

MINUTES

JOINT COMMITTEE ON ADMINISTRATIVE RULES AND REGULATIONS

August 12, 2008
Room 535-N—Statehouse

Members Present

Senator Vicki Schmidt, Chairperson
Representative Carl Holmes, Vice-Chairperson
Senator Karin Brownlee
Senator Ralph Ostmeyer
Senator Chris Steineger
Representative John Faber
Representative Joe Patton
Representative Jan Pauls
Representative Mark Treaster
Representative Ed Trimmer

Members Absent

Senator Donald Betts
Representative Arlen Siegfroid

Staff Present

Jill Shelley, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Kenneth Wilke, Office of the Revisor of Statutes
Nobuko Folmsbee, Office of the Revisor of Statutes
Judy Glasgow, Committee Assistant

Others Present

Patricia Scalia, Executive Director, State Board of Indigents' Defense Services
Carman Allen, Kansas Board of Emergency Medical Services
Steve Sutton, Kansas Board of Emergency Medical Services
Kathy Olsen, Kansas Bankers Association
Brad Shogren, State Conservation Commission
Hakim Saadi, State Conservation Commission
Greg Foley, State Conservation Commission

Sherry Diel, Kansas Real Estate Commission
Steven K. Frost, Kansas Conservation Commission
Karl Esping
Randall J. Forbes, Pharmacy Board
Debra Billingsley, Executive Secretary, Pharmacy Board
Don Jenkins, Kansas Department of Labor
Diane Glynn, Kansas State Board of Nursing
Nancy Bryant, Secretary of State's Office
Brynne Glynn
Trevor Wohlford, Kansas Court of Tax Appeals
Rebecca Crotty, Kansas Court of Tax Appeals
Mark Knight, Kansas State Board of Nursing
Nancy Mosback, Kansas State Board of Nursing
Mary Blubaugh, Kansas State Board of Nursing
Scott Gates, Kansas State Treasurer's Office
Leslie Allen, Kansas Behavioral Sciences Regulatory Board
John Wine, Kansas Insurance Department
Ken Abbott, Kansas Insurance Department
Mary Feighney, Attorney General's Office

Morning Session

Chairperson Vicki Schmidt called the meeting to order at 9:00 a.m.

The Chairperson recognized Pat Scalia, Executive Director, State Board of Indigents' Defense Services, to speak to the proposed rule and regulation noticed for hearing by the State Board of Indigents' Defense Services. KAR 105-11-1, defendant reimbursement of attorney fees.

Ms. Scalia stated that these fees are revised yearly and are used by the court to order defendants to pay some or all of the cost of their defense. She stated that there would be no economic impact related to the revised fees. There were no questions concerning this regulation from Committee members. Chairperson Schmidt thanked Ms. Scalia for her presentation before the Committee.

Chairperson Schmidt reviewed the minutes of July 7, 2008, and asked for Committee action. *Senator Ostmeyer moved that the minutes be approved as presented, Representative Faber seconded the motion. The motion passed.*

Sherry Diel, Executive Director, Kansas Real Estate Commission, was recognized by the Chairperson Schmidt to speak to the proposed rules and regulations noticed for hearing by the Kansas Real Estate Commission. KAR 86-3-19, disclosure of interest in property purchased, leased, or exchanged; KAR 86-3-30, advertising.

Ms. Diel stated that these changes were the result of HB 2746 passed by the 2008 Legislature. Committee members had questions concerning KAR 86-3-30 and the prohibition regarding the use of "realtor" and realty trade names by a licensed real estate agent because the regulation does not specifically describe this prohibition. Staff noted that the history section in KAR 86-3-30 needs to be updated.

Chairperson Schmidt thanked Ms. Diel for her presentation before the Committee.

Steve Frost, Water Conservation Program Manager, was recognized by the Chairperson to speak to the proposed rules and regulations noticed for hearing by the Kansas State Conservation Commission. KAR 11-12-1, definitions; KAR 11-12-2, eligible areas; KAR 11-12-3, application and review; KAR 11-12-4, payment; and KAR 11-12-6, dismissal or permanent reduction of water right.

