

SENATE BILL No. 306

By Committee on Commerce

2-9

AN ACT concerning telecommunications; relating to the provision of local exchange telephone service; amending K.S.A. 12-2001, 17-1901, 17-1902 and 17-1906 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) It is the public policy of this state to:

(1) Encourage competition in the provision of telecommunications services;

(2) reduce the barriers to entry for providers of telecommunications services so that the number and types of services offered by providers continue to increase through competition;

(3) ensure that providers of telecommunications services do not obtain a competitive advantage or disadvantage in providing local exchange service within cities; and

(4) fairly reduce the uncertainty and litigation concerning franchise fees.

(b) It is also the policy of this state that municipalities receive from telecommunications providers fair and reasonable compensation for the right to construct and operate telegraph and telephone lines in the provisioning of local exchange telephone service.

(c) The purpose of this act is to establish a uniform method for compensating municipalities for the rights granted herein that:

(1) Is administratively simple for municipalities and telecommunications providers;

(2) is consistent with state and federal law;

(3) is competitively neutral; and

(4) is nondiscriminatory.

New Sec. 2. (a) "Access line" shall mean and be limited to retail billed and collected residential lines; business lines; ISDN lines; PBX trunks; simulated exchange access lines provided by a central office based switching arrangement where all stations served by such simulated exchange access lines are used by a single customer of the provider of such arrangement. "Access line" may not be construed to include (1) interoffice transport or other transmission media that do not terminate at an end-use customer's premises, or (2) to permit duplicate or multiple

1 assessment of access line rates on the provision of a single service or on
2 the multiple communications paths derived from a billed and collected
3 access line. Further access line shall not include the following: Wireless
4 telecommunications services, unbundled loop facilities, special access
5 services, lines providing only data service without voice services processed
6 by a telecommunications provider and private line service arrangements.

7 (b) "Access line count" means the number of access lines serving
8 consumers within the corporate boundaries of the city on the last day of
9 each month.

10 (c) "Access line fee" means a fee to be calculated monthly based on
11 the number of access lines serving consumers within the corporate
12 boundaries of the city that the city can require a telecommunications
13 provider to pay.

14 (d) "Commission" means the state corporation commission.

15 (e) "Public right-of-way" means the area on, below, along or above a
16 public roadway, highway, street, public sidewalk, alley, waterway or utility
17 easement in which a city has an interest. The term does not include the
18 airwaves above a right-of-way with regard to wireless telecommunications
19 or other nonwire telecommunications or broadcast service or easements
20 obtained by utilities or private easements in platted subdivisions or tracts.

21 (f) "Telecommunications provider" means a person who has been
22 issued a certificate of convenience and necessity, certificate of operating
23 authority or service provider certificate of operating authority by the com-
24 mission to offer local exchange service within the state.

25 New Sec. 3. (a) Telecommunications providers require no ~~additional~~
26 authorization or franchise by any city or other political subdivision of the
27 state to conduct business within a given geographic area, and no such
28 political subdivision has jurisdiction to regulate telecommunications pro-
29 viders based upon the content, nature or type of telecommunications
30 service or signal they provide.

31 (b) Any telecommunications provider certificated to do business in
32 this state pursuant to the authority of the commission shall have the right
33 to construct, maintain and operate poles, conduit, cable, switches and
34 related appurtenances and facilities along, across, upon and under any
35 public highway, roadway or street in this state, in accordance with and
36 subject to the provisions of this article and article 19 of chapter 17, Kansas
37 Statutes Annotated. Such appurtenances and facilities shall be so con-
38 structed and maintained as not to obstruct or hinder the usual travel or
39 public safety on such public ways.

40 (c) No city shall create, enact or erect any unreasonable condition,
41 requirement or barrier for a provider's entry into or use of the public
42 rights-of-way for the conduct of its business as a telecommunications
43 provider.

