



Kansas Legislative Research Department

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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.