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Office of the Governor

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State of Kansas  
Office of the Governor  

Executive Order No. 20-18  
Temporarily Prohibiting Mass Gatherings of More than 10 People to Limit the Spread of Covid-19 and Rescinding Executive Order 20-14  

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;  

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;  

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 380,000 cases of the illness and more than 11,900 deaths as a result of the illness across the United States;  

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;  

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;  

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the “Stafford Act”);  

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;  

WHEREAS, as of this date, there have been 900 reported positive cases of COVID-19—including 27 deaths—in Kansas spread among 57 counties;  

WHEREAS, in order to mitigate the spread of COVID-19, on March 24, 2020, I issued Executive Order 20-14, prohibiting mass gatherings of 10 or more people subject to certain exceptions;  

WHEREAS, the continued spread of COVID-19 requires enhanced measures to slow the rate of spread, thereby saving lives and decreasing the significant burdens the COVID-19 pandemic is placing on our state’s health care system;  

WHEREAS, to secure the safety and protection of the civilian population it is necessary to impose heightened limitations on occupancy of confined or enclosed spaces; and  

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times, including providing preventing the gathering of people into groups that could spread COVID-19 further and frustrate attempts to avoid immediate danger to the health, safety, and welfare of Kansans.  

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to slow the spread of COVID-19 I hereby direct and order the following:  

1. Effective at 12:01 p.m. on Wednesday, April 8, 2020, all public or private mass gatherings, as defined below, are prohibited in the State of Kansas.  

a. The phrase “mass gathering” as used in this order means any planned or spontaneous, public or private event or convening that will bring together or is likely to bring together more than 10 people in a confined or enclosed space at the same time.  

b. This prohibition includes, but is not limited to, mass gatherings at: auditoriums, theaters, movie theaters, museums, stadiums, arenas, conference rooms, meeting halls, exhibition centers, taverns, health and fitness centers, recreation centers, licensed pools, and churches or other religious facilities.  

c. With regard to churches or other religious services or activities, this order prohibits gatherings of more than ten congregants or parishioners in the same building or confined or enclosed space. However, the number of individuals—such as preachers, lay readers, choir or musical performers, or liturgists—conducting or performing a religious service may exceed ten as long as those individuals follow appropriate safety protocols, including maintaining a six-foot distance between individuals and following other directives regarding social distancing, hygiene, and other efforts to slow the spread of COVID-19.  

d. With regard to funerals or memorial services, the 10-person prohibition of this order does not apply to employees or military service members gathered to conduct the service; the number of other attendees—including friends and family—must not exceed ten.  

2. The following activities or facilities are exempt from the prohibitions of this order:  

a. Meetings or proceedings of the Kansas Senate or Kansas House of Representatives and their legislative committees;  

b. Operations or facilities of the United States Government;  

c. Gathering as a family privately;  

d. Airports;  

e. Public, private, or charter schools for instructional purposes, for non-instructional purposes—such as medication pickup, childcare services, providing meals—and when operating as polling places;  

(continued)
f. Childcare locations (including those that operate within a facility that is otherwise subject to the prohibitions of this order), residential care centers, and group homes;
g. Hotels and motels, as long as the restaurant and bar guidelines, listed below in subparagraph t, are followed;
h. Military and National Guard facilities;
i. Law enforcement, jail, or correctional facilities, including any facility operated by the Department of Corrections;
j. Any facility being used as part of a government or community response to a natural disaster;
k. Food pantries and shelter facilities, including day centers, for individuals and families;
l. Detoxification centers;
m. Apartment or other multi-family residential buildings, except that the prohibitions of paragraph 1 apply to any non-residential facilities, rooms, or operations in such buildings subject to any other exceptions listed in paragraph 2;
n. Shopping malls and other retail establishments where large numbers of people are present but are generally not within arm’s length of one another for more than 10 minutes;
o. Hospitals, medical facilities, and pharmacies;
p. Long-term care and assisted living facilities, as long the facility follows all current Department of Health Services Recommendations for Prevention of COVID-19 in Long-Term Care Facilities and Assisted Living Facilities per the Centers for Disease Control and Prevention;
q. Libraries;
r. Senior Centers, but only for the service of meals and only if the requirements listed below are followed:
i. Preserve social distancing of 6 feet between tables, booths, bar stools, and ordering counters; and
ii. Cease self-service of unpackaged food or beverages, such as in salad bars, buffets, or beverage stations;
s. Restaurants and bars, but only if the requirements listed below are followed:
i. Preserve social distancing of 6 feet between tables, booths, bar stools, and ordering counters; and
ii. Cease self-service of unpackaged food or beverages, such as in salad bars, buffets, or beverage stations;
t. Retail food establishments (grocery stores, convenience stores, farmer’s markets) as long as the requirements listed below are followed:
i. Preserve social distancing of 6 feet between tables, booths, bar stools, and ordering counters; and
ii. Cease self-service of unpackaged food or beverages, such as in salad bars, buffets, or beverage stations;
u. Office spaces and government service centers;
v. Manufacturing, processing, distribution, and production facilities;
w. Public transportation;
x. Utility facilities;
y. Job centers; and
z. Facilities operated by state or municipal courts.
3. All public gatherings that bring together or are likely to bring together 10 or fewer people in a single room or confined or enclosed space at the same time should:
a. Preserve social distancing of 6 feet between people, and
b. Follow all other public health recommendations issued by the Kansas Department of Health and Environment and all local county and municipal health codes.
4. This order supersedes any less restrictive order by any local health department and should be read in conjunction with previous executive orders responding to the COVID-19 pandemic. Any less restrictive provision in previous executive orders is superseded by this order. Notwithstanding the provisions of this order or Executive Order 20-16, local authorities shall retain whatever legal authority the otherwise possess to restrict or prevent access to places where people may gather in violation of this order or Executive Order 20-16.
5. Executive Order 20-14 is rescinded and replaced by this order.