1 New Sec. 4. (a) The governing body of a city may require telecom-
2 munications providers providing local exchange telephone service to col-
3 lect and remit to each such city on a quarterly basis an access line fee of
4 up to a maximum of \$1.81 per month per access line. The telecommu-
5 nications provider shall calculate on a monthly basis an amount equal to
6 the access line fee established by a city multiplied by the access line count.
7 The telecommunications provider shall remit such total amount to the
8 city on a quarterly basis, and not later than 45 days after the end of the
9 quarter. The city shall have the right to examine, upon written notice to
10 the telecommunications provider, no more than four times per calendar
11 year, those access line count records necessary to verify the correctness
12 of the access line count. If the access line count is determined to be
13 erroneous, then the telecommunications provider shall revise the access
14 line fees accordingly and payment shall be made upon such corrected
15 access line count. The access line fee imposed under this section must
16 be assessed in a competitively neutral manner, may not unduly impair
17 competition, must be nondiscriminatory, and must comply with state and
18 federal law. A city shall not be entitled to any other franchise, right-of-
19 way, construction, excavation, inspection, repair, restoration, degradation,
20 application or other permit fee, cost or penalty from telecommunications
21 providers being assessed an access line fee.

22 (b) Beginning January 1, 2004, and every 36 months thereafter, a city,
23 subject to the public notification procedures set forth in subsection (c),
24 may elect to adopt a new access line fee subject to the provisions and
25 maximum access line fee contained in this act or may choose to decline
26 all or any portion of any increase in the access line fee.

27 (c) Adoption of a new access line fee by a city, subject to the provi-
28 sions and maximum access line fee contained in this act, shall not become
29 effective until the following public notification procedures occur: (1) No-
30 tice of the new access line fee has been read in full at three regular
31 meetings of the governing body; (2) immediately thereafter, notification
32 of the new access line fee shall be published in the official city paper once
33 a week for two consecutive weeks; and (3) sixty days have passed from
34 the date of the third regular meeting of the governing body at which the
35 final reading of the new access line fee occurred. If, during the period of
36 public notification of the new access line fee or prior to the expiration of
37 60 days from the date of the third regular meeting of the governing body
38 at which the final reading of the new access line fee occurred, 20% of
39 the qualified voters of such city voting for mayor, or in case no mayor is
40 elected then the commissioner or council member receiving the highest
41 number of votes at the last preceding city election, present a petition to
42 the governing body asking that the new access line fee be submitted to
43 popular vote, the mayor of the city shall issue a proclamation calling a

1 special election for that purpose. The proclamation calling such special
2 election shall specifically state that such election is called for the adoption
3 of the new access line fee, and the new access line fee shall be set out in
4 full in the proclamation. The proclamation shall be published once each
5 week for two consecutive weeks in the official city newspaper, and the
6 last publication shall not be less than 30 days before the day upon which
7 the special election is held. If, at the special election, the majority of votes
8 cast shall be for the new access line fee, the new access line fee shall
9 thereupon become effective. If a majority of the votes cast at the special
10 election are against the new access line fee, the new access line fee shall
11 not become effective and shall be void.

12 (d) A telecommunications provider may not be required to collect or
13 remit an access line fee to a city on those access lines that have been
14 resold, leased or otherwise provided to another telecommunications
15 provider.

16 (e) Notwithstanding any other provision of this act, payment by a
17 telecommunications provider that complies with the terms of an unex-
18 pired franchise ordinance that applies to the provider satisfies the pay-
19 ment attributable to the provider required by this act.

20 (f) Notwithstanding any other law, a telecommunications provider
21 that does not provide local exchange service within a city shall not be
22 required to collect, remit or pay an access line, franchise, right-of-way,
23 construction or permit fee.

24 New Sec. 5. (a) Information provided to municipalities and political
25 subdivisions under this act shall be governed by confidentiality proce-
26 dures in compliance with K.S.A. 66-1220a, and amendments thereto.

27 New Sec. 6. (a) Except as otherwise provided, this section does not
28 affect the validity of a franchise agreement or contract ordinance with a
29 telecommunications provider executed before the effective date of this
30 act. A city may continue to enforce a previously enacted franchise agree-
31 ment or contract ordinance and to collect franchise fees and other charges
32 under that franchise agreement or contract ordinance until the date on
33 which the agreement or ordinance expires by its own terms or is termi-
34 nated in accordance with the terms of this section. A telecommunications
35 provider may elect to terminate a franchise agreement or obligations un-
36 der an existing contract ordinance as of the effective date of this act. A
37 telecommunications provider terminating a franchise ordinance under
38 this section shall be governed by this act on the date of termination. A
39 telecommunications provider electing to terminate an existing franchise
40 agreement or contract ordinance under this section shall provide notice
41 to the affected city or political subdivision not later than 60 days after the
42 effective date of this act.