Mr. Frost stated that these rules and regulations are intended to refine the working operation of the program by providing two signup periods, fall and spring; implement a fixed price-point strategy; incorporate additional resolution to "partial water" right enrollments; provide more definition to the procedure of adding target areas; and clarify inter-agency roles and responsibilities.

Committee members had concerns about the adding of additional target areas and felt that the two designated areas needed to be kept as priority. A concern was raised about the fact that the target areas were not named in the rules and regulations. The Committee would like to see specific target areas be included by township or by some other method in KAR 11-12-1. In KAR 11-12-4 the term "permanently reduced" needs to be more clearly defined. One Committee member noted that in KAR 11-12-6, (b) item (4) should be removed. Once a water right has been dismissed there should be no small use exemptions. Mr. Frost stated that there had been discussion concerning this item and he would take it back to the Chief Engineer with the Committee's comments.

Mr. Frost was thanked for his appearance before the Committee by the Chairperson.

Vice-Chairperson Holmes recognized Hakim Saadi, Program Manager, to speak to the proposed rules and regulations noticed for hearing by the State Conservation Commission. KAR 11-6-1, definitions; KAR 11-6-2, eligible components of projects; KAR 11-6-3, letter of interest; KAR 11-6-4, letter of intent; KAR 11-6-5, restoration plan; and 11-6-6, review process.

Mr. Saadi stated that these regulations are a result of HB 2018 passed by the 2005 Kansas Legislature to receive and disburse renovation grant funds to address restoration needs for water supply structures. In KAR 11-6-2 (e), a Committee member suggested that "and restoration" be inserted after "water protection." Mr. Saadi stated that he would take this back to the Chief Engineer.

Mr. Saadi was thanked for his presentation before the Committee by the Vice-Chairperson.

Trevor Wohlford, Executive Director, was introduced by the Chairperson to speak to the proposed rules and regulations noticed for hearing by Kansas Court of Tax Appeals. KAR 94-2-1, definitions; KAR 94-2-2, information, hearings, and assistance; KAR 94-2-3, form of pleadings; KAR 94-2-4, filing procedure and time limits; KAR 94-2-5, service; KAR 94-2-8, discovery procedure; KAR 94-2-9, subpoenas; KAR 94-2-10, hearing procedure; KAR 94-2-11, petitions for reconsideration; deadline for responses; KAR 94-2-12, orders of the court; KAR 94-2-13, exchange of evidence and witness lists; KAR 94-2-14, procedure to keep business records confidential; KAR 94-2-15, continuances; KAR 94-2-16, dismissals; KAR 94-2-19, facsimile filing; KAR 94-2-20, electronic mail filing; KAR 94-2-21, filing fees; KAR 94-3-1, definition of terms; KAR 94-3-2, filing fees, and form; and KAR 94-4-1, court judge continued education.

Judge Wohlford stated that these proposed rules and regulations were the result of HB 2018 passed by the 2008 Kansas Legislature which changed the Board of Tax Appeals to the Court of Tax Appeals. These proposed changes are cosmetic with no substantive changes. He stated that these were the identical regulations that were heard and approved as temporary rules and regulations on July 1, 2008. Judge Wohlford stated that the Court does intend to amend the rules and regulations to be more suited to a neutral decision-making body. Staff noted that in KAR 94-3-1 and KAR 94-3-2, the history section needs to be corrected. The Committee had no questions for Judge Wohlford.

The Chairperson thanked Judge Wohlford for appearing before the Committee.

Chairperson Schmidt recognized Don Jenkins, Chief Boiler Inspector, to address the proposed rules and regulations noticed for hearing by Department of Labor. KAR 49-45-1, rules for construction of power boilers; KAR 49-45-2, part A: ferrous material specifications; KAR 49-45-3, part B: nonferrous material specifications; KAR 49-45-4, part C: specifications for welding rods, electrodes, and filler metals; KAR 49-45-4a, part D: properties (customary); KAR 49-45-5, rules for construction of heating boilers; KAR 49-45-6, nondestructive examination; KAR 49-45-7, recommended rules for the care and operation of heating boilers; KAR 49-45-8, recommended guidelines for the care of power boilers; KAR 49-45-9, qualification standard for welding and brazing procedures, welders, brazers, and welding and brazing operators; KAR 49-45-20, national board inspection code (ANSI/nb23); KAR 49-45-28, power piping; KAR 49-45-29, rules for construction of pressure vessels; division 1; KAR 49-45-29b, rules for the construction of pressure vessels; division 2, alternative rules; KAR 49-45-31, rules for construction of pressure vessels; division 3, alternative rules for construction of high pressure vessels; KAR 49-45-34, fiber-reinforced plastic pressure vessels; KAR 49-45-35, rules for construction and continued service of transport tanks; and KAR 49-45-37, boiler and combustion systems hazards code.

