The following regulations have been adopted and published in the Kansas Register. They will become effective on the final date listed in the history section that follows each regulation. Regulations become effective 15 days after publication in the Kansas Register unless a later effective date is given in the body of the regulation.

State of Kansas

Department of Agriculture
Division of Conservation

Permanent Administrative Regulation

Article 9.—KANSAS WATER QUALITY BUFFER INITIATIVE

11-9-5. Annual payments; exception. (a) Payments shall be made on an annual basis coinciding with federal payments for the purpose of providing an incentive to enroll in the CRP for 10 to 15 years, except as specified in subsection (e).

(b) Incentive payments shall not exceed the following:

1. 30% of the total federal payment, excluding the maintenance fee for the establishment of filter strips; or

2. 50% of the total federal payment, excluding the maintenance fee for the establishment of riparian forest buffers.

(c) All acres determined to be in an unfarmable field shall be eligible for the state incentive if the applicant agrees to establish and maintain permanent vegetative cover for the duration of the continuous CRP contract.

(d) The total state and federal payment shall not exceed $150.00 per acre unless an exception is granted by the commission.

(e) In lieu of the annual payments described in subsection (a), the director may make a single lump-sum payment for the remaining amount of any contract. Upon a participant’s receipt of a lump-sum payment, the participant shall be responsible for meeting the requirements of all other terms and practices contained in the contract. Failure to meet these requirements may result in termination of the agreement and repayment of all or part of any incentive payments. (Authorized by and implementing K.S.A. 2020 Supp. 2-1915; effective Feb. 5, 1999; amended Aug. 23, 2002; amended April 16, 2021.)

Mike Beam
Secretary

Doc. No. 048983

State of Kansas

Real Estate Commission

Permanent Administrative Regulations

Article 3.—PERSONS HOLDING LICENSES; DUTIES

36-3-10. Retention of records. Each broker shall retain, for at least three years, in the broker’s paper or digital files a copy of all records relating to the broker’s real estate business, including the following:

(a) Real estate sales contracts, option agreements, and nonresidential lease agreements for which the broker acts as an employee of, or on behalf of, the owner, purchaser, lessor or lessee;
ity during the month.
(d) Each supervising broker or branch broker who
possesses a trust account shall notify the commission by
filing a “report on closing trust account” with the com-
mmission on a form approved by the commission, accom-
panied by a copy of the bank, savings, and loan associ-
ation, or credit union statement showing that the trust
account has been closed, within 10 days of the occur-
rence of any of the following:
(1) Closure of the trust account;
(2) closure of the primary office or branch office, unless
an exemption not to maintain a trust account has been
granted by the commission for each trust account that
was in existence when the primary office or branch office
closed; or
(3) a change in the account number for the trust ac-
count or a change in the bank, savings, and loan associ-
ation, or credit union in which the trust funds are held.
(Authorized by K.S.A. 2019 Supp. 74-4202; implement-
ing K.S.A. 2019 Supp. 58-3061; effective May 1, 1975; amend-
ed, E-81-18, July 26, 1980; amended May 1, 1981; amend-
ed, T-88-32, Jan. 1, 1988; amended May 1, 1988; amended
April 23, 2021.)

**86-3-21.** (Authorized by K.S.A. 74-4202(b); imple-
menting K.S.A. 2006 Supp. 58-3061; effective, T-87-32,
Nov. 19, 1986; effective May 1, 1987; amended Nov. 18,
1991; amended, T-86-7-2-07, July 2, 2007; amended Nov.
16, 2007; revoked April 23, 2021.)

**86-3-22. Transaction identification.** (a) Each super-
vising broker or branch broker shall assign a unique
transaction number to each real estate sales contract, op-
tion agreement, and nonresidential lease agreement for
which the broker acts as an employee of, or on behalf of,
the owner, purchaser, lessor, or lessee.
(b) If a broker deposits earnest money in the broker’s
trust account before contract acceptance, the broker shall
assign a unique transaction number to the offer.
(c) Each record required to be maintained pursuant to
K.A.R. 86-3-10 and 86-3-18 shall include the unique
74-4202; implementing K.S.A. 2019 Supp. 58-3061; effective,
T-88-32, Jan. 1, 1988; effective May 1, 1988; amended
Dec. 20, 1993; amended, T-86-7-2-07, July 2, 2007; amend-
ed Nov. 16, 2007; amended April 23, 2021.)

Erik Wisner
Executive Director

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**State of Kansas**

**Department of Wildlife, Parks and Tourism**

**Permanent Administrative Regulation**

**Article 1.—DEFINITIONS**

**115-1-1. Definitions.** (a) Except as specified in sub-
section (b), the following definitions shall apply to all of
the department’s regulations:

(1) “Arrow” means a missile shot from a bow or a
crossbow.