43 New Sec. 7. (a) A city which receives an access line fee pursuant to

1 this act may not require a telecommunications provider to:

2 (1) Pay any compensation other than the access line fee authorized
3 by this act, including an application, permit, excavation, construction or
4 inspection fee, for the right to use a public right-of-way to provide local
5 exchange telecommunications services in the city; or

6 (2) provide services, facilities, equipment or goods in-kind for use by
7 the city, political subdivision or any other telecommunications provider.

8 (b) Notwithstanding any other law or any other provision of this act,
9 a city may require the issuance of a construction permit without cost to
10 a telecommunications provider locating facilities in or on public rights-
11 of-way within the city for the provisioning of local exchange service. The
12 terms of the permit shall be consistent with and no more restrictive than
13 construction permits issued to other persons excavating in a public right-
14 of-way.

15 (c) A city may exercise its home rule powers in the administration
16 and regulation of a public right-of-way that apply to all persons within
17 the city. A city may exercise home rule powers in the administration and
18 regulation of the activities of telecommunications providers within a pub-
19 lic right-of-way only to the extent that they are reasonably necessary to
20 protect the health, safety and welfare of the public. Any home rule based
21 regulation must be competitively neutral and may not be unreasonable
22 or discriminatory. A city or political subdivision specifically may not im-
23 pose regulations on telecommunications providers of local exchange serv-
24 ice that are not authorized by this act, including:

25 (1) Requirements that particular business offices or other telecom-
26 munications facilities be located in the city;

27 (2) requirements for filing reports and documents with the city that
28 are not required by state law to be filed with the city and that are not
29 related to the use of a public right-of-way;

30 (3) requirements for inspection of a provider's business records ex-
31 cept to the extent necessary to conduct the review of the records related
32 to the access line count as provided for in this act;

33 (4) requirements for approval of transfers of ownership or control of
34 a telecommunications provider's business, except that a city may require
35 that a telecommunications provider maintain current point of contact in-
36 formation and provide notice of a transfer within a reasonable time; and

37 (5) requiring the provisioning of services, facilities, equipment or
38 goods in-kind for use by the city, political subdivision or any other tele-
39 communications provider or public utility.

40 (d) In the exercise of its lawful regulatory authority, a city shall
41 promptly process each valid and administratively complete application of
42 a telecommunications provider for any permit, license or consent to ex-
43 cavate, set poles, locate lines, construct facilities, make repairs, affect

1 traffic flow, obtain zoning or subdivision regulation approvals or for other
2 similar approvals, and shall make every reasonable effort to not delay or
3 unduly burden that provider in the timely conduct of its business.

4 (e) If there is an emergency necessitating response work or repair, a
5 telecommunications provider may begin that repair or emergency re-
6 sponse work or take any action required under the circumstances, pro-
7 vided that the telecommunications provider notifies the affected city as
8 promptly as possible after beginning the work.

9 (f) The compensation paid under this act is in lieu of any permit,
10 license, approval, inspection or other similar fee or charge, including all
11 general business license fees customarily assessed by a city for the use of
12 a public right-of-way against persons operating telecommunications-re-
13 lated businesses. The compensation paid under this act constitutes full
14 compensation to a city for all of a telecommunications provider's facilities
15 located within a public right-of-way, including interoffice transport and
16 other transmission media that do not terminate at an end-use customer's
17 premises, even though those types of lines are not used in the calculation
18 of the compensation. This act may not be construed to affect the ad
19 valorem taxation of a telecommunications provider's facilities or to permit
20 the ad valorem taxation of a certificated telecommunication provider's
21 occupancy of a public right-of-way.

