



**Kansas Legislative Research Department**

*Providing nonpartisan, objective research and fiscal analysis for the Kansas Legislature since 1934*

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

kslegres@klrd.ks.gov

kslegislature.org/klrd

February 16, 2023

**To:** Kansas Legislature

**From:** Jill Shelley, Principal Research Analyst

**Re:** Report of the February 10, 2023, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations (Committee) provides its comments on rules and regulations reviewed at its meeting of February 10, 2023. Agencies are asked to respond to each comment or request for information; responses are compiled and maintained by staff of the Kansas Legislative Research Department.

### **Real Estate Appraisal Board**

KAR 117-7-1, fees; KAR 117-20-4, fees.

The Committee had no comments.

### **Board of Examiners in Optometry**

KAR 65-4-3, fees.

The Committee had no comments.

### **Kansas State Board of Healing Arts**

KAR 100-54-13, professional liability insurance [occupational therapist].

The Committee requests information on whether policies that meet the minimum insurance requirements for an individual occupational therapist in private practice, for which premiums are cheaper than for policies providing required coverage obtained through an individual's employer, will entice occupational therapists into private practice and what impact such change would have on the quality of care available in Kansas.

## **Kansas Department of Wildlife and Parks**

KAR 115-8-9, camping; KAR 115-8-23, bait; hunting; KAR 115-8-25, trail or game cameras and other devices.

The Committee had no comments.

## **Kansas Department of Health and Environment**

KAR 28-15-56, project eligibility.

The Committee requests information on the definition of “significant noncompliance” in paragraph (a)(2); whether “other procedures” in paragraph (a)(3) includes any requirements related to environmental, social, and governance (ESG) concerns; and the role of the U.S. Environmental Protection Agency in determining eligibility for a Kansas program and whether that determination of eligibility cedes authority to the federal agency.

## **Secretary of State**

KAR 7-21-5, electronic poll book signatures; KAR 7-29-3, ballot secrecy; KAR 7-45-2, oversight of authorized poll agents.

The Committee had no comments.

## **Board of Nursing**

KAR 60-9-105, definitions; KAR 60-9-106, continuing nursing education for license renewal; KAR 60-9-107, approval of continuing nursing education.

The Committee had no comments.

## **Kansas Department of Revenue**

Revocations related to tax-provision statutes that have expired or have been repealed: KAR 92-2-54, 92-2-56 through 92-2-84 (Kansas inheritance/estate tax; the authorizing and implementing statutes have been repealed); KAR 92-26-1 through 92-26-7 (Agricultural Ethyl Alcohol Producer Incentive; the authorizing and implementing statutes are expired); KAR 82-27-1 through 92-27-5 (Biodiesel Fuel Producer Incentive; the authorizing statute is expired).

The Committee notes all government entities need to review their documents, such as regulations and statutes, and remove those no longer needed.