(2) “Artificial lure” means a man-made fish-catching
device used to mimic a single prey item. Artificial lures
may be constructed of natural, nonedible, or synthetic
materials. Multiple hooks, if present, shall be counted as
a single hook on an artificial lure.

(3) “Bag limit” means the maximum number of any
species, except fish and frogs, that may be taken by a per-
son in a calendar day.

(4) “Bait fish” means a member of the minnow or carp
family (Cyprinidae), sucker family (Catostomidae), top
minnows or killifish family (Cyprinodontidae), shad family
(Clupeidae), and sunfish family (Centrarchidae), but
excluding black basses and crappie. The fish listed
in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be con-
sidered as bait fish.

(5) “Bird dog” means a dog used to point, flush, or re-
trieve game birds, migratory birds, or both.

(6) “Bow” means a handheld device with a cord that
connects both of its two ends and that is designed to pro-
pel an arrow. This term shall include long, recurve, and
compound bows.

(7) “Bridle path” means an established, maintained,
and marked pathway for the riding of animals.

(8) “Camping” means erecting a shelter or arranging
bedding, or both, or parking a recreation vehicle or other
vehicle for the purpose of remaining overnight.

(9) “Camping unit” means any vehicle or shelter spe-
cifically used for sleeping upon a portion of department
lands or waters.

(10) “Cast net” means a circular or conical weighted
net designed to be cast mouth-downward by hand and
withdrawn by lines attached to its margin.

(11) “Creel limit” means the maximum total number of
any species of fish or frogs that may be taken by a person
in a calendar day.

(12) “Crossbow” means a transverse-mounted bow
with a cord that connects the two ends and that is de-
nected to propel an arrow, including compound cross-
bows. The arrow is released by a mechanical trigger.

(13) “Culling” means replacing one live fish held by an
angler for another live fish of the same species if the daily
creel limit for that species of fish has not been met.

(14) “Department lands and waters” means state parks,
state lakes, recreational grounds, wildlife areas, sanctu-
taries, fish hatcheries, natural areas, historic sites, and
other lands, waters, and facilities that are under the juris-
diction and control of the secretary through ownership,
lease, license, cooperative agreement, memorandum of
understanding, or other arrangement.

(15) “Depth finder” means an electronic device used to
locate fish or determine underwater structures.

(16) “Dip net” means a handheld net that has rigid sup-
port about the mouth and is used to land fish.

(17) “Draft livestock” means horses, mules, donkeys,
and oxen used singly or in tandem with other horses,
mules, donkeys, and oxen for pulling purposes.

(18) “Drag event” means a competitive event in which
hounds pursue a scent trail. The event may involve a
caged, pen-raised furbearer that is not released from the
cage during the event.

(19) “Dryland set” means any trapping device that is
placed or set on land or is not in contact with water.

(20) “Eyass” means a young of the year raptor not yet

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capable of flight.

(21) “Falconer” means the holder of a falconry permit.
(22) “Falconry” means the taking of wildlife with a trained raptor.
(23) “Field trial event for dogs” means a competitive event involving at least six dogs that are judged on hunting or running ability.
(24) “Firearm” means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.
(25) “Fire ring” means an open-topped, man-made, fire-retaining device.
(26) “Fireplace” means an enclosed, man-made, fire-retaining device.
(27) “Fishing line” means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.
(28) “Fish trap” means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.
(29) “Fully automatic firearm” means a firearm capable of firing more than one round with a single trigger pull.
(30) “Gaff” means a hook attached to a rigid pole.
(31) “Gig” means a hand-operated spear with one or more prongs with or without barbs.
(32) “Group camping area” means any area within a state park designated by posted notice for camping by organized groups.
(33) “Haggard” means an adult raptor in mature plumage.
(34) “Hook” means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.
(35) “Imping” means the repair of damaged feathers.
(36) “Kill site” means the location of the wildlife carcass as positioned in the field immediately after being harvested.
(37) “Length limit” means the minimum length of a fish allowed in order to take it and not release it to the water immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.
(38) “Moorage site” means a location designated for the fastening or securing of a vessel.
(39) “Nonsport fish” means common carp, silver carp, bighead carp, black carp, grass carp, drum, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.
(40) “Orthopedic device” means a device that attaches to the body and is required to enable a handicapped person to walk.
(41) “Overflow camping area” means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.
(42) “Passage” means an immature raptor on first fall migration still in immature plumage.

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white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(60) “State fishing lake” means a department facility that contains the words “state fishing lake” in the name of the area.

(61) “Tip-up” means an ice fishing device designed to signal the strike of a fish.

