

# Administrative Register of Kentucky

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Pages 1-20

## Administrative Procedures Act Changed

Kentucky's General Assembly has created a number of state administrative bodies to put into effect programs it desires to implement and has delegated to these administrative bodies the authority to promulgate regulations.

These regulations, when adopted in accord with the provisions of Chapter 13 of the Kentucky Revised Statutes, have the force and effect of law.

However, the power vested in each administrative body to adopt regulations is confined to the direct implementation of the functions and duties assigned to them by the legislature. Kentucky's Court of Appeals has held in numerous cases that no regulation may exceed the specific power delegated by the legislature, nor shall it amend, alter, enlarge or limit the terms of a legislative enactment.

Senate Bill 172 of the 1974 General Assembly amended KRS Chapter 13 to require each administrative body to review its existing regulations and to repromulgate those it desires to have continued in effect.

Regulations which are not refiled with the Legislative Research Commission by July 1, 1975 are rescinded by the new law and are no longer in effect.

All regulations adopted henceforth, including repromulgated ones, are now subject to a requirement of publication and an opportunity for a public hearing before they can become effective.

KRS Chapter 13 prescribes this procedure: an administrative body may adopt and forward to the LRC a "proposed regulation." This proposed regulation will be published in the next succeeding monthly issue of the Administrative Register along with the name and address of an agency official to whom a person having an interest in the subject matter of the proposed regulation may direct a request for a public hearing.

If a hearing request is received by an administrative body within 30 days of the publication date of the Administrative Register, the agency is required to schedule a public hearing to be held within 60 days of the initial publication date.

If no hearing is requested within the 30 days, the proposed regulation is submitted to Administrative Regulation Review Subcommittee at its next meeting following expiration of the 30-day hearing request period.

Public hearings are conducted by the administrative agency and must insure that each person who wishes to

This is an official publication of the Commonwealth of Kentucky, Legislative Research Commission, giving public notice of all proposed regulations filed by administrative agencies of the Commonwealth pursuant to the authority of Kentucky Revised Statutes 13.082.

Persons having an interest in the subject matter of a proposed regulation published herein may request a public hearing or submit comments within 30 days of the date of this issue to the official designated at the end of each proposed regulation.

The Administrative Register is the monthly advance sheets service for the 1975 Edition of KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE.

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(Index and Tables are cumulative and will include references to prior months' issues of the Register)	

comment a fair and reasonable opportunity to do so.

Following the public hearing, the administrative body must give "affirmative consideration" to all written and oral statements submitted at the hearing. Affirmative consideration requires the agency either to adopt suggestions and recommendations or file a statement of its reasons for not adopting them.

Following receipt by the LRC of the statement of affirmative consideration, the proposed regulation (which may or may not have been changed as a result of the hearing) is presented to the Administrative Regulation Review Subcommittee.

All regulations become effective upon the date they are given final approval by the Administrative Regulations Subcommittee.

The Administrative Regulation Review Subcommittee is composed of three members of the General Assembly appointed by the Legislative Research Commission. Its regularly scheduled meetings are on the second Wednesday of each month at 10 a.m. in the State Capitol.

The Subcommittee's review of

(Continued On Page 19)

## Public Hearings

(401 KAR 4:010) — Requirements for permits to withdraw water: September 6, 1974 at 2 p.m. in Auditorium of Capital Plaza Office Building, Frankfort, Kentucky.

(402 KAR 1:010) — Control of surface effects of certain underground mining operations: September 6, 1974 at 9 a.m. in Auditorium of Capital Plaza Office Building, Frankfort, Kentucky.

## Review Subcommittee Regular Meeting

The next regular meeting of the Administrative Regulation Review Subcommittee is scheduled for 10 a.m. CDT on August 14, 1974 in Room 327 at the State Capitol.

Members of the Subcommittee are: Senator Michael R. Moloney, Chairman, and Representatives Jim Davis and Richard H. Lewis.

## DEADLINE FOR NEXT ISSUE

Deadline for submitting proposed regulations for publication in the September 1, 1974 issue of the Administrative Register is Tuesday, August 20, 1974.

## HOW TO CITE

Cite all material in the Administrative Register of Kentucky by Volume number and page number. Example: Volume 1, Kentucky Register, page 318. (Short form: 1 Ky. R. 318).

Cite portions of the 1975 KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE by Title, Chapter and Regulation number, as follows:

601 KAR 1:010

meaning Regulation 010 of Chapter 1 of Title 601. The 600-series of Titles indicates that the issuing authority is the Department of Transportation. Title 601 is the Bureau of Vehicle Regulation. Chapter 1 relates to Motor Carriers, and Regulation 010 deals with the maximum length of such vehicles on specified highways. (See details of codification system on page 17.)

## Save This Issue

This and subsequent issues of the Administrative Register are to be used with the KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE heretofore published by the Legislative Research Commission in loose-leaf form, with periodic supplements.

These existing regulations remain in effect until July 1, 1975 or until they are superseded by new regulations issued under provisions of KRS Chapter 13, as amended by the 1974 General Assembly.

This newspaper format was chosen in order to accommodate the large volume of regulations expected to be reissued during the year ahead. The present SERVICE contains more than 4,000 pages of regulations. This format enables the LRC to take advantage of the capacity and speed of modern computers and newspaper presses.

It is hoped that beginning in August, 1975, the Administrative Register can be issued in a more convenient booklet form.

Because of the likely volume of new and reissued regulations, the complete KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE will not be published again until mid-1975, and will contain all regulations in effect as of July 1, 1975.

This and the next 11 issues of Volume 1 of the Administrative Register, as the advance sheets service for the 1975 Edition of KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE, should be preserved for use during the next 12 months.

The Index and the various tables will be cumulative so that the latest issue will provide a guide to all regulations previously published in each Volume.

At the direction of the General Assembly, a new codification system has been developed, based upon the Governmental Reorganization Act of 1974 (SB 112). Blocks of numbers have been reserved for the various Cabinets, Departments and branches of state government.

Because the number of regulations received for this issue was relatively small, it was possible to include several which were received after the 20th of the month deadline, including five issued on an emergency basis.