Mr. Jenkins stated that these proposed rules and regulations will ensure that all boilers in the state are operated, installed and repaired in compliance with current industry standards by updating the reference from 2004 to 2008. A Committee member questioned the items excluded in KAR 49-45-37 and Mr. Jenkins stated that the Attorney General's office had advised them to withdraw them since they did not concern boilers. Mr. Jenkins also stated that a copy of all the documents referenced were available for public review. A Committee member raised questions about a request from Kansas Department of Health and Environment (KDHE) for a list of boilers between 10 million Btu per hour and 100 million Btu per hour and what type of boilers these would be. Mr. Jenkins stated that they had furnished a list to KDHE and that these boilers would be large industrial type boilers. When asked how many this would include, he stated that there would be about 4,000. The Committee requested that a copy of that list be furnished to the Committee and, specifically, to Representative Holmes. Mr. Jenkins stated that this would be done.

Mr. Jenkins was thanked by the Chairperson for his presentation before the Committee.

The Committee asked staff to contact the Kansas Department of Health and Environment and request that the Secretary of KDHE, the head of the air quality division, and the agency's General Counsel appear before the Committee at the September 22 meeting to address the Committee concerning the boiler list and any related proposed regulations.

Nancy Bryant was introduced by Chairperson Schmidt to speak to the proposed rules and regulations noticed for hearing by the Secretary of State. KAR 7-16-1, information and services fee; and KAR 7-16-2, technology communication fee.

Ms. Bryant noted that the Secretary of State is a fee-funded agency and receives no state general fund support. After a fee study over the past year, the Secretary of State determined that an increase in fees was necessary. A question was raised by a Committee member inquiring whether the Secretary of State's office was cutting its budget by 2 percent as requested by the Division of Budget, even though it is a fee-funded agency. Ms. Bryant stated that staff had prepared a budget cutting expenses by the requested 2 percent. The Committee asked Ms. Bryant to provide to the Committee a copy of the letter from the Division of Budget requesting the budget cut.

There were no other comments, and Chairperson Schmidt thanked Ms. Bryant for appearing before the Committee.

Chairperson Schmidt recognized Carman Allen, Education and Training Manager, to address the proposed rule and regulation noticed for hearing by the Board of Emergency Medical Services. KAR 109-5-5, retroactive approval of continuing education course.

Ms. Allen stated that the proposed rule and regulation is a new regulation that clarifies the approval process for those emergency medical service attendants who have completed a continuing education course. She stated that the definition of "continuing education" as defined in KAR 109-1-1 is very ambiguous causing inconsistency in the determination of what constitutes "enhancement of emergency medical services practice, values, skills, and knowledge." In response to a question from the Committee, Ms. Allen stated that this regulation was not more stringent but would provide more consistency across the state. A Committee member had concerns about a bill that was passed during the last legislative session regarding hardships. Staff was requested to research the bill for the Committee.

Randy Forbes, General Counsel, was recognized by the Chairperson to speak to the proposed rules and regulations noticed for hearing by the Kansas Pharmacy Board. KAR 68-7-12b, incident reports; and KAR 68-11-2, fees for premises registrations and permits.

Mr. Forbes noted that KAR 68-7-12b provides new provisions to delineate what constitutes a "reportable incident" and "incident" for purposes of preparing an incident report and identifies various recordkeeping requirements.

