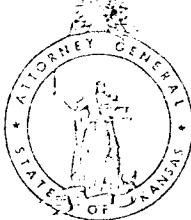


State Board
Highway



STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER
Attorney General

September 12, 1974

Opinion No. 74-318

Mr. Elmer Hoge, Staff Attorney
Legal Department
Highway Commission of Kansas
State Office Building
Topeka, Kansas 66612

Dear Mr. Hoge:

In your letter of August 15, you inquire whether the State Highway Commission, after adopting regulations as permanent regulations and filing the same with the Revisor of Statutes by October 1, 1974, re-adopt the same regulations as emergency regulations covering the period from January 1, 1975, to April 30, 1975, without vacating or nullifying their prior action in adopting these same regulations as permanent regulations.

In our opinion, it may so adopt the emergency regulations as proposed above, without jeopardizing permanent regulations which are filed with the Revisor of Statutes. Such emergency regulations would be in effect until April, 1975; should the Legislature choose to modify the permanent regulations during the 1975 session, it would be incumbent upon the Legislature to act likewise to modify the emergency regulations in order to modify their application through the expiration date thereof.

Very truly yours,

A handwritten signature in cursive script that reads "Vern Miller".

VERN MILLER
Attorney General

VM:JRM:tp

cc: Mr. Fred Carman, First Assistant
Revisor of Statutes