## Administrative Register of Kentucky

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# Emergency Regulations

WENDELL H. FORD, GOVERNOR  
Executive Order 74-542  
July 23, 1974

## EMERGENCY REGULATION

Department of Transportation Regulation: Industrial Hauls

WHEREAS, the 1974 General Assembly enacted Senate Bill 332 authorizing the issuance of a special permit for the transportation of a specified material to allow an applicant to transport divisible and indivisible loads which a motor vehicle would transport in the usual and ordinary course of business; and

WHEREAS, the Department of Transportation has determined that a regulation implementing the requirements of Senate Bill 332 should become effective immediately to regulate the use of Kentucky highways by overweight trucks; and

WHEREAS, the Department of Transportation declares that an emergency does exist and that the attached regulation, pursuant to KRS 189.271, should become effective immediately; and

WHEREAS, the Department of Transportation has simultaneously filed with the emergency regulation a like regulation which will be processed through normal procedure before becoming effective; and

WHEREAS, by the enactment of this regulation on an emergency basis, the Kentucky Department of Transportation would receive benefits from the experience gained in administering the regulation until such time as it may become effective on a permanent basis after a hearing could be held;

NOW, THEREFORE, I, WENDELL H. FORD, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me, do hereby order and direct that the Department of Transportation regulation attached hereto, regarding the issuance of an Industrial Materials Permit, be made effective this date.

This Order is effective July 23, 1974. Done at Frankfort, Kentucky, this 23rd day of July 1974.

WENDELL H. FORD, Governor  
THELMA L. STOVALL, Secretary of State

Recommended:  
BILLY PAXTON, Secretary, Department of Transportation

## DEPARTMENT OF TRANSPORTATION Declaration of Emergency

WHEREAS, the 1974 General Assembly enacted Senate Bill 332 authorizing the issuance of a special permit for the transportation of a specified material to allow an applicant to transport divisible and indivisible loads which a motor vehicle would transport in the usual and ordinary course of business; and

WHEREAS, the Department of Transportation has determined that a regulation implementing the requirements of Senate Bill 332 should become effective immediately to regulate the use of Kentucky highways by overweight trucks; and

WHEREAS, by the enactment of this regulation on an emergency basis, the Kentucky Department of Transportation would receive benefits from the experience gained in administering the regulation until such time as it may become effective on a permanent basis after a hearing could be held;

NOW THEREFORE, based upon the above, the Department of Transportation, acting through its Secretary, hereby declares that an emergency exists and that the attached regulation should become effective immediately.

Done at Frankfort, Kentucky this 23rd day of July 1974.

BILLY PAXTON, Secretary

DEPARTMENT OF TRANSPORTATION  
Bureau of Vehicle Regulation  
601 KAR 1:020E

RELATES TO: KRS 189.271 and 189.222

PURSUANT TO: KRS 189.271 and 13.082

EFFECTIVE: July 23, 1974

EXPIRES: November 20, 1974

NECESSITY AND FUNCTION: KRS 189.271, as enacted by the 1974 General Assembly, empowers the Department of Transportation to adopt rules and regulations to implement the provisions as set forth therein for the issuance of a special permit to the owner, operator, or lessee of a motor vehicle for the purpose of hauling industrial materials whose gross weight, including vehicle and load, exceeds the

limits or fails to comply with the requirements of Chapter 189 of the Kentucky Revised Statutes.

Section 1. An application for an Industrial Materials Permit shall be submitted to the District Engineer having jurisdiction over the major portion of the proposed haul routes and shall be accompanied by a transportation plan. The transportation plan, in addition to such other information as may be required by the Department, shall indicate the portions of the State Primary Road System which the applicant intends to utilize in the transportation of industrial materials, the identities of the highways and bridges on the State Primary Road System over which the applicant proposes to transport industrial materials, and the specification of weight limit on such highways and bridges. In the event an Industrial Materials Permit is obtained, any deviation from the transportation plan shall be sufficient cause for the Department to revoke the Industrial Materials Permit.

Section 2. Upon receipt of the transportation plan and upon proper application upon forms approved by the Department, the applicant may be issued, for the sum of \$20, an Industrial Materials Permit which shall be good for not more than one year from the date of issuance. A separate permit shall be issued for each vehicle proposed to be operated by the applicant.

Section 3. The Industrial Materials Permit shall be for the transportation of a specified material and shall allow the applicant to transport divisible or indivisible loads which a motor vehicle would transport in the usual and ordinary course of business. Said loads shall include, but not be limited to, minerals or natural resources.

Section 4. Any Industrial Materials Permit issued by the Department shall not allow a vehicle to exceed the gross weight for a vehicle as provided for in KRS 189.222(1)(e).

Section 5. Any applicant convicted under the provisions of KRS 189.990(2)(a) two or more times within a five-year period shall be required to give bond to the Department with an approved surety in an amount to be determined by the Department, said amount shall not exceed \$6,000 per vehicle. Additionally, upon conviction under KRS 189.990(2)(a) two or more times within a five-year period, the Department may revoke the applicant's permit to transport industrial materials.

Section 6. In the event the applicant is required to give a bond by the Department, the applicant shall be the principal obligor on the bond and the Commonwealth shall be the obligee. The bond may not exceed \$6,000 per vehicle and the applicant may file a corporate bond or a cash bond which bond may be conditioned upon compliance with the terms of any transportation plan and/or Industrial Materials Permit issued by the Department. In the event the applicant's liability is discharged upon a bond, the Department may require the filing of a new bond.

Section 7. The Department of Transportation may at its discretion require a maintenance agreement with the applicant to insure upkeep of the highways or bridges which may become damaged by loads transported under authority of an Industrial Materials Permit. Any maintenance agreement entered into shall not be in lieu of, but shall be in addition to, any bond which might be required.

ADOPTED: July 23, 1974

RECEIVED BY LRC: July 23, 1974 at 3:16 p.m.

BILLY PAXTON, Secretary

WENDELL H. FORD, GOVERNOR  
Executive Order 74-556  
July 25, 1974

## EMERGENCY REGULATION Kentucky Registry of Election Finance

WHEREAS, the 1974 General Assembly enacted Senate Bill 220 and House Bill 68 amending KRS Chapter 123 relating to the Registry of Election Finance; and

WHEREAS, these amendments, effective June 21, 1974, were intended to govern subsequent elections including the 1974 General Election; and

WHEREAS, the Registry of Election Finance, to conform with this statutory mandate, has adopted four regulations establishing new campaign report forms for issuance to candidates in the coming 1974 General Election; and

WHEREAS, the Kentucky Registry of Election Finance has found an emergency to exist, to effectively govern the 1974 General Election, these regulations must become effective immediately; and

WHEREAS, the Kentucky Registry of Election Finance has simultaneously filed with these emergency regulations identical regulations which will be processed through the normal procedure before becoming effective;

NOW, THEREFORE, I, WENDELL H. FORD, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me, do hereby order and direct that the four attached regulations

establishing: 1. Registration Form and Statement of Organization for a Campaign Committee or Political Action Committee; 2. Report of Receipts and Expenditures for a Candidate; 3. Report of Receipts and Expenditures for a Campaign Committee or Political Action Committee, and 4. Report of Receipts and Expenditures for Party Executive Committees, be made effective this date.

This Order is effective July 25, 1974. Done at Frankfort, Kentucky, this 25th day of July, 1974.

WENDELL H. FORD, Governor

THELMA L. STOVALL, Secretary of State  
FRANCES M. TRAVIS, Assistant Secretary of State

Recommended:

ELIJAH M. HOGGE, Secretary, Public Protection and Regulation

#### REGISTRY OF ELECTION FINANCE

Honorable Wendell H. Ford  
Governor of Kentucky  
State Capitol  
Frankfort, Kentucky 40601

Dear Governor Ford:

The Registry of Election Finance finds that an emergency exists in the adoption of the following new forms required as a result of amendments to KRS 123 by the 1974 General Assembly. Required changes result from the adoption of Senate Bill 220 and House Bill 68.

The amendments were effective June 21, 1974, and new forms are necessary for the 1974 General Election. The first report for candidates in the General Election will be due the Registry 4 October 1974 and revised forms should be printed and sent to candidates by the first of September.

The revised forms are as follows:

1. Registration Form and Statement of Organization for a Campaign Committee or Political Action Committee.
2. Report of Receipts and Expenditures for a Candidate.
3. Report of Receipts and Expenditures for a Campaign Committee or Political Action Committee.
4. Report of Receipts and Expenditures for Party Executive Committees.

Following the procedure required by KRS Chapter 13 as amended, would not permit time for procedure under KRS 13.085 and printing by the first of September when the forms should be sent to candidates.

We, therefore, request that an executive order be issued, under KRS 13.085(2), to the effect that the forms be effective upon being filed with the Legislative Research Commission.

We realize this would be effective for only 120 days and the proposed forms will be processed as required by KRS 13.085(1).

s/ROBERT L. SLOSS, Chairman

#### PUBLIC PROTECTION AND REGULATION CABINET Registry of Election Finance 801 KAR 1:010B

RELATES TO: KRS 121.180(1)  
PURSUANT TO: KRS 121.120(3) and 13.082  
SUPERSEDES: REF-3-1  
EFFECTIVE: July 25, 1974  
EXPIRES: November 22, 1974

NECESSITY AND FUNCTION: KRS 121.120(3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120(3)(a). Amendments adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for Party Executive Committees" form is amended as attached.

ROBERT L. SLOSS, Chairman

E. M. HOGGE, Secretary

ADOPTED: July 17, 1974  
RECEIVED BY LRC: July 25, 1974 at 3:56 p.m.

(Forms are printed on Page 4)

#### PUBLIC PROTECTION AND REGULATION CABINET Registry of Election Finance 801 KAR 1:020B

RELATES TO: KRS 121.180(2)  
PURSUANT TO: KRS 121.120(3) and 13.082  
SUPERSEDES: REF-7  
EFFECTIVE: JULY 25, 1974  
EXPIRES: November 22, 1974

NECESSITY AND FUNCTION: KRS 121.120(3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120(3)(a). Amendments adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for a Campaign Committee or Political Action Committee" amended as attached.

ROBERT L. SLOSS, Chairman

E. M. HOGGE, Secretary

ADOPTED: July 17, 1974  
RECEIVED BY LRC: July 25, 1974 at 3:56 p.m.

(Forms are printed on Page 5)

#### PUBLIC PROTECTION AND REGULATION CABINET Registry of Election Finance 801 KAR 1:030B

RELATES TO: KRS 121.180(2)  
PURSUANT TO: KRS 121.120(3) and 13.082  
SUPERSEDES: REF-2-1  
EFFECTIVE: July 25, 1974  
EXPIRES: November 22, 1974

NECESSITY AND FUNCTION: KRS 121.120(3) required the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120(3)(a). Amendments to The Campaign Financing Act adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for a Candidate" form is amended as attached.

ROBERT L. SLOSS, Chairman

E. M. HOGGE, Secretary

ADOPTED: July 17, 1974  
RECEIVED BY LRC: July 25, 1974 at 3:56 p.m.

(Forms are printed on Page 6)

#### PUBLIC PROTECTION AND REGULATION CABINET Registry of Election Finance 801 KAR 1:040B

RELATES TO: KRS 121.170  
PURSUANT TO: KRS 121.120(3) and 13.082  
SUPERSEDES: REF-5-1  
EFFECTIVE: July 25, 1974  
EXPIRES: November 22, 1974

NECESSITY AND FUNCTION: KRS 121.120(3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120(3)(a). Amendments adopted by the 1974 General Assembly require a new form.

Section 1. "Registration Form and Statement of Organization for a Campaign Committee or Political Action Committee" is amended as attached.

ROBERT L. SLOSS, Chairman

E. M. HOGGE, Secretary

ADOPTED: July 17, 1974  
RECEIVED BY LRC: July 25, 1974 at 3:56 p.m.

(Forms are printed on Page 7)



Page 1

(801 KAR 1:020) KENTUCKY REGISTRY OF ELECTION FINANCE  
310 West Liberty, Room 714, Louisville, Kentucky 40202  
Telephone (502) 584-6381  
REPORT OF RECEIPTS AND EXPENDITURES  
FOR A  
CAMPAIGN COMMITTEE OR POLITICAL ACTION COMMITTEE

Name of Committee \_\_\_\_\_  
Address \_\_\_\_\_  
(Number and Street or Rural Route) (City) (County) (Zip Code)  
Telephone \_\_\_\_\_  
Supporting \_\_\_\_\_ Political Party \_\_\_\_\_

Report all contributions of money, loans or other things of value and all expenditures. Statement of contributions over \$100 must include date, name of contributor, occupation, address and amount. Sales of tickets to any individual, organization or association exceeding \$100 shall be reported, including the date of purchase, the name, address and occupation of the purchaser and the amount. All expenditures authorized, incurred or made should be reported. Expenditures over \$50 must include date, name and address of each person to whom made, purpose and amount. This report is due 32 days and 12 days before an election and within 30 days after an election. "Election" means any primary, special or general election.

TYPE OF REPORT  
(Check Appropriate Box)

- |  |   |
|--|---|
| <input type="checkbox"/> 32 day Pre-Primary Report | <input type="checkbox"/> 32 day Pre-General Election Report |
| <input type="checkbox"/> 12 day Pre-Primary Report | <input type="checkbox"/> 12 day Pre-General Election Report |
| <input type="checkbox"/> Post-Primary Report       | <input type="checkbox"/> Post-General Election Report       |
| <input type="checkbox"/> Supplemental Report       | <input type="checkbox"/> Termination Report                 |
- Report for the Period From \_\_\_\_\_ Thru \_\_\_\_\_

SECTION A(1)--ITEMIZED RECEIPTS AND CONTRIBUTIONS IN EXCESS OF \$100  
(Indicate if ticket purchase, loan, transfer or refund)

Date (month, day, year)	Full Name, Mailing Address, Zip Code and Occupation	Received This Period	Total Received This Election

(If more space is needed, attach additional sheets)

TOTAL ITEMIZED RECEIPTS IN EXCESS OF \$100 THIS PERIOD \$ \_\_\_\_\_

Revised 1974

Page 3

(801 KAR 1:020)

SECTION B(1)--EXPENDITURES OVER \$50

Date	To Whom Made	Occupation	Address	Purpose	Amount
					\$ _____

(If more space is needed, attach additional sheets)

TOTAL OF EXPENDITURES IN EXCESS OF \$50 \$ \_\_\_\_\_

SECTION B(2)--EXPENDITURES \$50 OR UNDER

Date	Purpose of Expenditures	Amount
		\$ _____

(If more space is needed, attach additional sheets)

TOTAL OF EXPENDITURES \$50 OR UNDER \$ \_\_\_\_\_

(801 KAR 1:020)

Page 2

Name of Committee \_\_\_\_\_

SECTION A(2)--CONTRIBUTIONS OF \$100 OR LESS (Unitemized)

Number of contributors \_\_\_\_\_

TOTAL CONTRIBUTIONS OF \$100 OR LESS \$ \_\_\_\_\_

SECTION A(3)--CONTRIBUTIONS AND DONATIONS IN KIND (If value is in excess of \$100 the date, contributor, address and occupation are required) (Each such donation shall be listed as an expenditure at the same fair market value)

DESCRIPTION	VALUE
	\$ _____
	\$ _____
	\$ _____
(If more space is needed, attach additional sheets)	
TOTAL VALUE--CONTRIBUTIONS IN KIND	\$ _____

SECTION A(4)--FUND RAISING EVENTS

Give date, sponsor, type of event, place, tickets sold, total receipts (Ticket sales in excess of \$100 to an individual or organization are required to be reported under Section A(1))

1. \_\_\_\_\_  
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  2. \_\_\_\_\_  
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\_\_\_\_\_
- (If more space is needed, attach additional sheets)

TOTAL RECEIPTS--FUND RAISING EVENTS \$ \_\_\_\_\_

Page 4

(801 KAR 1:020)

SUMMARY OF REPORTS

Name of Committee \_\_\_\_\_

Report covering period from _____	thru _____	Column A-- This Period	Column B-- Total for Election to Date
SECTION A--RECEIPTS:			
1. Itemized receipts in excess of \$100 (A-1, page 1)	\$ _____	\$ _____	\$ _____
2. Unitemized contributions \$100 or less (A-2, page 2)	\$ _____	\$ _____	\$ _____
3. Contributions and donations in kind-value (A-3, page 2)	\$ _____	\$ _____	\$ _____
4. Fund raising events (A-4, page 2)	\$ _____	\$ _____	\$ _____
TOTAL RECEIPTS	\$ _____	\$ _____	\$ _____

SECTION B--EXPENDITURES (From page 3):

1. Itemized expenditures over \$50 (B-1, page 3)	\$ _____	\$ _____
2. Expenditures \$50 or less (B-2, page 3)	\$ _____	\$ _____
TOTAL EXPENDITURES	\$ _____	\$ _____

SECTION C--CASH BALANCES:

Cash on hand at beginning of reporting period	\$ _____
Add total receipts (Section A above)	\$ _____
SUBTOTAL	\$ _____
Subtract total expenditures (Section B above)	\$ _____
Cash on hand at close of reporting period	\$ _____
Debts at close of reporting period	\$ _____
(Attach page describing debts)	

List banks, with addresses, in which the Committee deposits funds, rents safety deposit boxes, or maintains funds.

Custodian of books and accounts if different than treasurer. Give full name, address and telephone number \_\_\_\_\_

VERIFICATION BY OATH OR AFFIRMATION

I, \_\_\_\_\_, state that this Report of Receipts and Expenditures is true, complete and correct.

(Signature of Committee Treasurer or Assistant Treasurer)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_.

My Commission Expires \_\_\_\_\_.

NOTARY PUBLIC, \_\_\_\_\_ COUNTY, KY.

RETURN COMPLETED REPORT AND ATTACHMENTS TO:  
Kentucky Registry of Election Finance  
310 W. Liberty Street, Room 714  
Louisville, Kentucky 40202



(801 KAR 1:030) KENTUCKY REGISTRY OF ELECTION FINANCE  
310 West Liberty, Room 714, Louisville, Kentucky 40202  
Telephone (502) 584-6381  
REPORT OF RECEIPTS AND EXPENDITURES  
FOR A  
CANDIDATE

Name of Candidate \_\_\_\_\_ Phone \_\_\_\_\_  
(Please Type or Print)  
Address \_\_\_\_\_  
(Number and Street or Rural Route) (City) (County) (Zip Code)  
Candidate for \_\_\_\_\_ Political Party \_\_\_\_\_  
(If District, please indicate)

Report all contributions of money, loans or other things of value and all expenditures. A candidate's own funds shall be included as a contribution. Statement of contributions over \$100 must include date, name of contributor, occupation, address and amount. Sales of tickets to any individual, organization or association exceeding \$100 shall be reported, including the date of purchase, the name, address and occupation of the purchaser and the amount. All expenditures authorized, incurred, or made should be reported. Expenditures over \$50 must include date, name, occupation and address of each person to whom made, purpose and amount. This report is due 32 days and 12 days before an election and within 30 days after an election. "Election" means any primary, special or general election.

TYPE OF REPORT  
(Check Appropriate Box)

- ☐ 32 day Pre-Primary Report
- ☐ 32 day Pre-General Election Report
- ☐ 12 day Pre-Primary Report
- ☐ 12 day Pre-General Election Report
- ☐ Post-Primary Report
- ☐ Post-General Election Report
- ☐ Supplemental Report
- ☐ Termination Report

Report for the Period From \_\_\_\_\_ Thru \_\_\_\_\_

SECTION A(1)--ITEMIZED RECEIPTS AND CONTRIBUTIONS IN EXCESS OF \$100  
(Indicate if ticket purchase, loan, transfer or refund)

Date (month, day, year)	Full Name, Mailing Address, Zip Code and Occupation	Received This Period	Total Received This Election

(If more space is needed, attach additional sheets)

TOTAL ITEMIZED RECEIPTS (IN EXCESS OF \$100) THIS PERIOD \$ \_\_\_\_\_

Revised 1974

(801 KAR 1:030)

SECTION B(1)--EXPENDITURES IN EXCESS OF \$50

Date	To Whom Made	Occupation	Address	Purpose	Amount
					\$ _____

(If more space is needed, attach additional sheets)

TOTAL OF EXPENDITURES IN EXCESS OF \$50 \$ \_\_\_\_\_

SECTION B(2)--EXPENDITURES \$50 OR UNDER

Date	Purpose of Expenditure	Amount
		\$ _____

(If more space is needed, attach additional sheets)

TOTAL OF EXPENDITURES \$50 OR UNDER \$ \_\_\_\_\_

(801 KAR 1:030)

Name of candidate \_\_\_\_\_

SECTION A(2)--CONTRIBUTIONS OF \$100 OR LESS (UNITEMIZED)

Number of contributors \_\_\_\_\_

TOTAL CONTRIBUTIONS OF \$100 OR LESS \$ \_\_\_\_\_

SECTION A(3)--CONTRIBUTIONS AND DONATIONS IN KIND, if value is in excess of \$100 the date, contributor, address and occupation are required) (Each such donation shall be listed as an expenditure at the same fair market value.)

DESCRIPTION	VALUE
	\$ _____
	\$ _____
(If more space is needed, attach additional sheets)	
TOTAL VALUE--CONTRIBUTIONS IN KIND	\$ _____

SECTION A(4)--FUND RAISING EVENTS

Give date, sponsor, type of event, place, tickets sold, total receipts. (Ticket sales in excess of \$100 to an individual or organization are required to be reported under Section A(1).)

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(If more space is needed, attach additional sheets)

TOTAL RECEIPTS--FUND RAISING EVENTS \$ \_\_\_\_\_

SUMMARY OF REPORTS

(801 KAR 1:030)

Name of candidate \_\_\_\_\_

Report covering period from \_\_\_\_\_ thru \_\_\_\_\_  
Column A-- This Period Column B-- Total for Election to Date

SECTION A--RECEIPTS

1. Itemized receipts in excess of \$100 (A-1, page 1) \$ \_\_\_\_\_ \$ \_\_\_\_\_
2. Unitemized contributions \$100 or less (A-2, page 2) \$ \_\_\_\_\_ \$ \_\_\_\_\_
3. Contributions and donations in kind-value (A-3, page 2) \$ \_\_\_\_\_ \$ \_\_\_\_\_
4. Fund raising events (A-4, page 2) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL RECEIPTS \$ \_\_\_\_\_ \$ \_\_\_\_\_

SECTION B--EXPENDITURES (From page 3):

1. Itemized expenditures over \$50 (B-1, page 3) \$ \_\_\_\_\_ \$ \_\_\_\_\_
2. Expenditures \$50 or less (B-2, page 3) \$ \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL EXPENDITURES \$ \_\_\_\_\_ \$ \_\_\_\_\_

SECTION C--CASH BALANCES:

Cash on hand at beginning of reporting period \$ \_\_\_\_\_  
Add total receipts (Section A above) \$ \_\_\_\_\_  
SUBTOTAL \$ \_\_\_\_\_  
Subtract total expenditures (Section B above) \$ \_\_\_\_\_  
Cash on hand at close of reporting period \$ \_\_\_\_\_  
Debts at close of reporting period \$ \_\_\_\_\_  
(Attach page describing debts)

List banks, with addresses, in which the candidate deposits funds, rents safety deposit boxes, or maintains funds.

Custodian of books and accounts if different than treasurer. Give full name, address and telephone number \_\_\_\_\_

VERIFICATION BY OATH OR AFFIRMATION

I, \_\_\_\_\_, state that this Report of Receipts and Expenditures is true, complete and correct.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS (Signature of Campaign Treasurer of Candidate)

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

My Commission Expires \_\_\_\_\_.

NOTARY PUBLIC, \_\_\_\_\_ COUNTY, KY.

RETURN COMPLETED REPORT AND ATTACHMENTS TO:  
Kentucky Registry of Election Finance  
310 W. Liberty Street, Room 714  
Louisville, Kentucky 40202

Page 1

(801 KAR 1:040) KENTUCKY REGISTRY OF ELECTION FINANCE  
310 West Liberty, Room 714, Louisville, Kentucky 40202  
Telephone (502) 584-6381  
REGISTRATION FORM AND STATEMENT OF ORGANIZATION  
FOR A  
CAMPAIGN COMMITTEE OR POLITICAL ACTION COMMITTEE

KRS 121.170 reads as follows:

"(1) Each committee organized, in whole or in part, for the purpose of furthering a political candidacy, and any political action committee shall register with the registry, by filing official notice of intention at the time of organization, giving names, addresses, and positions of the officers of the organization and designating the candidate or candidates or question it is organized to support or oppose on forms prescribed by the registry.

(2) All provisions of KRS 121.015 and 121.100 to 121.200 governing the duties and responsibilities of a candidate or campaign treasurer shall apply to a registered committee.

(3) The chairman of a committee and the campaign treasurer shall be separate persons."

Full Name of Committee \_\_\_\_\_

Mailing Address and Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

CANDIDATES TO BE SUPPORTED BY ABOVE COMMITTEE

Name of Candidate	Address	Office Sought	Party
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## ADMINISTRATIVE REGISTER

Section 6. The Administrative Regulations Compiler shall codify prior to publication all regulations received by the Legislative Research Commission. The numbering within the body of the regulation shall be the responsibility of the promulgating body. However, the Compiler retains the authority to divide or renumber a regulation if necessary for clarity. The following formula shall be employed by the administrative body in the numbering of each regulation. Each section shall begin with the word "Section" followed by an arabic number. Subsections shall be designated by an arabic number in parentheses.

Section 7. LRC-RG-7 is repealed.

JACKSON W. WHITE, Director

ADOPTED: July 15, 1974

RECEIVED BY LRC: July 15, 1974 at 4:10 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Legislative Research Commission, State Capitol, Frankfort, Kentucky 40601.

SECRETARY OF STATE  
State Board of Elections  
(31 KAR 1:010)

RELATES TO: KRS 116.025 and 118.790

PURSUANT TO: KRS 127.010 and 13.082

NECESSITY AND FUNCTION: This proposed regulation is to assure uniformity in the interpretation of KRS 116.025(2) and 118.790, relating to eligibility to vote by absentee ballot.

Section 1. Persons charged with or indicted for a crime, who are in custody for same, who have not yet been convicted of said offense and who are not otherwise ineligible to vote, may vote for all offices to be elected by the people and on all public questions submitted for determination at that election, by absentee ballot by making application for said absentee ballot pursuant to KRS 118.790.

THELMA L. STOVALL, Chairman

ADOPTED: July 12, 1974

RECEIVED BY LRC: July 17, 1974 at 9:07 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: State Board of Elections, Room 75, State Capitol, Frankfort, Kentucky 40601.

DEPARTMENT OF LAW  
Attorney General  
(40 KAR 1:010)

RELATES TO: KRS 15.020

PURSUANT TO: KRS 15.180 and 13.082

SUPERSEDES: DL-RG-1

NECESSITY AND FUNCTION: KRS 15.020 requires the Attorney General to furnish written opinions and KRS 15.025 sets out the conditions for furnishing opinions. This proposed regulation is to assure uniformity, clarity and completeness in the request for the opinion so that the Attorney General may perform this function with all the necessary information available at the time the opinion is rendered.