Mr. Forbes responded to a question from the Committee members concerning how often reportable incidents happen. He stated that the Board has never collected data on incident reports statewide. The Committee Chairperson stated that pharmacists were pleased with the new requirements. The Committee had several questions concerning KAR 68-11-2, concerning the fee for durable medical equipment. The questions concerned oxygen distributors and whether this was a new fee. Mr. Forbes stated that this was not a new fee; that companies had always been required to pay the registration fee, but they were under a different category. A copy of the statute was requested to be provided to the Committee showing when this law was passed and what it covers. Debra Billingsley stated that this would be provided to the Committee. A Committee member pointed out that the economic impact statement refers to a new registration fee and if this is not the case then this should be corrected. Mr. Forbes stated that only those selling oxygen for medical purposes are required to be registered.

The Chairperson thanked Mr. Forbes for his appearance before the Committee.

The meeting was recessed until 1:30 p.m.

Afternoon Session

The meeting was reconvened by Chairperson Schmidt at 1:30 p.m.

Mary Blubaugh, Executive Administrator, was recognized by the Chairperson to speak to the proposed rules and regulations noticed for hearing by the Kansas State Board of Nursing (Attachment 1). KAR 60-1-103, discontinuing a school of nursing; KAR 60-1-104, definitions; KAR 60-2-101, requirements for initial approval; KAR 60-2-102, reapproval requirements; KAR 60-2-104, curriculum requirements; KAR 60-2-105, clinical resources; KAR 60-2-106, educational facilities; KAR 60-2-107, student policies; KAR 60-2-108, reports; KAR 60-3-106, licensure qualifications; KAR 60-3-106a, temporary permit; KAR 60-3-113, reporting of certain misdemeanor convictions by the licensee; KAR 60-

3-114, satisfactory completion of a refresher course approved by the board; and KAR 60-7-111, reporting of certain misdemeanor convictions by the licensee.

Ms. Blubaugh reviewed the proposed rules and regulations and responded to several questions from Committee members. She stated that the Kansas State Board of Nursing chose to become a recognized accrediting body of the U.S. Department of Education. During the application process several regulations were identified that needed changes to meet the requirements to become approved. Staff noted that the history section needed to be updated in KAR 60-3-114, KAR 60-3-113 and KAR 60-7-111.

Ms. Blubaugh reported to the Committee that they had received a grant of \$50,000 which allowed the Board of Nursing to obtain fingerprinting equipment which will speed up the process of clearing applicants.

Chairperson Schmidt thanked Ms. Blubaugh for her presentation before the Committee.

Scott Gates, General Counsel, was recognized by the Chairperson to speak to the proposed rules and regulations noticed for hearing by the State Treasurer's Office. KAR 3-3-1, agricultural production loans; and KAR 3-3-2, Kansas housing loans.

Mr. Gates stated that these proposed rules and regulations are the result of SB 387 passed by the 2008 Legislature. He stated that the purpose of this program is to provide funding for the construction of new housing. By statute, 50 percent of the funds must be reserved for homes built within one mile of the city limits of Chanute, Coffeyville, Erie, Fredonia, Greensburg, Independence, Iola, Neodesha, or Osawatomie because of the natural disasters in these cities in 2007. The other 50 percent is available for anyone. In response to questions from the Committee, Mr. Gates stated that the program opened July 1, 2008, and there had been only one application received to date and it was in the category of funds that were open to anyone.

Staff noted that the history section in KAR 3-3-1 needs to be corrected. The Committee had questions concerning whether the funds could be transferred from the funds reserved for specific cities if it they were not loaned out. Mr. Gates stated that the program expires July 1, 2011, but the Office could look at the program and come back to the Legislature after two years if this would be the case. A question was raised by a Committee member as to whether homes could be built or rebuilt in a flood plain. Mr. Gates stated that these issues would be handled by the bank making the loans. A request was made that Mr. Gates check with the Attorney General's Office to see whether the Treasurer's Office has any authority to restrict homes being built in flood plains and report back to the Committee.

After responding to all the Committee's questions, Chairperson Schmidt thanked Mr. Gates for his appearance before the Committee.

Leslie Allen, Credential Specialist, was introduced by the Chairperson to speak to the proposed rules and regulations noticed for hearing by the Behavioral Sciences Regulatory Board. KAR 102-4-1a, definitions; KAR 102-4-6a, academically supervised practicum; KAR 102-4-6b, postgraduate hours in lieu of practicum; and KAR 102-4-10a, continuing education for licensees.