22 (g) Telecommunications providers shall indemnify and hold the city
23 and its officers and employees harmless against any and all claims, law-
24 suits, judgments, costs, liens, losses, expenses, fees (including reasonable
25 attorney fees and costs of defense), proceedings, actions, demands, causes
26 of action, liability and suits of any kind and nature, including personal or
27 bodily injury (including death), property damage or other harm for which
28 recovery of damages is sought that is found by a court of competent
29 jurisdiction to be caused solely by the negligent act, error or omission of
30 the franchised telecommunications provider, any agent, officer, director,
31 representative, employee, affiliate or subcontractor of the franchised tel-
32 ecommunications provider, or their respective officers, agents, employ-
33 ees, directors or representatives, while installing, repairing or maintaining
34 facilities in a public right-of-way. The indemnity provided by this subsec-
35 tion does not apply to any liability resulting from the negligence of the
36 city, its officers, employees, contractors or subcontractors. If a franchised
37 telecommunications provider and the city are found jointly liable by a
38 court of competent jurisdiction, liability shall be apportioned compara-
39 tively in accordance with the laws of this state without, however, waiving
40 any governmental immunity available to the city under state law and with-
41 out waiving any defenses of the parties under state law. This section is
42 solely for the benefit of the city and franchised telecommunications pro-
43 vider and does not create or grant any rights, contractual or otherwise, to

1 any other person or entity.

2 (h) A telecommunications provider or city shall promptly advise the
3 other in writing of any known claim or demand against the franchised
4 telecommunications provider or the city related to or arising out of the
5 franchised telecommunications provider's activities in a public right-of-
6 way.

7 New Sec. 8. A telecommunications provider which is assessed, col-
8 lects and remits an access line or other fee assessed by a city shall add to
9 its end-user customer's bill or charge as a part of the rate for service to
10 that end-user customer located within the boundaries of the city, a sur-
11 charge equal to the pro rata share of any access line, occupation, franchise,
12 business license, excise, privilege or other similar special charge or tax,
13 now or hereafter imposed upon the telecommunications provider by the
14 city whether by statute, ordinance, law or otherwise, and whether pres-
15 ently due or to hereafter become due.

16 Sec. 9. K.S.A. 12-2001 is hereby amended to read as follows: 12-
17 2001. (a) The governing body of any city may permit any person, firm or
18 corporation to:

19 (1) Manufacture, sell and furnish artificial or natural gas light and
20 heat; electric light, water, power or heat; or steam heat to the inhabitants;

21 (2) build street railways, to be operated over and along or under the
22 streets and public grounds of such city;

23 ~~(3) construct and operate telegraph and telephone lines;~~

24 ~~(4) lay pipes, conduits, cables and all appliances necessary for the~~
25 ~~construction, operation of gas and electric-light or steam-heat plants;~~

26 ~~(5) (4) lay pipes, conduits, cables and all appliances necessary for the~~
27 ~~construction and operation of electric railways or bus companies;~~

28 ~~(6) (5) lay pipes for the operation of a water plant for the distribution~~
29 ~~or furnishing of water over, under and along the streets and alleys of such~~
30 ~~city; or~~

31 ~~(7) (6) use the streets in the carrying on of any business which is not~~
32 ~~prohibited by law.~~

33 (b) If the governing body of a city permits any activity specified in
34 subsection (a), the granting of permission to engage in the activity shall
35 be subject to the following:

36 (1) All contracts granting or giving any such original franchise, right
37 or privilege, or extending or renewing or amending any existing grant,
38 right, privilege or franchise, to engage in such an activity shall be made
39 by ordinance, and not otherwise.

40 (2) No contract, grant, right, privilege or franchise to engage in such
41 an activity, now existing or hereafter granted, shall be extended for any
42 longer period of time than 20 years from the date of such grant or
43 extension.

1 (3) No person, firm or corporation shall be granted any exclusive
2 franchise, right or privilege whatever.

3 (4) The governing body of any city, at all times during the existence
4 of any contract, grant, privilege or franchise to engage in such an activity,
5 shall have the right by ordinance to fix a reasonable schedule of maximum
6 rates to be charged such city and the inhabitants thereof for gas, light and
7 heat, electric light, power or heat, steam heat or water; the rates of fare
8 on any street railway or bus company; ~~the rates of any telephone company;~~
9 or the rates charged any such city, or the inhabitants thereof, by any
10 person, firm or corporation operating under any other franchise under
11 this act. The governing body at no time shall fix a rate which prohibits
12 such person, firm or corporation from earning a reasonable rate upon the
13 fair value of the property used and useful in such public service. In fixing
14 and establishing such fair value, the value of such franchise, contract and
15 privilege given and granted by the city to such person, firm or corporation
16 shall not be taken into consideration in ascertaining the reasonableness
17 of the rates to be charged to the inhabitants of such city.