This document shall be filed with the Secretary of State as Executive Order No. 20-18. It shall become effective at 12:01 p.m. on Wednesday, April 8, 2020, and remain in force until rescinded, until May 1, 2020, or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, whichever is earlier.

Dated April 7, 2020.

Laura Kelly
Governor

Doc. No. 048053

State of Kansas
Office of the Governor

Executive Order No. 20-19
Extending Professional and Occupational Licenses During the COVID-19 Pandemic

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration’s top priority;
WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in ill-
ness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with more than 460,000 cases of the illness and more than 16,400 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the “Stafford Act”);

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, there have been over 1,106 positive cases of COVID-19 in Kansas, spread among 57 counties and 42 deaths as a result of the illness;

WHEREAS, to protect state employees and mitigate the spread of COVID-19, many state employees, including those working on licensing and permitting operations, have been placed on administrative leave or are working from home; and

WHEREAS, suspension of certain state statutes and administrative rules is necessary to reduce the risk of further exposure and spread of COVID-19 and to assist with mitigation efforts during the COVID-19 public health emergency;

WHEREAS, the State of Kansas, its boards, commissions, divisions, or other licensing authorities regularly renew thousands of occupational and professional licenses, certificates, permits, and registrations on a regular basis;

WHEREAS, the escalating COVID-19 public health emergency presents significant—sometimes insurmountable—obstacles for the holders of licenses, certificates, permits, or registrations to renew or satisfy certain requirements for renewal during the public health emergency;

WHEREAS, the holders of licenses, certificates, permits, and registrations provide significant services within Kansas, and the unavailability of such services would hamper efforts to address the escalating COVID-19 public health emergency;

WHEREAS, the holders of licenses, certificates, permits, and registrations who provide medical care perform functions that are necessary to effectively respond to and mitigate the COVID-19 pandemic; and

WHEREAS, in these challenging times this Administration will do whatever it can to avoid immediate dangers to the health, safety, and welfare of Kansans, including ensuring that Kansans who provide important services can continue their work without regulatory interruptions.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to slow the spread of COVID-19, I hereby direct and order the following:

1. All state agencies shall extend renewal deadlines for any occupational or professional license, certificate, permit, or registration issued by a state agency or any board, commission, division, or other licensing authority within a state agency to any individual, business, or organization, that was in good standing as of March 12, 2020, and that has expired or will expire during the State of Disaster Emergency, and such licenses, certificates, permits, and registrations shall remain valid until 90 days following the termination of the State of Disaster Emergency.

   a. This order does not apply to or affect licenses already addressed by Executive Order No. 20-12 ("Drivers’ license and vehicle registration and regulation during public health emergency").

2. All state agencies shall extend renewal deadlines for any organization, establishment, facility, shop, or premises license, certificate, permit, or registration issued by a state agency or any board, commission, division or other licensing authority within a state agency to any individual, business, or organization that was in good standing as of March 12, 2020, and that has expired or will expire during the State of Disaster Emergency, and such licenses, certificates, permits, and registrations shall remain valid until 90 days following the termination of the State of Disaster Emergency.