Ms. Allen reviewed the proposed rules and regulations for the Committee. There were no questions from Committee members and Chairperson Schmidt thanked Ms. Allen for her presentation.

Chairperson Schmidt recognized John Wine, Staff Attorney, to address the proposed rule and regulation noticed for hearing by the Kansas Insurance Department (Attachment 2). KAR 40-1-48, risk-based capital instructions for health organizations.

Mr. Wine reviewed KAR 40-1-48 for the Committee. There were several questions concerning the exemptions in paragraph two and it was suggested that this be clarified to show the agency adopting the 2007 NAIC health risk-based capital report as of December 31, 2007.

The Chairperson thanked Mr. Wine for his presentation before the Committee.

Chairperson Schmidt stated that she had received an inquiry regarding SB 66 and, when the Lottery promulgated its regulations, it changed the requirement of leased/purchased interpretation. The chairperson requested that Ron Hein appear and the Lottery personnel come to discuss the issues with the Committee and the lottery. She noted that with the Committee's approval, she would add him to the agenda for the September meeting.

The Committee reviewed SB 514, which referenced the Emergency Medical Services issues that had come before the Committee in the morning, particularly the following paragraph "(b) The emergency medical services board may grant a temporary variance from an identified rule or regulation when a literal application or enforcement of the rule or regulation would result in serious hardship and the relief granted would not result in any unreasonable risk to the public interest, safety or welfare." There was concern about the granting of a temporary variance in the statute. It was suggested that the Committee and staff watch for legislation in the 2009 Legislative Session for the Board of Emergency Medical Services in order to correct this statute.

Chairperson Schmidt recognized Mary Feighny from the Attorney General's Office, to address the Committee's concerns as to whether the Racing and Gaming Commission has the authority to issue licenses.

Ms. Feighny noted that the statute regarding the gaming regulation is broad enough to allow the regulation to issue licenses. The statute stated that the Kansas Racing and Gaming Commission shall promulgate regulations that promote the integrity of gaming and meet or exceed industry standards for monitoring and controlling. She stated that industry standards are licensing and the licensing of employees. She stated that these were fluid concepts rather than technical terms.

Committee members had questions as to whether "certified" and "license" were the same. Ms. Feighny stated that they were not the same. She stated that there is a separate statute for certification. The term "license" is more consistent with what other states use. The term "certified" is used for contractors, officers, key employees, and those who hold an interest in the casinos. The Committee requested that the Attorney General's Office provide the Committee with a letter stating its reasons for approval of the regulations related to licensure as used by the Kansas Racing and Gaming Commission (Attachment 3).

Committee members requested that the Racing and Gaming Commission update the Committee on the status of the casino bidding process and the regulation development process at the next meeting.

The Chairperson adjourned the meeting at 3:15 p.m.

Committee Comments on Proposed Rules and Regulations

State Board of Indigents' Defense Services. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning defendant reimbursement of attorney fees. After discussion, the Committee had no comment.

Kansas Real Estate Commission. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning the disclosure of interest in property purchased, leased, or exchanged; and advertising. After discussion, the Committee had the following comments.

Request. In the history sections of these regulations, the reference to the authorizing section, KSA 74-4202(b), should reflect the amendment of this section by Section 9 of 2008 HB 2746.

Concern. The Committee expressed concern regarding the Commission's restrictions on the use of the terms "realty" and "real estate" in names of entities operating in this field.

State Conservation Commission. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning definitions; eligible areas; application and review; payment; and dismissal or permanent reduction of water right; and definitions; eligible components of projects; letter of interest; letter of intent; restoration plan; and review process. After discussion, the Committee had the following comments.

KAR 11-12-1 and 11-12-2. The Committee requests the Commission consider being more specific in its definition of "target area" in KAR 11-12-1 subsection (n) and in 11-12-2, specifying target areas by township, subbasin, zip code, or other area designation. The Committee requests the Commission review this issue and come back to the Committee with its proposal.

KAR 11-12-6. The Committee suggests the Commission strike subparagraph (b)(4).

KAR 11-6-2. The Committee suggests subsection (e) be changed to read "watershed protection and restoration."

Kansas Court of Tax Appeals. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning the definitions; information, hearings, and assistance; form of pleadings; filing procedure and time limits; service; discovery procedure; subpoenas; hearing procedure; petitions for reconsideration; deadline for responses; orders of the court; exchange of evidence and witness lists; procedure to keep business records confidential; continuances; dismissals; facsimile filing; electronic mail filing; definition of terms; filing, fees, and form; and court judge continued education. After discussion, the Committee had the following comment.

KAR 94-3-1 and 94-3-2. In the history section, KSA 12-1744b as amended by L. 2008, Ch. 109, Sec. 30 should be included as an authorizing section.

Kansas Department of Labor. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations related to boiler specifications and inspections regulations. After discussion, the Committee commented as follows:

At the August 12, 2008, Committee meeting, a Department of Labor representative said it had created a list of boilers with capacities of 10 million-100 million Btu/hour, approximately 4,000 boilers. The Committee requests a copy of that list of boilers recently sent from the Department of Labor to the Kansas Department of Health and Environment (KDHE) at KDHE's request.

The Committee asks whether the agency wishes to consider providing a specified effective date other than the effective date of 15 days after publication in the *Kansas Register*.

Kansas Secretary of State. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning information and services fee and technology communications fee. After discussion, the Committee had the following comment.

Request. The Committee requests that a copy of a letter the Secretary of State received from the Division of the Budget requesting a 2 percent budget reduction be sent to Mr. Gilliland.

Board of Emergency Medical Services. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning retroactive approval of continuing education courses. After discussion, the Committee had no comment.

Kansas Pharmacy Board. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning incident reports and fees for premises registrations and permits. After discussion, the Committee had the following comment.

Request. The Committee requests the Board provide Mr. Gilliland with the number of the statute that allows the Board to regulate oxygen suppliers.

State Board of Nursing. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning definitions; requirements for initial approval; reapproval requirements; curriculum requirements; clinical resources; educational facilities; student policies; reports; licensure qualifications; temporary permit; reporting of certain misdemeanor convictions by the licensee; satisfactory completion of a refresher course approved by the Board; and reporting of certain misdemeanor convictions by the licensee. After discussion, the Committee had the following comments.

KAR 60-3-113, 60-3-106a, and 60-3-114. In the history section, KSA 65-1129 should be included as an authorizing statute.

KAR 60-7-111. In the history section, KSA 65-4203 should be included as an authorizing statute.

The Committee requests information from the Board regarding its ability to license those who have been home-schooled or who otherwise received their secondary

educations at schools not approved by the Kansas State Board of Education. If legislative action is needed to allow those individuals to receive licensure, the Board should include that information.

Kansas State Treasurer. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning agricultural production loans and Kansas housing loans. After discussion, the Committee had the following comments.

Request. The Committee requests the Office of the Treasurer determine whether it has authority to limit or prohibit using Kansas housing loans for building in a floodplain and, if so, to include that prohibition in the regulation. The Committee requests the Office determine whether the program should follow HUD guidelines regarding the underwriting of loans under this program.

History Review. KSA 75-4270 was amended twice in the 2008 Session. Please cite this version of the statute.

Typographical Error. In the history section, please delete an extra period.

Kansas Behavioral Sciences Regulatory Board. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning definitions; academically supervised practicum; postgraduate hours in lieu of practicum; and continuing education for licenses (master's level psychology). After discussion, the Committee had no comment.

Kansas Insurance Department. The Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning audited financial reports; filing requirements and risk-based capital instructions for health organizations. After discussion, the Committee had the following comments.

KAR 40-1-48. The Committee suggests the Department consider referring to the relevant NAIC document in a simplified way, *i.e.*, without the exceptions. Also, the document being adopted by reference internally references additional documents which also should be adopted by reference if the agency wants to rely upon these for enforcement purposes.

Prepared by Judy Glasgow
Edited by Raney Gilliland

Approved by Committee on:

July 22, 2008

(Date)