

		<u>POTENTIAL FOR REVOCATION</u>		<u>ADDITIONAL INFORMATION</u>	
Agency number	Agency name	<u>Briefly describe how revocation would affect Kansans.</u>	<u>Number of times that response was cited</u>	<u>Additional information necessary to understanding the necessity of this rule and regulation</u>	
1	Department of Administration	Revocation would allow for potential excessive energy costs with respect to the maintenance of State property	3	The agency notes reasons to revoke two rules and regulations.	
1		The revocation of this definition would bring ambiguity and vagueness to the regulations overall	5		
1		The revocation of this regulation would eliminate the directives and explanation of guiding principles of the SOK Quality Management Initiative established in K.S.A. 75-37,115. The statute requires the Department of Administration to adopt rules and regulations for the implementation and administration of the program.	1		
1		The revocation of this regulation would eliminate the explanation of the SOK Quality Management Initiative established in K.S.A. 75-37,115, as well as the establishment of a quality management advisory council and required quality management training.	2		
1		No effect on citizens of Kansas	2		
2	Municipal Accounting Board [now Department of Administration]	Could allow political subdivisions adjust the audit scope, which could impact public transparency.	1	Could allow political subdivisions adjust the audit scope, which could impact public transparency.	1
2		No known impact - regulation is obsolete and not being followed.	1	No known impact - regulation is obsolete and not being followed.	1
3	Office of the State Treasurer	The agency gave a specific answer for each rule and regulation. Answers vary by program: unclaimed property, Kansas Postsecondary Education Savings Program, Kansas Housing Loan Deposit Program, and Low-income Family Postsecondary Savings Accounts Incentive Program.		The regulation remains necessary to implement the state's current unclaimed property laws. The State Treasurer's Office intends to issue an amended regulation to update the reference to the current authorizing statute.	4
				The agency states federal funds do not come directly to the State but, because of the program's status as a "qualified tuition program" under 26 U.S.C. § 529, federal tax benefits accrue to Kansas taxpayers. The rule and regulation establishes safeguards that ensure qualification under the federal program.	1

4	Department of Agriculture	This regulation by reference specifies the official control methods as required by the noxious weed act. This will aid landowners in knowing how to control this noxious weed.	12	Since the expiration of Section 7606 of the Agricultural Act of 2014 and the discontinuation of the Kansas Department of Agriculture's Industrial Hemp Research Program K.A.R. [4-34-1 - 4-34-20] is no longer required.	20	
4		Revocation would have no effect on Kansans as the requirements associated with nutrient utilization plans have been transferred to the Kansas Department of Health and Environment (2009 Sen. Sub. HB 2295).	7	KAR [KAR 4-34-1, 4-34-22 - 4-34-30] is necessary for the Kansas Department of Agriculture to administer a hemp plan under the Agriculture Improvement Act of 2018 and 7 CFR 990.	10	
4		Revocation would remove requirements for basic marketplace information for consumers of eggs.	3	This regulation is important to maintain to give opportunities to dairy farmers that may not want to participate or do not have the ability to participate as a grade "A" producer. Markets change and opportunities change, so keeping this regulation within the Kansas dairy law would allow for potential opportunities and would also preserve animal and human health safety.	6	
4		Improperly collected samples could result in poor quality seed being sold to consumers or high quality seed being prohibited from sale.	2	This regulation is necessary to keep within the Kansas Dairy Law in order to regulate manufacturing grade dairy processing plants that may process frozen desserts.	5	
4		Operations that mine, process, and market Agricultural Lime would not be regulated which would lead Farmers and Ranchers to incorrectly manage soil pH which makes soils less productive and more prone to nutrient runoff	2	While it might not be required federally to meet equal to status. Not being allowed to charge monetary penalties would hinder our ability, as a regulatory authority, to help assure compliance by some of the businesses we regulate. The only other option for habitual offenders would be to completely shut them down when a fine might convince them to come back and stay in compliance.	5	
4		Revocation would cause confusion by removing definition of terms used in other regulations.	2	The agency provided a specific answer for each of 19 additional rules and regulations.	46	
4		Revocation would remove funding that allows KDA to fund marketplace activities to help ensure a level playing field in egg sales. Most fees are paid by importers of eggs rather than Kansas producers.	2			
4		Revocation would remove the standard that could be relied on to demonstrate an egg seller was not honestly presenting eggs for sale.	2			
4		Revoking this regulation would cause confusion by removing definitions of terms used in other regulations. Revocation would remove the definition framework contained in the State Certification Plan approved by the United States Environmental Protection Agency (EPA) pursuant to the Federal Fungicide, Insecticide, and Rodenticide Act (FIFRA) and associated regulations. Revisions to the State Certification Plan must be submitted and approved by EPA to ensure KDA maintains primacy for enforcement of FIFRA requirements in Kansas.	2			
4		This regulation ensures that respondents are aware of the informal settlement process. This helps citizens understand and feel comfortable with processes.	2			

4		The agency provided a specific answer for each of 290 additional rules and regulations.				
5	Department of Agriculture - Division of Water Resources	The agency gave a specific answer to each of 236 of its 383 active rules and regulations.			The agency provided additional information for 18 of the rules and regulations. Among those were two comments that were repeated:	
5		Public safety could be jeopardized from improper design	28		Floodplain regulations are required to receive the Cooperating Technical Partner and Community Assistance Program - State Service Element grants from FEMA. Note this is not additional money as reported for 5-44-1	4
5		Improper design could affect personal property and public safety	13		This regulation is not currently in the process of being revoked but could be revoked in the future with no impact to Kansans.	2
5		Could cause confusion and delay in issuing dam permits.	11			
5		Public safety could be jeopardized with improper design	10			
5		Ability to manage the water resource in the public interest would be severely limited without standards pertaining to the proper installation and maintenance of acceptable water flowmeters to ensure an accurate accounting of the amount of water being used.	7			
5		Permit review time could be slowed down	7			
5		Implementation of the GMD Act including the provisions for Local Enhanced Management Areas would be inconsistent. Lack of guidance would result in significant delay in implementing proposed management plans.	6			
5		Implementation of the multi-year flex account program would be inconsistent and unpredictable.	4			
5		Public safety could be jeopardized without safety inspections	4			
5		Revocation would remove the procedures to investigate complaints and enforce regulations that protect water users and the public interest.	4			
5		Ability to manage the water resource in the public interest would become severely limited without an accurate accounting of the amount of water being used.	3			
5		Could cause confusion and delay implementing conservation plans	3			
5		Delay could be added for obtaining permits or local ordinances	3			
5		Existing water users and the public resource could become impaired without a clear understanding of water quality and could lead to migration of poor quality water in certain circumstances.	3			
5		Owner flexibility would be lost by making them go through the individual permit process	3			
5		Public safety could be jeopardized from improperly installed principal spillway.	3			

5		These definitions play an integral role in the interpretation and implementation of numerous state statutes. Implementation of the Kansas Water Appropriation Act in northwest Kansas would not be consistent.	3			
5		Water right holders and the public interest would no longer be protected from the use of water in a wasteful manner.	3			
5		Water users wouldn't have clear guidelines regarding reasonable quantities for irrigation, which could result in wasteful use of water for irrigation.	3			
5		Applicants would no longer have clear guidance regarding the amount of water that can be allocated for indirect uses of water.	2			
5		Existing groundwater users would no longer be protected from impairment by new water users placing wells too close to existing wells.	2			
5		Implementation and administration of Water Assurance Districts in Kansas would be delayed and/or inconsistent without clear guidelines.	2			
5		Kansans could be harmed by additional appropriation in the areas specified due to to local saltwater contamination, unless specific conditions are met.	2			
5		Lack of clear guidance would cause confusion and delay in issuing approvals or orders that require saturated thickness analyses.	2			
5		Owner flexibility would be decreased due to lack of ability to apply fro a waiver	2			
5		Property damage or public injuries could result from improper floodplain development	2			
5		Property rights could be affected by improper operation	2			
5		Property rights may be infringed upon	2			
5		Property rights would be affected by not giving landowners flexibility	2			
5		Sand and gravel pit operators would no longer have clear guidance regarding when applications to appropriate water are required for operating a sand and gravel pit.	2			
5		Water right holders in the Rattlesnake Creek basin would no longer be allowed to move groundwater rights outside of the alluvial corridor at distances greater than those normally allowed under a routine change application.	2			
6	State Election Board	Counties would not know what election-related costs could be allocated among voting districts and what costs must be reimbursed by candidates seeking a recount..	2		No additional information provided	

