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October 19, 2011

Mr. Robin Jennison, Secretary
Kansas Department of Wildlife, Parks and Tourism
1020 S Kansas Avenue
Building Mail

Dear Secretary Jennison:

At its meeting on October 10, 2011, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning motor vehicle permit fees; fish, taking and use of bait fish or minnows; fishing, bait; fishing, special provisions; fishing, fish bait, and seining; stocking or releasing of wildlife; and removal of vessels from waters of the state. After discussion, the Committee had the following comments.

KAR 115-2-2. The Committee requests further detail on the economic impact of the changes in the motor vehicle permit fees, for example, how the increase is expected to affect attendance.

KAR 115-7-3. The Committee is concerned that the rule and regulation does not speak to the transportation of the wild-caught bait fish from a stream basin to a pool or pond. Please clarify.

KAR 115-8-12. In subsection (d), the Committee is concerned about the striking of the words "rules and." The phrase "rules and regulations" is a defined term in the Rules and Regulations Filing Act, and the Committee would like to know the rationale for the elimination of these words. (The essence of this comment will be included in a letter from the Committee to the Department of Administration.)

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is

properly completed as prescribed in the Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations.

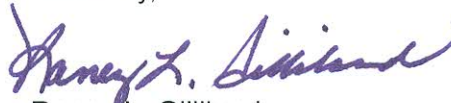
Please make this letter a part of the public record on these regulations. The Committee will review the regulations which the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

- Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes which have been made following the public hearing;
- Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations; and
- Please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland
Assistant Director for Research

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