

### EXECUTIVE ORDER 11-02

**WHEREAS**, the economic well-being of the great State of Kansas and the growth of liberty and economic opportunities for the citizens of Kansas and for Kansas businesses are major priorities of this Administration; and

**WHEREAS**, the citizens of Kansas and all persons doing business in the State of Kansas have a mutual interest in a regulatory scheme that is reasonable, comprehensible, consistent, predictable, and minimally burdensome; and

**WHEREAS**, in furtherance of this Administration's constitutional duty to supervise and direct the executive departments and agencies of state government for the purpose of carrying out the laws, regulations, and other governing instruments of the State of Kansas, I have established a new common sense approach to the task of governing in partnership with the people of Kansas; and

**WHEREAS**, state law requires that at the time of drafting a proposed rule and regulation or amendment to an existing rule and regulation, a state agency shall consider the economic impact of such proposed rule and regulation upon the general public;

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order that the Citizens Utility Ratepayer Board ("CURB") as established by K.S.A. § 66-1222 take on new duties and responsibilities as set forth herein to provide citizen input and review of proposed state agency rules and regulations (as used in this Order, the phrase "rules and regulations" or derivations thereof shall have the same meaning ascribed to it by K.S.A. § 77-415(d)). When exercising these duties CURB may be referred to as the "Citizens Regulatory Review Board."

It shall be the duty of CURB to receive proposed rules and regulations at the time set forth below and, at CURB's discretion, to review those proposed rules and regulations for their impact on the lives of Kansas citizens. After conducting this review, CURB may, in its discretion, make comment back to the Office of the Governor as described below.

I hereby declare that all state entities under my jurisdiction which are authorized by law to promulgate rules and regulations concerning the administration, enforcement or interpretation of any law of this state, prior to the adoption of any permanent rule and regulation or any temporary rule and regulation which is required to be adopted as a temporary rule and regulation in order to comply with the requirements of the statute authorizing the same and after any such rule and regulation has been approved by the secretary of administration and the attorney general, shall provide the notice of intended action as described in K.S.A. § 77-421 (the "Notice") to CURB. The Notice shall be made at the same time as notice is required to be made to the Secretary of State pursuant to K.S.A. § 77-421. A complete copy of all proposed rules and regulations and

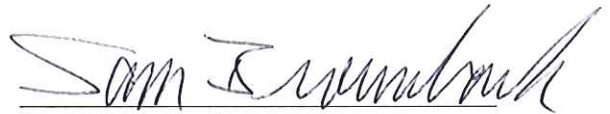
the complete economic impact statement required by K.S.A. § 77-416 shall accompany the Notice sent to CURB.

Upon receipt of the Notice, CURB may, in its discretion, review the proposed rules and regulations for their impact on the citizens of Kansas and make comment to the Office of the Governor prior to the date of the public hearing.

This document shall be filed with the Secretary of State as Executive Order No. 11-02 and shall become effective immediately.

**IT IS SO ORDERED.**

**BY THE GOVERNOR:**



Sam Brownback

Dated: 2/9/11

RECEIVED  
FEB 10 2011  
KRIS W. KOBACH  
SECRETARY OF STATE

  
Secretary of State of Kansas

  
Asst. Secretary of State of Kansas