18 (5) No such grant, right, privilege or franchise shall be made to any
19 person, firm, corporation or association unless it provides for adequate
20 compensation or consideration therefor to be paid to such city, and re-
21 gardless of whether or not other or additional compensation is provided
22 for such grantee shall pay annually such fixed charge as may be prescribed
23 in the franchise ordinance. Such fixed charge may consist of a percentage
24 of the gross receipts derived from the service permitted by the grant,
25 right, privilege or franchise from consumers or recipients of such service
26 located within the corporate boundaries of such city, and, in case of ~~public~~
27 ~~utilities or common carriers~~ *entities affected by this act* situated and op-
28 erated wholly or principally within such city, or principally operated for
29 the benefit of such city or its people, from consumers or recipients located
30 in territory immediately adjoining such city and not within the boundaries
31 of any other incorporated city; and in such case such city shall make and
32 report to the governing body all such gross receipts once each month, or
33 at such other intervals as stipulated in the franchise ordinance and pay
34 into the treasury the amount due such city at the time the report is made.
35 The governing body shall also have access to and the right to examine, at
36 all reasonable times, all books, receipts, files, records and documents of
37 any such grantee necessary to verify the correctness of such statement
38 and to correct the same, if found to be erroneous. If such statement of
39 gross receipts is incorrect, then such payment shall be made upon such
40 corrected statement.

41 On and after the effective date of the act, any provision for compen-
42 sation or consideration, included in a franchise granted pursuant to this
43 section which is established on the basis of compensation or consideration

1 paid by the utility under another franchise, is hereby declared to be con-
2 trary to the public policy of this state and shall be void and unenforceable.
3 Any such provision, included in a franchise granted pursuant to this sec-
4 tion and in force on the effective date of this act which requires payments
5 to the city by a utility to increase by virtue of the compensation or con-
6 sideration required to be paid under a franchise granted by another city
7 to the utility's predecessor in interest, is hereby declared to be contrary
8 to the public policy of this state and shall be void and unenforceable.

9 (6) No such right, privilege or franchise shall be granted until the
10 ordinance granting the same has been read in full at three regular meet-
11 ings of the governing body. Immediately after the final passage, the or-
12 dinance shall be published in the official city paper once a week for two
13 consecutive weeks. Such ordinance shall not take effect and be in force
14 until after the expiration of 60 days from the date of its final passage. If,
15 pending the passage of any such ordinance or during the time between
16 its final passage and the expiration of 60 days before such ordinance takes
17 effect, 20% of the qualified voters of such city voting for mayor, or in case
18 no mayor is elected then the commissioner or council member receiving
19 the highest number of votes, at the last preceding city election present a
20 petition to the governing body asking that the franchise ordinance be
21 submitted for adoption to popular vote, the mayor of the city shall issue
22 a proclamation calling a special election for that purpose. The procla-
23 mation calling such special election shall specifically state that such elec-
24 tion is called for the adoption of the ordinance granting such franchise,
25 and the ordinance shall be set out in full in the proclamation. The proc-
26 lamation shall be published once each week for two consecutive weeks
27 in the official city newspaper, and the last publication shall not be less
28 than 30 days before the day upon which the special election is held. If,
29 at the special election, the majority of votes cast shall be for the ordinance
30 and the making of the grant, the ordinance shall thereupon become ef-
31 fective. If a majority of the votes cast at the special election are against
32 the ordinance and the making of the grant, the ordinance shall not confer
33 any rights, powers or privileges of any kind whatsoever upon the appli-
34 cants therefor and shall be void.

35 All expense of publishing any ordinance adopted pursuant to this sec-
36 tion shall be paid by the proposed grantee. If a sufficient petition is filed
37 and an election is called for the adoption of any such ordinance, the
38 applicants for the grant, right, privilege or franchise, upon receipt by the
39 applicants of written notice that such petition has been filed and found
40 sufficient and stating the amount necessary for the purpose, shall im-
41 mediately deposit with the city treasurer in cash an amount sufficient to
42 cover the entire expense of such election. The mayor shall not issue a
43 proclamation calling such election until such money is deposited with the

1 treasurer. Upon such failure to so deposit such money the ordinance shall
2 be void.