3. All state agencies shall waive any late, delinquent, penalty, or expiration fees associated with any license, certificate, permit, or registration referred to in Sections 1 and 2 above.

4. All state agencies shall extend the deadlines for any continuing education requirements mandated by any state agency or any board, commission, division or other licensing authority until 90 days following the termination of the State of Disaster Emergency.

5. For purposes of this Order, a “state agency” has the meaning set forth in K.S.A. 75-3701, and reports to or is otherwise located within an executive office under the control of the Governor.

6. For purposes of this Order, “in good standing” shall include a license, certificate, permit, or registration that is subject to probation, or non-disciplinary conditions, limitations, or restrictions, but shall not include a license, certificate, permit, or registration that is revoked, cancelled, surrendered, or suspended. Any license, certificate, permit, or registration that is subject to disciplinary conditions, limitation(s), or restriction(s) shall be treated as expired until renewed.

(continued)
tions, or restrictions shall remain subject to such conditions, limitations or restrictions.

7. This order does not affect licensing for attorneys.

8. This order should be read in conjunction with previous executive orders responding to the COVID-19 pandemic. Any contrary provision in previous executive orders, except Executive Order 20-12 ("Drivers’ license and vehicle registration and regulation during public health emergency"), is superseded by this order.

This document shall be filed with the Secretary of State as Executive Order No. 20-19. It shall become effective immediately and remain in force until rescinded or until the state-wide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, whichever is earlier.

Dated April 9, 2020.

Laura Kelly
Governor

Doc. No. 048054

State of Kansas
Office of the Governor
Executive Order No. 20-20
Temporarily Allowing Notaries and Witnesses to Act Via Audio-Video Communication Technology

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with more than 460,000 cases of the illness and more than 16,400 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the “Stafford Act”);

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, there have been over 1,106 positive cases of COVID-19 in Kansas, spread among 57 counties and 42 deaths as a result of the illness;

WHEREAS, the continued spread of COVID-19 throughout Kansas and the potential for further spread in the days and weeks ahead threatens local health care systems with overload of hospital beds, personal protective equipment, testing and treatment supplies, and other critical resources for responding to the COVID-19 pandemic;

WHEREAS, suspension of certain state statutes and administrative rules is necessary to reduce the risk of further exposure and spread of COVID-19 and to assist with mitigation efforts during the COVID-19 public health emergency;

WHEREAS, throughout the duration of the State of Disaster Emergency, residents of Kansas must continue to make critical personal and business decisions and finalize planning documents that often require the services of a Notary Public or a witness, but pursuant to CDC guidelines and state orders those important in-person interactions should be avoided to the greatest extent possible to prevent the spread of COVID-19;

WHEREAS, Secretary of State Scott Schwab has requested that I issue an executive order relieving notaries and witnesses of certain requirements in light of the COVID-19 pandemic;

WHEREAS, it is necessary and appropriate for the State of Kansas to immediately take measures to promote and secure the safety and protection of the people of the State in response to this COVID-19 outbreak while ensuring that all Kansas residents may continue to make vital personal decisions such as executing a will, power of attorney, or health care directive and business decisions so that businesses may continue to operate and finalize necessary documents during the pandemic; and

WHEREAS, in these challenging times this Administration will do whatever it can to avoid immediate dangers to the health, safety, and welfare of Kansans, including providing guidance and support for local authorities who are making difficult and important decisions to protect the health and safety of their populations, as well as certainty to the broader population that essential functions will not be interrupted.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to slow the spread of COVID-19, I hereby direct and order the following:

1. During the duration of the State of Disaster Emergency related to the outbreak of COVID-19, the requirements that a person must appear before a Notary Public commissioned under the laws of Kansas pursuant to K.S.A. 53-503 and any related statutes, are suspended and such requirements are satisfied if the Notary Public performs a remote notarization via two-way audio-video communication technology, provided that:
   a. the Notary Public commissioned in Kansas and the individual signing the document are both
physically within the State while performing the notarial act;

b. the Notary Public is able to identify the individual signing the document, from personal knowledge or satisfactory evidence of the identity of the individual; and

c. the transaction follows any guidance posted by the Kansas Secretary of State on its website.