Section 1. An official opinion of the Attorney General is one rendered in writing pursuant to the provisions of Chapter 15 and related sections of the Kentucky Revised Statutes, or a regulation promulgated pursuant thereto. Said opinions will be kept on file in the office of the Attorney General in accordance with the provisions of KRS 15.070 (2), and will be subject to public inspection, publication and dissemination.

Section 2. In order that this office might more expeditiously and correctly advise the various departments, boards, commissions, agencies and local officials of the Commonwealth, who from time to time submit questions for its consideration, all requests for opinions in the future will be in writing and will include a full and complete statement of the facts giving rise to the question, and reference to the relevant provisions of the Kentucky Revised Statutes where known.

Section 3. Questions submitted by departments, boards, agencies and commissions of the Commonwealth, having house or contract counsel, will also submit references to the appropriate constitutional and statutory provisions, cases and departmental regulations and the conclusions of law arrived at by counsel.

Section 4. Commonwealth, county and city attorneys and city prosecutors will also cite the appropriate constitutional and statutory provisions, case law and departmental regulations and such conclusions of law as may have been arrived at.

ED W. HANCOCK, Attorney General

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 19, 1974 at 11:56 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Ed W. Hancock, Attorney General, Room 114, State Capitol, Frankfort, Kentucky 40601.

DEPARTMENT OF LAW  
Attorney General  
(40 KAR 1:020)

RELATES TO: KRS 15.025

PURSUANT TO: KRS 15.180 and 13.082

SUPERSEDES: DL-RG-2

NECESSITY AND FUNCTION: KRS 15.025 sets out the conditions under which the Attorney General may furnish opinions. This proposed regulation is to assure uniformity and clarity as to who may receive opinions and on what subjects and further provides when the Attorney General will not render opinions.

Section 1. Official opinions may be rendered pursuant to KRS 15.025 to persons concerning questions involving their eligibility for public office and their election rights, duties and liabilities.

Section 2. Official opinions may be rendered to persons concerning questions involving licenses and taxation.

Section 3. Official opinions may be rendered to persons, including attorneys, concerning the official acts and conduct of public officials, provided the legal question involves an actual, current factual situation and is broad enough to be of interest to the general public, the Bar, or other officials in similar positions.

Section 4. Official opinions will not be rendered under Sections 1, 2 and 3 above in response to questions not related to current factual situations, nor will they be rendered in response to questions being or about to be litigated.

Section 5. Official opinions will not be rendered to persons unless the subject matter of such request meets the requirements of either 1, 2 or 3.

Section 6. Regulation DL-RG-3 is rescinded.

ED W. HANCOCK, Attorney General

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 19, 1974 at 11:54 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Ed W. Hancock, Attorney General, Room 114, State Capitol, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
State Board of Accountancy  
(201 KAR 1:120)

RELATES TO: KRS 325.265 and 325.270

PURSUANT TO: KRS 325.240 and 13.082

SUPERSEDES: SBA-2-D

NECESSITY AND FUNCTION: To align Kentucky's requirements for gaining conditional credit on the nationally uniform Certified Public Accountant examination with the majority of other states; thereby maximizing the number of states to which a Kentucky CPA candidate may transfer his grades without loss of credit gained while sitting for the examination in Kentucky.

Section 1. Examinations will include questions or problems on the following subjects: (1) Accounting Practice, (2) Theory of Accounts, (3) Auditing, (4) Commercial Law.

Section 2. The candidate will be required to make a grade of not less than seventy-five percent (75%) in each subject before he will be declared to have passed the examination.

Section 3. A candidate who has earned no conditional credit, who fails to receive a conditional credit or credits in any examination shall have the right to re-examination. Should such candidate fail to pass the examination or to obtain a conditional credit as hereinafter provided, after taking three (3) consecutive examinations, he shall be considered to have failed the examination. Such candidate may, however, thereafter make a new application, which shall be reviewed by the Board as in the case of any new applicant.

Section 4. A candidate who fails to pass all subjects, but who receives a passing grade in at least two (2) subjects or the practice examination shall receive a conditional credit for such subject or subjects, provided such candidate averages fifty percent (50%) or more on the parts failed. A candidate who receives such conditional credit or credits must pass the remaining subjects at any three (3) of the four (4) examinations next succeeding the examination at which the first conditional credit was earned. In the event of his failure thus to pass the examination within the above prescribed period, he will be considered to have failed the examination. Such a candidate may, however, thereafter make a new application, which shall be reviewed by the Board as in the case of any new applicant.

Section 5. Every candidate must sit for every examination for which he is eligible unless excused for a cause acceptable to the Board, and at such examination he must, in good faith, submit a paper on each subject for which he is eligible to be examined. Failure to sit, if not excused, will void the application and failure of the candidate to so submit any such



paper may, in the discretion of the Board, result in the disqualification of all papers submitted by such candidate in said examination.

Section 6. Any person licensed to practice law in this state need not be examined in the subject of commercial law. An applicant claiming waiver of the examination in commercial law by virtue of this section must include with his application a certification from the Kentucky State Bar Association to the effect that such candidate is duly licensed to practice law in this state and is in good standing as provided in KRS 30.170.

Section 7. A candidate for the certificate of Certified Public Accountant who has written the uniform examination under the jurisdiction of another state and has failed to receive a passing grade in all subjects, but has passed at least two (2) subjects, or the practice examination as determined by the Advisory Grading Service, may in the discretion of the Board be given conditional credit for parts passed, provided that the applicant met all requirements of the Kentucky law and regulations, except for residence, at the time of writing the examination.

BERNARD W. GRATZER, Executive Secretary

ADOPTED: June 27, 1974

RECEIVED BY LRC: July 22, 1974 at 1:29 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, State Board of Accountancy, 310 W. Liberty St., Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:010)

RELATES TO: KRS 315.050

PURSUANT TO: KRS 315.050, 315.191(1) and (2) and 13.082

SUPERSEDES: Rx-4

NECESSITY AND FUNCTION: The Kentucky Board of Pharmacy is directed by KRS 315.050(1) to approve the schools or colleges of pharmacy whose curricula or course of studies are acceptable. This regulation is to assure that applicants for licensure are graduates of acceptable and approved colleges or schools.

Section 1. All pharmacy schools and colleges approved by the American Council on Pharmaceutical Education are hereby approved by the Kentucky Board of Pharmacy.

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:42 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P. O. Box 553, Frankfort, Kentucky 40601

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:020)

RELATES TO: KRS Chapter 315

PURSUANT TO: KRS 315.050(2), 315.191(1), (2) and (4), and 13.082

SUPERSEDES: Rx-2

NECESSITY AND FUNCTION: The Kentucky Board of Pharmacy is directed by KRS 315.191(4) to prescribe the time, place, method, manner, scope and subjects of examination of applicants for license to practice pharmacy in the Commonwealth. This proposed regulation will establish continued fair and impartial examinations.