7	Office of the Secretary of State	All election regulations were reviewed in light of the new laws enacted in 2022 and 2023. 14 are being submitted for small amendments and 2 regulations for major amendments.	36	All election regulations were reviewed in light of the new laws enacted in 2022 and 2023. 14 are being submitted for small amendments and 2 regulations for major amendments.	36
7		Without these regulations entities would not know how to become and how to conduct operations as Certified Registration Authorities.	20	All election regulations were reviewed in light of the new laws enacted in 2022 and 2023. This regulation will be repealed.	1
7		The notary regulations provide the necessary operating details for notaries public to perform their duties for the public.	18		
7		County election officers would lack necessary detail for performing various election tasks, e.g., performing audits, storing voting equipment	10		
7		Without these regulations county election officers would lack the necessary detail to properly conduct secure and accurate advanced and absentee voting	9		
7		Without these regulations county election officers would lack the necessary operating detail to conduct certain aspects of voter registration.	8		
7		Without the regulation filers would not know what fee to pay and our office would not know what fee to charge.	6		
7		Without these regulations county election officers would not know the proper format and contents of certain forms to transmit information.	4		
7		Without these regulations county election officers would not know the proper format and contents of certain forms to transmit information.	3		
7		County election officers and the public would lack operating details for the use of voter photo ID	3		
7		County election officers would lack necessary detail for supervising election board workers.	2		
7		Without the regulation filers would not know that Kansas adopted the same definition as the federal trademark office.	1		
7	Office of the Attorney General (Article 42. Charitable Organizations; Article 44. Address Confidentiality Program)	The agency gave a specific answer for each rule and regulation.		The agency gave a specific answer for each of 9 of the 11 rules and regulations.	

8	Livestock Brand Commissioner	All rules and regulations were transferred to Agency 9.				
9	Department of Agriculture - Division of Animal Health	The agency gave a specific answer for each rule and regulation.			Though Kansas and the rest of the United States are classified at differing levels of "pseudorabies free" by USDA, these regulations are still necessary to frame a response in the event that pseudorabies is found and requires targeted management again.	8
9					The agency provided additional regulation-specific information for approximately 100 rules and regulations.	
9					The agency notes it is in the process of updating regulations in Article 10.-Public Livestock Markets, Article 32.-Scrapie in Sheep and Goats.	
10	Kansas Bureau of Investigation	Revocation may cause ambiguity and confusion of the definitions of terms used throughout the balance of these particular administrative regulations.	4		The agency notes rules and regulations in Article 20.-Missing Persons; Unidentified Deceased Persons are written to be in compliance with the following federal laws: The Missing Person's and Unidentified Remains Act of 2019, the DNA Sexual Assault Justice Act of 2004, the Justice for All Act of 2004.	
		Revocation may cause the central repository to be without the disposition reports on cases in which an arrest was made, potentially resulting in offenses with predicate crimes being charged at the incorrect severity level because the predicates have not been reported.	2			
		Revocation may remove a method which allows for law enforcement to collect more accurate information roadside when they believe a substance other than alcohol may be impairing drivers. This provides officers additional information, in relation to the totality of the circumstances, when making decisions regarding arrest and removal of impaired drivers from Kansas roadways.	2			
		Revocation may remove the uniformity of the data fields submitted to the KBI thus increasing entry and maintenance time and effort.	2			
		The agency gave a specific answer for each of its 39 additional active rules and regulations.				
11	Department of Agriculture - Division of Conservation	Kansas Farmers and Ranchers would not have access to financial assistance to improve water quality and sustain agricultural production.	16		This program protects and enhances public water supply across Kansas.	22

11		Public Water Supply and Recreation opportunities for citizens would decrease	15	Non-Point Source Program is used to improve water quality and protect source water to ensure adequate water supplies for all Kansans.	16
11		High Plains Aquifer would continue water level declines and reduce water supplies available for domestic, municipal, industrial, and agricultural uses	13	Program protects water supplies in over appropriated areas of the High Plains Aquifer.	13
11		Citizens, property, and agricultural land would not be as well protected from flood damage if the program was revoked.	12	Citizens, property, and agricultural land would not be as well protected from flood damage if the program was revoked.	12
11		Water Quality in Kansas rivers and streams would be degraded.	10	Program rules and regs can be revoked when program ends in 2032.	10
11		Kansas Farmers and Ranchers would not have access to financial assistance to address natural resource concerns that reduce agricultural production and degrade water resources	9	Water Resources Cost-Share is our flagship program to address water resource concerns on private lands across Kansas.	9
11		Aggregate mined lands would not be restored in a manner that protects water supplies and the environment	8	Mined Lands program utilizes fee funds from industry to implement program.	8
11		Public Water Supply systems would not be as reliable	7	Program leverages federal funding to establish grass buffers along streams to improve water quality by providing state incentive payment.	6
11		Water Quality in Kansas rivers and streams would be degraded.	6		
12	Agricultural Labor Relations Board	The agency gave a specific answer for each rule and regulation.		The 1972 Legislature created the Agricultural Labor Relations Act in substitute for SB 291. Governor Docking vetoed the bill on March 17, 1972, and sent it back to the House. Governor Docking relied on an opinion from Attorney General Vern Miller dated March 17, 1972, which advised certain provisions of Section 11(c) of the bill violated the First Amendment of the US Constitution and Section 10 of the Bill of Rights of the Kansas Constitution. Both the House and the Senate overrode Governor Docking's veto on March 20, 1972. These regulations are to implement the Legislature's intent.	1
12				This regulation has been superseded by K.S.A. 77-518 and can be revoked.	1
13	Alcoholic Beverage Control Board of Review	<i>The agency was abolished in 1987.</i>			
14	Department of Revenue - Division of Alcoholic Beverage Control	Provides details necessary for administration of, regulation of and compliance with existing law	75	No additional information provided	
14		Details an accepted industry business practice and ensures a fair and orderly marketplace	61		
14		Supplements existing statute by clarifying details needed to protect public safety and welfare	20		