3 (7) All contracts, grants, rights, privileges or franchises for the use of
4 the streets and alleys of such city, not herein mentioned, shall be governed
5 by all the provisions of this act, and all amendments, extensions or en-
6 largements of any contract, right, privilege or franchise previously granted
7 to any person, firm or corporation for the use of the streets and alleys of
8 such city shall be subject to all the conditions provided for in this act for
9 the making of original grants and franchises. The provisions of this section
10 shall not apply to railway companies for the purpose of reaching and
11 affording railway connections and switch privileges to the owners or users
12 of any industrial plants, or for the purpose of reaching and affording
13 railway connections and switch privileges to any agency or institution of
14 the state of Kansas.

15 Sec. 10. K.S.A. 17-1901 is hereby amended to read as follows: 17-
16 1901. ~~Corporations~~ (a) *Companies* created for the purpose of constructing
17 and maintaining ~~magnetic telegraph lines~~ *telecommunications systems* are
18 authorized to:

19 (1) Set their poles, piers, abutments, wires and other fixtures *includ-*
20 *ing, but not limited to, conduits, ducts, lines, pipes, cables, culverts, tubes,*
21 *manholes, transformers, regulator stations, underground vaults, receivers,*
22 *transmitters, repeaters or amplifiers usable for the transmission or dis-*
23 *tribution of any service* along, upon, over, under and across any of the
24 public roads, streets, highways, bridges, ~~and waters~~ *and other public*
25 *rights-of-way* of this state, in such manner as not to *permanently incom-*
26 *mode the public in the use of such roads, streets and waters. rights-of-*
27 *way; and*

28 (2) *use those facilities for the transmission or distribution of any*
29 *service.*

30 (b) *No council of any city or trustee of any incorporated town or*
31 *village shall discriminate among or grant a preference to competing tel-*
32 *communications providers in the issuance of rights-of-way permits or*
33 *the passage of any ordinance for the use of its rights-of-way, nor impose*
34 *any unreasonable requirements for entry to the rights-of-way for such*
35 *providers, including but not limited to, excess conduit and equipment*
36 *installation requirements; collocation requirements; facilities engineering*
37 *and design approval requirements; or consent provisions with respect to*
38 *a telecommunications provider's ability to transfer ownership.*

39 Sec. 11. K.S.A. 17-1902 is hereby amended to read as follows: 17-
40 1902. ~~Telephone companies~~ *Telecommunications service providers* shall
41 have all the rights and powers conferred and be subject to all the liabilities
42 imposed by the general laws of this state upon *telephone and telegraph*
43 *companies.*

1 Sec. 12. K.S.A. 17-1906 is hereby amended to read as follows: 17-
2 1906. The council of any city or trustees of any incorporated town or
3 village through which the line of any ~~telegraph corporation~~ *telecommu-*
4 *nications provider* is to pass, may, by ordinance or otherwise, specify
5 where the ~~posts~~ *poles*, piers or abutments shall be located, the kind of
6 ~~posts~~ *poles* that shall be used, the height at which the wires shall be run,
7 and such ~~company~~ *telecommunications provider* shall be governed by the
8 ~~regulation thus prescribed;~~ *and such regulations if such regulations are*
9 *reasonable, competitively neutral and nondiscriminatory and will not re-*
10 *sult in a reduction in service quality.* After the erection of ~~said telegraph~~
11 *the poles and lines*, the council of any city or the trustees of any incor-
12 porated town or village shall have power, *subject to the restrictions of this*
13 *section*, to direct any alteration in the location or erection of ~~said posts~~
14 *the poles*, piers or abutments, and also in the height at which the wires
15 shall run, having first given such ~~company~~ *provider* or its agents oppor-
16 tunity to be heard in regard to such alteration. *The council of any city or*
17 *the trustees of any incorporated town or village shall not arbitrarily re-*
18 *strict the provider's use of any public rights-of-way, so long as said use*
19 *does not interfere with the public's use of same.*

20 *A telecommunications provider's right to access and use of public*
21 *rights-of-way shall not be unreasonably delayed or restricted. No such*
22 *council or trustees shall require any conditions that are inconsistent with*
23 *applicable federal law or the rules and regulations of the federal energy*
24 *regulatory commission, United States department of transportation, fed-*
25 *eral communications commission or the state corporation commission.*

26 Sec. 13. K.S.A. 12-2001, 17-1901, 17-1902 and 17-1906 are hereby
27 repealed.

28 Sec. 14. This act shall take effect and be in force from and after its
29 publication in the statute book.
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