Section 1. No license to practice pharmacy, other than one issued by reciprocity in accordance with the provisions of these regulations, shall be issued except upon the successful passage of an examination prescribed by the Kentucky Board of Pharmacy.

Section 2. All examinations held by the Kentucky Board of Pharmacy shall be conducted at such locations within the state as may be designated by the Board, and shall be held at least twice annually. Detailed information as to the time and place of examinations may be procured from the Secretary of the Board.

Section 3. Examinations shall be adequate to test the knowledge, education and training of applicants in the following subjects: (a) Chemistry, (b) Pharmacy, (c) Pharmacology, (d) Pharmaceutical Mathematics, (e) Operative Pharmacy and (f) Pharmaceutical Jurisprudence.

Section 4. No person shall be deemed to have successfully passed an examination conducted by the Kentucky Board of Pharmacy unless he or she makes an average grade of at least seventy-five (75) and a grade of at least sixty (60) in the following subjects: Chemistry, Pharmacy, Pharmacology, and Pharmaceutical Mathematics. In addition, applicants must make at least a grade of seventy-five (75) in Operative Pharmacy and a grade of at least eighty-five (85) in Pharmaceutical Jurisprudence; provided, however, that the Pharmaceutical Jurisprudence grade shall not be used in computing the average

score of the applicant.

Section 5. In the event an applicant fails one or two sections or subjects, he may upon proper application, retake such subject or subjects upon the payment of a fee of twenty dollars (\$20) per subject. Otherwise, an additional fee equal to the original examination fee shall be paid for each re-examination.

Section 6. All results of examinations (including one set of questions) shall be preserved. The questions shall be prepared or approved by the Board who shall grade all papers. Written examinations shall be conducted in such manner that the results shall be entirely fair and impartial, the candidate being known only by numbers so that no examiner or member of the Board may identify the paper of the candidate until after the examiners have graded and certified the results thereof.

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:43 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P. O. Box 553, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:040)

RELATES TO: KRS Chapter 315

PURSUANT TO: KRS 315.050(3), 315.191(1) and (2) and 13.082

SUPERSEDES: Rx-6

NECESSITY AND FUNCTION: The Kentucky Board of Pharmacy is authorized by KRS 315.050(3) to determine the minimum experience internship required to qualify for examination as a registered pharmacist. KRS 315.191 also authorizes the Board to establish requirements and standards for educational, technical and professional qualifications of applicants for license to practice pharmacy. This regulation is to assure uniformity of the minimum experience internship.

Section 1. Every person who desires to become a Pharmacy Intern in Kentucky shall register as an intern with the Kentucky Board of Pharmacy. No credit for internship shall be recognized by the Board for periods prior to such registration. To qualify for registration, a person shall have successfully completed two full years attendance at an accredited college or university, and shall furnish proof of such to the Executive Secretary of the Board prior to the registration.

Section 2. The practical experience required prior to licensure shall be referred to as Internship. The minimum internship required as a prerequisite for licensure examination shall be sixteen hundred (1600) hours; not more than forty-eight (48) hours of internship may be allowed for credit in any one calendar week.

Section 3. The Board shall furnish application blanks and issue a numbered Registration Identification Card to each applicant who meets the requirements for registration as a Registered Intern upon receipt of a completed registration form and the five dollars (\$5) recording fee. The Registration Identification Card shall be valid for five years from date of issue, but may be extended for cause at the discretion of the Board. The Registered Intern shall have his Registration Identification Card in his possession at all times when on duty and it shall be exhibited by the holder upon request of any member of the Board or its authorized agents.

Section 4. (1) Internship registration shall be limited to those persons who are actively engaged in meeting the academic or practical experience requirements for licensure examination. No person who terminates the educational requisites is entitled to the privileges of internship registration, with the exception of any hardship case given written approval by the Board.

(2) No person not registered with the Board as a Pharmacy Intern shall take, use, or exhibit the title Pharmacy Intern, Pharmacy Apprentice, Pharmacy Extern, or any term of similar or like import.

(3) Internship shall be credited only when it has been obtained in a Pharmacy acceptable to the Board for that purpose and having a valid Pharmacy Permit.

(4) No credit for Internship will be granted concurrent with college enrollment as a full-time student, with the exception of between academic semesters or term breaks for more than three weeks (21 days).

(5) Internship may be acquired only under the supervision of a Preceptor. The Preceptor, the Pharmacy Intern's supervising pharmacist, must have been licensed by the Board for at least one year. He must be actively engaged in the practice of Pharmacy full-time in the Pharmacy where the Pharmacy Intern is to obtain his Internship. A Preceptor may supervise only one Pharmacy Intern at a time.

Section 5. A Pharmacy Intern having served part or all of

his time in a pharmacy outside the state shall be given credit for the same, when affidavit(s) of his said employment is made by his Preceptor(s) showing the exact time and dates served, and when same is attested by the Secretary of the State Board of Pharmacy at that state. In such cases, their requirements for internship must be comparable and acceptable to the Kentucky Board.

Section 6. Internship report forms may be obtained from the Board and shall be filed within ten days from the beginning and termination of each Internship period.

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:44 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P. O. Box 553, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:050)

RELATES TO: KRS Chapter 315

PURSUANT TO: KRS 315.035, 315.050, 315.060, 315.110(1) and (2), 315.191(2), 315.195, 315.210 and 13.082

SUPERSEDES: Rx-1

NECESSITY AND FUNCTION: This proposed regulation is to provide reasonable fees for this agency to perform all the functions for which it is responsible and to operate within its budget. All monies are held in a trust and agency fund to the credit of the Board.

Section 1. The following fees shall be paid in connection with pharmacist examinations and licenses, pharmacy permits and the issuance and renewal of licenses and permits:

Application for a registered pharmacist license by examination including a license issued as a result thereof....\$75

Application for a registered pharmacist license by reciprocity including license issued as a result thereof.....\$100

Certifying the grades of a licentiate of Kentucky to the licensing agency of another state.....\$3

Annual renewal of a pharmacist license.....\$20

Annual renewal of an assistant pharmacist license.....\$10

Duplicate pharmacist license certificate.....\$10

Application for a permit to operate a pharmacy.....\$50

Renewal of permit to operate a pharmacy.....\$35

Change of location or Change of ownership of a pharmacy permit.....\$35

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P. O. Box 553, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:060)

RELATES TO: KRS Chapter 315

PURSUANT TO: KRS 315.191(2), 315.020(1) and (2) and 13.082

SUPERSEDES: Rx-5

NECESSITY AND FUNCTION: The Kentucky Board of Pharmacy is authorized by KRS 315.191(2) to adopt rules and regulations necessary to regulate the practice of pharmacists. This regulation is to assure that persons engaged in the practice of pharmacy have a valid license to do so.

