



STATE OF KANSAS

## Office of the Attorney General

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Attorney General

January 13, 1977

ATTORNEY GENERAL OPINION NO. 77-19

The Honorable Elwill M. Shanahan  
Secretary of State  
2nd Floor - State Capitol Building  
Topeka, Kansas 66612

Re: Secretary of State--Kansas Statutes Annotated--Distribution

Synopsis: K.S.A. 1976 Supp. 77-138 requires that sets of Kansas Statutes Annotated be delivered to elective and appointive state officers who are heads of departments, which officers may be identified through information available in the Kansas Directory, which is compiled by the Secretary of State.

\* \* \*

Dear Secretary Shanahan:

K.S.A. 1976 Supp. 77-138 provides in pertinent part thus:

"Ten thousand (10,000) copies of said Kansas Statutes Annotated shall be printed and bound by the director of printing and delivered to the secretary of state who shall dispose of them as follows:

\* \* \*

"Second, said secretary shall distribute two (2) sets thereof to each member of the 1963 legislature and two (2) sets thereof with the respective members name imprinted

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upon one set to members of each regular session thereafter and *two (2) sets to other elective and appointive state officers who are heads of departments for use in their offices. . . .*" [Emphasis supplied.]

Although this section was amended by the 1976 legislature, the italicized language was unchanged. You inquire whether the "free distribution contemplated by K.S.A 77-138 as amended is limited to the elective and appointive state officers named in the statute, i.e., 'one (1) set shall be supplied to each of the other state educational, penal and charitable institutions. . . .'"

The statute enumerates a number of designated persons or officers who are entitled to receive the number of sets of Kansas Statutes Annotated without charge as specified therein. Those persons and officers are not listed as merely illustrative of the "elective and appointive state officers" described in the italicized language quoted above, in my judgment, and that phrase describes a separate class of persons entitled to distribution under this provision.

Next you request my opinion "as to what appointive state officers who are heads of departments" should receive free distribution of the Kansas Statutes Annotated under this act. It is surely unnecessary to recite in this opinion the names of every department head in state government, for this information is already available to you and compiled in the Kansas Directory, which you prepare and publish in your capacity as Secretary of State. Keith Weltmer, for example, is head of the Department of Administration; Robert Harder, of the Department of Social and Rehabilitative Services; Kent Kalb, of the Department of Revenue; O. D. Turner, of the Department of Transportation; Dwight Metzler, Department of Health and Environment; Emery Fager, head of the Kansas Banking Department; Calvin Strowig, chairman of the Kansas Governmental Ethics Commission; Dr. James McCain, head of the Department of Human Resources. It would unduly and unnecessarily lengthen this opinion to further recite information already available to you; accordingly, I suggest that your staff review the Kansas Directory for the list of elective and appointive heads of departments of state government in addition to those listed above.

Yours very truly,

  
CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj