments thereto.

Section 31 allows associations incorporated under the Cooperative Marketing Act and corporations organized in Kansas to

merge. The board of directors of each association or corporation involved in the merger shall adopt a resolution approving the merger. The requirements of the agreement are listed on page 15, lines 42 and 43 and continue on page 16, lines 1 through 27. The agreement shall be submitted to the members or stockholders at a meeting for the purpose of acting on the agreement. Notice requirements are set forth and the resolution must pass by a majority.

In subsection (g), a merger does not have to be approved by the members or stockholders of the surviving corporation if, the agreement does not amend the articles of incorporation of the surviving corporation and the aggregate stockholder's equity of the stock of the surviving corporation to be issued under the merger does not constitute more than 25% of the aggregate stockholder's equity of all classes of stock. There is a departure here from the corporation code; the current merger law is 15% of the aggregate stockholder's equity.

Section 32 allows associations organized under the act to merge with out-of-state corporations.

Section 33 states that no merger will be effective until fees and taxes have been paid.

Section 34 allows the surviving corporation to issue bonds or other obligations.

Section 35 keeps alive any civil, criminal or administrative action pending, by or against, any association or corporation that is a party to the merger.

Section 36 requires notification, within 10 days after the effective date of the merger, to members or stockholders who objected to the merger or were not entitled to vote. Any such member, within 20 days, shall demand, in writing, to be paid for their interest. The surviving corporation shall pay, within 30 days, the value of the member's interest on the effective date of the merger. A disagreement on price shall require the determination of value to be made by an appraiser.