14		Provides general clarity by defining or explaining terms or methods within existing law	15			
14		Assists in or explains procedural elements of the collection of tax	8			
14		No impact - reg is obsolete and inaccurate	5			
14		No impact - federal retail stamps no longer issued	4			
14		No impact - Duplicative of KAPA provisions	3			
14		No impact - Carrier permits are no longer issued by ABC	2			
14		No impact - reg no longer enforced	2			
15	<i>Athletic Commission</i>	<i>The agency was abolished in 1979.</i>				
16	Office of the Attorney General	Revocation would eliminate relief for dealers who are unable to immediately comply with the submission requirements	9		The agency gave a specific answer for each of 35 of its 69 rules and regulations.	
16		Without the registration of all roofing companies operating within the State of Kansas, roofers would not be regulated resulting in the potential for fraud and abuse of homeowners throughout the State.	2			
16		The agency gave a specific answer for each of the 58 other rules and regulations.				
17	Office of the State Bank Commissioner	The agency gave a specific answer for each of 58 rules and regulations, with these exceptions:			We intend to combine this regulation [KAR 17-16-1] with K.A.R. 17-16-2 and this regulation will be repealed at that time	
17		Trust companies are required to retain records in a manner prescribed by the Bank Commissioner. K.S.A. 9-1130. Trust examiners would have a very difficult time reviewing each trust account for compliance with state and federal laws.	2		The agency noted two regulations are duplicative of other regulations.	2
17		Kansas chartered banks are required to maintain records in a manner the Bank Commissioner shall prescribe. K.S.A. 9-1130. Kansas chartered bank examinations would be inefficient due to examiners needing to track down transactions on a daily basis, and could potentially miss something that poses a safety and soundness risk.	2			
18	Employee Award Board	<b>KL RD Note:</b> The Employee Award Board, established in 1986, was abolished with repeal of KSA 75-37,108 in 2002 (2002 SB 429 [Ch. 136]). Responsibility for its nine rules and regulations was not assigned to another agency.				
19	Governmental Ethics Commission	The agency gave a specific answer for each of its rules and regulations. It noted 8 of the 102 provide definitions.				



20	Crime Victims Compensation Board	The agency gave a specific answer for each of the 11 rules and regulations; 10 of those stated revocation could lead to inconsistent decision-making.			No additional information provided		
21	Kansas Human Rights Commission	Revocation is not contemplated.	144		The agency notes specific rules and regulations for which the expedited revocation process will be utilized.		
21		The rule and regulation is duplicative of statute.	23				
21		No effect. The subject is better suited for a rule of practice pursuant to KSA 44-1005(o).	14				
21		No effect for other reasons, e.g., the subject is better addressed under the Kansas Open Records Act, the provisions pertain to a report of the Equal Employment Opportunity Commission.	8				
21		In the event of the death or disability of the ED, a special meeting could be called or the PD for the ass't director could be revised to address this contingency.	1				
22	State Fire Marshal	Increased risk of harm from boiler failure	90		No additional information provided		
22		Reduction of life safety for citizens and businesses.	16				
22		Increase in fires and reduction in safety for citizens and businesses.	7				
22		Reduction in life safety for citizens and businesses.	7				
22		Reduction in safety for citizens and businesses and an increased fire risk.	6				
22		Reduction of life safety for citizens.	6				
22		Increase in fires.	3				
22		Potential for unsafe extinguishing systems and an increase in fires.	2				
22		Reduced number of certified fire inspectors and the reduction of life safety for citizens and businesses.	2				
22		Reduction in safety for citizens and an increased fire risk.	2				
22		Reduction in the reporting of losses.	2				
22		Reduction of safety for citizens.	2				
22		Unsafe conditions in facilities.	2				
22		The agency gave a specific answer for each of 26 additional rules and regulations; 6 of those mentioned life safety.					
23	Kansas Department of Wildlife and Parks	No identified effect	1		Revocation is recommended	4	
		None	3				







							statute
							rule
							no effect - other