

STATE OF KANSAS

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November 29, 2011

Mr. Walt Way, Chairperson
911 Coordinating Council
11880 S. Sunset Drive
Olathe, KS 66061

Dear Chairperson Way:

At its meeting on November 21, 2011, the Joint Committee on Administrative Rules and Regulations reviewed for public comment rules and regulations concerning LCPA, prerequisites, selection, contract; and delinquent status, penalties. After discussion, the Committee had the following comment.

KAR 132-2-1. The Committee is concerned that the Council selected a Local Collection Point Administrator before this rule and regulation was in place. The Committee believes this timing could risk a legal challenge to the selection. Please comment as to the rationale for this decision and whether the selected entity meets all of the requirements of the proposed rule and regulation.

Prior to filing with the Secretary of State, review the history sections of the rules and regulations to update them to the most recent statutory citations, making certain the citations for authorizing and implementing statutes are correct and complete. Please indicate your agency's website address in the filing notice where proposed regulations can be located. In addition, if your agency accepts written comments by e-mail include this information in the public notice. Further, e-mail requests for public accommodation should be included as a part of the notice. Finally, verify that the adoption by reference of any materials included in the regulations is properly completed as prescribed in the *Policy and Procedure Manual for the Adoption of Kansas Administrative Regulations*.

Please make this letter a part of the public record on these regulations. The Committee will review the regulations which the agency ultimately adopts, and reserves any expression of legislative concern to that review.

To assist in that final review:

- Please inform the Joint Committee and me, in writing, at the time the rules and regulations are adopted and filed with the Secretary of State, of any and all changes which have been made following the public hearing.
- Please notify the Joint Committee and me, in writing, when your agency has adopted the regulations as permanent; delayed implementation of the regulations; or decided not to adopt any of the regulations; and
- Please indicate separately to the Joint Committee and me, any changes made to the proposed regulations reviewed by the Committee.

Based upon direction from the Committee, failure to respond to each and every comment contained in this letter may result in the request that a spokesperson from your agency appear before the Committee to explain the agency's failure to reply.

Sincerely,



Raney L. Gilliland
Assistant Director for Research

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