



Kansas Legislative Research Department

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August 26, 2024

To: Kansas Legislature

From: Jordan Milholland, Managing Research Analyst

Re: Report of the August 12, 2024, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations provides its comments on rules and regulations reviewed at its meeting on August 12, 2024. 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.

Department of Wildlife and Parks

KAR 115-30-4, fire extinguishers; requirements.

Concerns. The Committee is concerned that the statutory requirements for economic impact statements appears not to have been met. Specifically, the Committee notes that the agency did not provide a response for many items in the Economic Impact Statement, with several question responses containing the placeholder text: "Click here to enter agency response."

The Committee further expresses its concern with the agency's statement during the Committee meeting that no stakeholder input was solicited or considered in responding to the Economic Impact Statement questions. The Committee urges the agency to contact a sample of stakeholders, including members of the boating public, to request input, and to incorporate received responses into a revised Economic Impact Statement.

Request. The Committee requests the agency provide information concerning the number of citations issued during the past five years related to outdated fire extinguishers discovered during boat inspection.

Request. The Committee requests information regarding whether the proposed revisions are required to be made due to a change in federal policy, and if so, whether any federal funds are tied to compliance with these rules. If federal funds are tied to these revisions, the Committee requests that information regarding the approximate amount of funding be provided.

KAR 115-30-4. The Committee requests the agency consider replacing “not more than” in subsection (a) with “less than” to clarify that an expired fire extinguisher may not be replaced by a separate fire extinguisher that is also expired or is 12 years past its manufacture date.

Department of Health and Environment

Article 15, Application for permits; domestic water supply: KAR 28-15-35, definitions; KAR 28-15-35a, certification requirements; KAR 28-15-35b, application for certification or certification renewal; KAR 28-15-35c, assessment; KAR 28-15-35d, proficiency testing; KAR 28-15-35e, notification of certification; KAR 28-15-35f, denial, suspension, or revocation of certification; KAR 28-15-35g, secondary certification; KAR 28-15-35h, mobile laboratories; KAR 28-15-35i, withdrawal of certification; KAR 28-15-35j, changes in legal status, ownership, or location of a certified laboratory; KAR 28-15-36, requirements for accreditation of laboratories other than field laboratories; KAR 28-15-36a, requirements for field laboratory certification; KAR 28-15-37, accreditation fees.

The Committee had no comments.

Article 16, Surface water quality standards: KAR 28-16-28e, surface water quality criteria; KAR 28-16-28h, surface water variance register.

The Committee had no comments.

Emergency Medical Services Board

KAR 109-3-2, revocation (outpatient medical emergencies); KAR 109-6-1, revocation (requirements for temporary certification for applicant with non-Kansas credentials); KAR 109-6-2, renewal of EMS provider certificate; KAR 109-7-1, schedule of fees; KAR 109-8-1, examination; KAR 109-8-2, scheduling examinations for certification; KAR 109-11-1a, emergency medical responder (EMR) course approval; KAR 109-11-3a, emergency medical technician (EMT) course approval; KAR 109-11-4a, advanced emergency medical technician (AEMT) course approval; KAR 109-11-6a, paramedic course approval; KAR 109-15-2, recognition of non-Kansas credentials; KAR 109-15-3, EMS provider certification; KAR 109-17-4, sponsoring organization; continuing education.

The Committee had no comments.

State Board of Healing Arts

KAR 100-1-1, seals; KAR 100-2-2, term; KAR 100-2-3, president; duties; KAR 100-2-4, vice-president; duties; KAR 100-3-1, revocation (appointment); KAR 100-4-1, causes; KAR 100-4-2, filling; KAR 100-5-1, meetings; KAR 100-5-2, special meetings.

Request. The Committee requests information regarding the selection and appointment process for filling a vacancy in the office of Vice President of the State Board of Healing Arts.

Department of Revenue

KAR 92-11-20, revocation (declaration of estimated tax forms); KAR 92-11-21, revocation (payment of estimated tax); KAR 92-12-113, revocation (credit for property tax paid on commercial and industrial machinery and equipment; tax receipts).

The Committee had no comments.