



Kansas Legislative Research Department

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68-West-Statehouse | 300 SW 10th Ave. | Topeka, Kansas 66612-1504
(785) 296-3181

kslegres@klrd.ks.gov

kslegislature.org/klrd

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REVISED
PROPOSED REVOCATIONS, JCARR MEETING OF AUGUST 6, 2019

Agency	Reference	Title	Text
Division of Alcoholic Beverage Control, Department of Revenue	KAR 14-6-4	Containers of cereal malt beverage; statement of alcohol content required.	Each original package of cereal malt beverage offered for sale in this state shall bear a statement that the contents contain no more than 3.2% alcohol by weight, except that any kind or brand of cereal malt beverage that contains less than 1/2 of 1% of alcohol by volume may show a statement that the contents contain less than 0.5% alcohol by volume.
Department of Wildlife, Parks and Tourism	KAR 115-2-7	Backcountry access pass; fee, exceptions, and general provisions.	<p>(a) Each individual 16 years of age and older using any designated portion of Little Jerusalem state park shall possess a backcountry access pass.</p> <p>(b) Subsection (a) shall not apply to any individual who is using any designated portion of the state park for which the backcountry access pass is required if the individual meets any of the following conditions:</p> <ul style="list-style-type: none"> (1) Is engaged in development, operation, maintenance, or agricultural activities approved by the secretary in writing; (2) is engaged in emergency or law enforcement activities; (3) is engaged in official government business for a governmental entity; or (4) is in possession of a special permit or pass issued by the secretary. <p>(c) The fee for a backcountry access pass shall be \$50.</p> <p>(d) Each backcountry access pass shall expire at 11:59 p.m. on the day for which the pass is issued.</p> <p>(e) A backcountry access pass shall not be transferable.</p> <p>(f) Each backcountry access pass shall be valid only for the state park for which the pass is issued.</p>

Agency	Reference	Title	Text
Division of Water Resources, Department of Agriculture	KAR 5-21-7	Change in the use made of water from irrigation use to any other type of beneficial use.	<p>A change in the use made of water from irrigation use to any other type of beneficial use shall not be approved if any of the following conditions is met:</p> <p>(a) The application for change does not meet the requirements of K.A.R. 5-5-9.</p> <p>(b) The rate of diversion applied for exceeds the rate of diversion as determined by a test of the normal operating rate of diversion conducted within 1,095 days before the date the application for change was filed.</p> <p>(c) The maximum annual quantity of water applied for is in excess of any of the following:</p> <ol style="list-style-type: none"> (1) The maximum annual quantity of water determined for a vested right; (2) the maximum annual quantity of water certified; or (3) the average annual quantity of water actually used in the preceding 10 calendar years, excluding those years in which the water right was enrolled in the water right conservation program, the conservation reserve program, or any other multiyear water conservation program approved by the chief engineer.
Division of Animal Health, Department of Agriculture	KAR 9-23-1	Hobby kennel operators.	<p>(a) Structures.</p> <ol style="list-style-type: none"> (1) Each hobby kennel shall: <ol style="list-style-type: none"> (A) Be constructed of material that will provide for the establishment of a sound structure; (B) be maintained in good repair; and (C) protect animals housed inside from injury. (2) Water and electrical power shall be available in each hobby kennel. (3) Space shall be supplied in each hobby kennel to store the provisions necessary to adequately operate each such unit. <p>(b) Operational procedures.</p> <ol style="list-style-type: none"> (1) Removal and disposal of animal, and all other food wastes, bedding, dead animals, and debris shall be done on a regular basis and at reasonable intervals. The disposal of these waste materials shall comply with federal, state and local laws and regulations relating to pollution control. (2) The temperature for an indoor hobby kennel shall be regulated by heating and cooling to sufficiently protect each animal housed inside from extremes of temperatures. Temperatures shall not be allowed to fall below or rise above ranges which would cause discomfort or health hazards to any animal. (3) Ventilation for a hobby kennel shall be provided at all times by natural or mechanical means. Each hobby kennel facility shall be operated to provide fresh air by means of windows, doors, vents, fans or air conditioning. Ventilation shall be established to minimize drafts, odors and moisture condensation. (4) Each hobby kennel shall be provided with uniformly distributed lighting. Lighting shall be in an amount sufficient to permit routine inspection and cleaning and be arranged so that each animal is protected from excessive illumination. (5) Each hobby kennel shall be provided with a drainage system which will effectively eliminate excess water from the hobby kennel unit. If drains are used, they shall be constructed in such a manner to avoid all foul odors and any backup of sewage. Drainage systems shall comply with federal, state and local laws and regulations relating to pollution control. <p>(c) Pens.</p> <ol style="list-style-type: none"> (1) Each hobby kennel shall be constructed to prevent the overheating and discomfort of any animal. Shade shall be supplied either by natural or artificial means. Each hobby kennel shall be constructed of acceptable materials and maintained in strict sanitary condition. (2) Each hobby kennel shall be constructed and maintained so as to provide sufficient space for each animal housed and to permit normal postural and social adjustments, with freedom of movement for each animal.

Agency	Reference	Title	Text
Division of Animal Health, Department of Agriculture	KAR 9-23-2	Animal health and husbandry standards.	<p>(a) Animal food shall be wholesome, palatable, free from contamination and of nutritional value sufficient to maintain each animal in good health.</p> <p>(b) Food receptacles shall in sufficient number, of adequate size and so located as to enable each animal in the enclosure to be supplied with an adequate amount of food. Food receptacles shall be kept clean and sanitary.</p> <p>(c) Excreta shall be removed from each enclosure as often as necessary:</p> <ol style="list-style-type: none"> (1) to prevent contamination of the animals contained therein; (2) to prevent disease hazards; and (3) to reduce odors. Cages, rooms and pens which contain any animal having any infectious or transmissible disease shall be washed each day, and after each occupancy, with hot water and detergent. Effective disinfectant shall be applied as an incident of each washing. <p>(d) An effective program for the control of insects, ectoparasites and other pests shall be provided and maintained.</p> <p>(e) A program for disease prevention, parasite control, euthanasia and adequate veterinary care shall be provided and maintained under the supervision of a veterinarian. Each animal shall be observed each day by the person in charge of the hobby kennel or by someone working under their direct supervision.</p> <p>(f) Each animal shall be handled in a manner which will not cause discomfort, stress or physical harm to that animal.</p> <p>(g) Water and food shall be provided to each animal at least once during each 24 hour period. Any animal with the nutritional need or disease condition shall be fed more frequently.</p>
Division of Animal Health, Department of Agriculture	KAR 9-23-3	Records.	<p>Each operator of a hobby kennel shall keep and maintain records for each animal purchased, acquired, held, transported, sold, or otherwise disposed of. The records shall include the following:</p> <ol style="list-style-type: none"> (a) The name and address of the person from whom each animal was acquired. (b) The date each animal was acquired. (c) A description of each animal showing age, size, color marking, sex, breed and any vaccination information available. Records shall also include any other significant identification for each animal including any official tag number or tattoo. (d) The name and address of the person to whom any animal is sold, given, bartered or to whom otherwise delivered. The record shall show the method of disposition.