2. During the duration of the State of Disaster Emergency related to the outbreak of COVID-19, any act of witnessing required by Kansas law may be completed remotely by two-way audio-video communication technology, provided that:

a. The two-way audio-video communication technology must allow for direct, contemporaneous communication between the individual signing the document ("the signatory") and the witness by sight and sound;

b. The signatory must attest to being physically located in Kansas during the two-way audio-video communication;

c. The witness must attest to being physically located in Kansas during the two-way audio-video communication;

d. The signatory must affirmatively state on the two-way audio-video communication what document the signatory is signing;

e. Each page of the document being witnessed must be shown to the witness on the two-way audio-video communication technology in a means clearly legible to the witness and initialed by the signatory in the presence of the witness;

f. The act of signing must be captured sufficiently up close on the two-way audio-video communication for the witness to observe;

g. The signatory must transmit by fax or electronic means a legible copy of the entire signed document directly to the witness no later than the day after the document is signed;

h. The witness must sign the transmitted copy of the document as a witness and transmit the signed copy of the document back via fax or electronic means to the signatory within 24 hours of receipt;

i. If necessary, the witness may sign the original signed document as of the date of the original execution by the signatory provided that the witness receives the original signed document together with the electronically witnessed copy within thirty days from the date of the remote witnessing; and

j. If the Notary Public is being asked to certify to the appearance of the witnesses to a document, multiple-way audio-video communication technology must allow for direct, contemporaneous communication between the Notary Public, the signatory, and the witness by sight and sound.

3. All provisions of Article 16 of Chapter 16 of the Kansas Statutes Annotated concerning electronic transactions remain in full effect.

4. During the duration of the State of Disaster Emergency related to COVID-19, notwithstanding any law or regulation of the State of Kansas to the contrary, absent an express prohibition in a document against signing in counterparts, all legal documents, including deeds, last wills and testaments, trusts, durable powers of attorney for property, and powers of attorney for health care, may be signed in counterparts by the witness(es) and the signatory. A Notary Public must be presented with a fax or electronic copy of the document signature pages showing the witness signatures on the same date the document is signed by the signatory if the Notary Public is being asked to certify to the appearance of the witnesses to a document.

This document shall be filed with the Secretary of State as Executive Order No. 20-20. It shall become effective immediately and remain in force until May 1, 2020 or until the statewide State of Disaster Emergency proclaimed on March 12, 2020, relating to COVID-19 expires, whichever is earlier.

Dated April 9, 2020.

Laura Kelly
Governor

State of Kansas

Office of the Governor

Executive Order No. 20-21
Suspending the Issuance of General Nonresident Spring 2020 Turkey Permits

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration’s top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 460,000 cases of the illness and more than 16,400 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the
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District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the “Stafford Act”);

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, as of this date, there have been 1,046 reported positive cases of COVID-19—including 42 deaths—in Kansas spread among 57 counties;

WHEREAS, the continued spread of COVID-19 requires enhanced measures to slow the rate of spread, thereby saving lives and decreasing the significant burdens the COVID-19 pandemic is placing on our state’s health care system;

WHEREAS, the Kansas Department of Health and Environment has issued quarantine directives regarding those who have recently come to Kansas from certain states or areas, and the spring turkey hunting season brings to Kansas many hunters from those areas and other areas where COVID-19 has spread significantly;

WHEREAS, to secure the safety and protection of the civilian population it is necessary to impose heightened limitations to slow the spread of COVID-19; and

WHEREAS, this Administration will do whatever it can to assist Kansans in these challenging times to avoid immediate danger to the health, safety, and welfare of Kansans.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including the authority granted me by K.S.A 48-924 and K.S.A 48-925, in order to slow the spread of COVID-19 I hereby direct and order the following:

1. Effective immediately, the issuance of general nonresident spring 2020 turkey permits pursuant to K.S.A. 32-969 and K.A.R. 115-25-6 shall be suspended.

2. All other laws, regulations or rules relating to spring turkey hunting shall remain in effect.

3. This order supersedes any less restrictive order and should be read in conjunction with previous executive orders responding to the COVID-19 pandemic. Any less restrictive provision in previous executive orders is superseded by this order.

This document shall be filed with the Secretary of State as Executive Order No. 20-21. It shall become effective immediately, and remain in force until rescinded, until May 31, 2020, or until the statewide State of Disaster Emergency proclamation on March 12, 2020, relating to COVID-19 expires, whichever is earlier.

Dated April 9, 2020.

Laura Kelly
Governor

Doc. No. 048056

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the Kansas Administrative Regulations and the 2019 Supplement of the Kansas Administrative Regulations. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

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Reg. No. Action Register

<p>| AGENCY 10: KANSAS BUREAU OF INVESTIGATION |</p>
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Reg. No. Action Register

<p>| AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL |</p>
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<p>| AGENCY 16: ATTORNEY GENERAL |</p>
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Reg. No. Action Register

<p>| AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER |</p>
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