(62) “Trail hound” means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(63) “Transfer” means either of the following:
(A) To reassign one’s license, permit, or other issue of the department to another individual; or
(B) to exchange any license, permit, or other issue of the department between individuals.

(64) “Trot line” means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(65) “Turkey” means wild turkey.

(66) “Unattended fishing line” means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(67) “Wake” means the waves thrown by a vessel moving on water.

(68) “Water race” means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(69) “Water set” means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:
(1) The context requires a different definition.

Article 4.—BIG GAME

115-4-6. Deer; management units. Each of the following subsections shall designate a deer management unit: (a) High Plains; unit 1: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(b) Smoky Hill; unit 2: that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries.

(c) Kirwin-Webster; unit 3: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with state highway K-8, except federal and state sanctuaries.

(d) Kanopolis; unit 4: that part of Kansas bounded by a line from the interstate highway I-70 and state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries.

Smoky Hill Air National Guard Range; subunit 4a. The following described area shall be designated a subunit of unit 4, and, with approval of air national guard command, the area shall be open for the taking of deer during the firearm season: United States government land lying entirely within the boundaries of the Smoky Hill Air National Guard Range. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by the air national guard.

(e) Pawnee; unit 5: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with state highway K-156, then west on state highway K-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries.

(f) Middle Arkansas; unit 6: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with state highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries.

(g) Solomon; unit 7: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction with interstate highway
I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(h) Republican; unit 8: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-77 to its junction with federal highway US-24, then south on federal highway US-24 to its junction with state highway K-177, then south on state highway K-177 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-77, except federal and state sanctuaries.

Fort Riley; subunit 8a. The following described area shall be designated a subunit of unit 8, and, with approval of Fort Riley command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Riley.

(i) Tuttle Creek; unit 9: that part of Kansas bounded by a line from the Nebraska-Kansas state line, south on federal highway US-75 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-177, then north on state highway K-177 to its junction with federal highway US-24, then north on federal highway US-24 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

(j) Kaw; unit 10: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with Johnson County 135 Street, then east on Johnson County 135 Street to the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

Fort Leavenworth urban; subunit 10a. The following described area shall be designated a subunit of unit 10, and, with approval of Fort Leavenworth command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Leavenworth military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Leavenworth.

(k) Osage Prairie; unit 11: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with state highway K-150, then east on Johnson County 135 Street to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(l) Chautauqua Hills; unit 12: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(m) Lower Arkansas; unit 13: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(n) Flint Hills; unit 14: that part of Kansas bounded by a line from the junction of interstate highway I-70 and federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with state highway K-150, then east on Johnson County 135 Street to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with state highway K-47, then east on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with state highway K-150, then east on Johnson County 135 Street to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(o) Ninnescah; unit 15: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with

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state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-179, except federal and state sanctuaries.

(p) Red Hills; unit 16: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-283 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(q) West Arkansas; unit 17: that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with state highway K-156, then east on state highway K-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with state highway K-96, except federal and state sanctuaries.

(r) Cimarron; unit 18: that part of Kansas bounded by a line from the Colorado-Kansas state line east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-160, except federal and state sanctuaries.

(s) Kansas City urban; unit 19: that part of Kansas bounded by a line from the Missouri-Kansas state line west on Johnson County 199 Street to its junction with interstate highway I-35, then southwest on interstate highway I-35 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with South Topeka Avenue, then north on South Topeka Avenue to its junction with Shawnee County SW 93 Street, then west on Shawnee County SW 93 Street to its junction with Shawnee County SW Auburn Road, then north on Shawnee County SW Auburn Road to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with NW Carlson-Rossville Road, then north on NW Carlson-Rossville Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with Shawnee County NW Hoch Road, then north on Shawnee County NW Hoch Road to its junction with Shawnee County NW 66 Street, then east on Shawnee County NW 66 Street to its junction with Shawnee County NW Humphrey Road, then south on Shawnee County NW Humphrey Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with state highway K-92, then east on state highway K-92 to its junction with Leavenworth County 207 Street, then north on Leavenworth County 207 Street to its junction with state highway K-192, then northeast on state highway K-192 to its junction with federal highway US-73, then east on federal highway US-73 to its junction with state highway K-92, then east on state highway K-92 to its junction with the Missouri-Kansas state line, and then south on the Missouri-Kansas state line to Johnson County 199 Street, except federal and state sanctuaries and department-owned or -managed properties. (Authorized by K.S.A. 2020 Supp. 32-807; implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-937; effective April 30, 1990; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended June 6, 1997; amended July 21, 2000; amended April 18, 2003; amended July 25, 2003; amended Feb. 18, 2005; amended April 14, 2006; amended Feb. 8, 2008; amended April 16, 2010; amended May 22, 2020; amended April 23, 2021.)

Brad Loveless
Secretary