Section 1. That each and every registered pharmacist shall be furnished upon his becoming registered and annually thereafter at the time of the renewal of his registration, in addition to his annual renewal certificate, a pocket certificate, which must be in his possession and on the person of the registrant at all times when on duty, and shall be exhibited by the holder upon request of any member of the Board or its authorized agents.

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:46 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P.O. Box 553, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION  
Kentucky Board of Pharmacy  
(201 KAR 2:070)

RELATES TO: KRS Chapter 315

PURSUANT TO: KRS 315.020(2), 315.191(2) and (8), 315.127(6) and 13.082

SUPERSEDES: Rx-7

NECESSITY AND FUNCTION: By the authority of KRS 315.191(2) and the Board of Pharmacy is responsible to control all matters relating to pharmacies and pharmacists with respect to drugs sold by prescriptions only. This regulation assures the public that a registered pharmacist is present and that prescription drugs distribution is curtailed.

Section 1. No pharmacist shall fill and dispense prescriptions obtained from an establishment or place which offers to the public, in any manner, its services as a "pick-up station" or "intermediary" for the purpose of having prescriptions filled or delivered unless such establishment or place has a Registered Pharmacist in full charge of such services.

J. H. VOIGE, Executive Secretary

ADOPTED: July 14, 1974

RECEIVED BY LRC: July 24, 1974 at 11:47 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Secretary, Kentucky Board of Pharmacy, P. O. Box 553, Frankfort, Kentucky 40601.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
Bureau of Environmental Quality  
(401 KAR 1:020)

RELATES TO: KRS Chapter 318

PURSUANT TO: KRS 13.082, 318.134, 211.090 and Executive Order 74-449

SUPERSEDES: PC-1-3

NECESSITY AND FUNCTION: The Department is directed by KRS 318.134 to adopt a reasonable schedule of fees and charges to be paid for plumbing installation permits and the necessary inspections incident thereto. This regulation is to assure uniformity of fees and charges for plumbing installation permits throughout the state.

Section 1. Issuance of Permits.

(1) Except as otherwise provided by Subsection (3) of this section, permits to construct, install or alter plumbing, sewerage or drainage shall be issued only to licensed master plumbers.

(2) Journeyman plumbers shall not construct, install or alter plumbing, sewerage or drainage except when the work is done under the supervision of a licensed master plumber.

(3) Permits to construct, install or alter plumbing, sewerage or drainage may be issued to homeowners who desire to install plumbing in homes actually occupied by them provided:

- Application is made for the permit prior to the beginning of the work;
- All work is performed in compliance with the State Plumbing Law and Code and the rules and regulations thereunder promulgated;
- The work is not performed for monetary gain;
- All the work is personally performed by the owner and he does not employ any other person to assist him.

(4) No permit shall be required for the repairing of leaks, cocks, valves, or for cleaning out waste or sewer pipes.

Section 2. When a permit is required. A plumbing construction permit shall be required for the following:

- For all new plumbing installations.
- For all existing plumbing installations where a fixture or a soil waste opening is to be moved or relocated.
- For each individual unit of a multi-store building where there is more than one unit.
- For each individual building. (Buildings shall be deemed separate if the connection between them is not a necessary part of the structure of either building, or if they are not under a continuous roof.)
- For a new house sewer and for a house sewer that is to be replaced.
- For a new water service and for a water service that is to be replaced.
- For a new water heater installation and for a water heater installation that is to be replaced.
- For any other installation which constitutes "plumbing" within the meaning of KRS Chapter 318 and the State Plumbing Code.

Section 3. Plumbing Installation Permit Fees.

(1) The fee for each plumbing installation permit shall be \$12 plus:

- \$3 for each plumbing fixture or appliance or plumbing fixture opening or appliance opening left in the soil or waste pipe system including openings left for future fixtures or appliances;
- \$3 for each domestic water heater.

(2) In the event only a new domestic water heater is installed or replaced, the fee for the plumbing installation permit shall be \$5.

(3) In the event only a new water service is constructed or replaced the fee for the plumbing construction permit shall be \$5.

(4) In the event only a new house sewer is constructed or replaced the fee for a plumbing construction permit shall be \$5.

(5) In the event only a new private sewage disposal system is constructed or replaced the fee for a plumbing construction permit shall be \$5.

(6) All persons securing plumbing permits shall be entitled to plumbing inspections at no additional cost; provided, however, that all inspections in excess of three shall be charged at the rate of \$3 per inspection.

(7) All plumbing installation permits issued under this regulation shall expire one year after date of issuance thereof; provided, however, if construction is begun within one year after date of issuance the permit shall not expire until completion of the planned plumbing installation.

(8) Plumbing fixtures may be replaced without procuring a plumbing installation permit provided the county plumbing inspector is notified of the installation.

Section 4. Plumbing Inspection Fees for Public Building. The schedule of fees for inspection of the construction, installation or alteration of plumbing in public buildings shall be the same as specified in Section 3 of this regulation.

ADOPTED: July 3, 1974 by the State Plumbing Code Committee.

THOMAS O. HARRIS, Secretary

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 19, 1974 at 3:28 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Eugene F. Perkins, Director, Division of Plumbing, Bureau of Environmental Quality, Department for Natural Resources and Environmental Protection, 275 East Main Street, Frankfort, Kentucky 40601.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
Division of Water Resources  
(401 KAR 4:010)

RELATES TO: KRS 151.140 and 151.160

PURSUANT TO: KRS 151.220, 224.033 (17), 224.045 (6) (b) and 13.082

NECESSITY AND FUNCTION: This regulation is necessary to establish the requirements for permits to withdraw water and the reporting procedure to be used in conjunction with water withdrawal permits issued by the Division of Water Resources.

Section 1. The necessity for water withdrawal permits shall be determined according to the following criteria:

(1) Where the average withdrawal rate is more than ten thousand gallons per day (10,000 gal/day), a permit shall be required except as exempted by KRS 151.140.

(2) Where the withdrawal of water is made at a relatively constant rate each day and the average withdrawal rate is ten thousand gallons per day (10,000 gal/day), or less, no permit shall be required.

(3) Where withdrawals are made on an irregular basis and at an irregular rate, permits may be required where the division determines that the water withdrawn represents a significant portion of the available water supply or that collection of withdrawal data is necessary for water resource planning purposes.

Section 2. (1) Reports of water withdrawn pursuant to permit shall be made as follows:

- (a) Withdrawals made at a relatively constant daily rate shall be recorded monthly and reported to the division semiannually on forms supplied by the division.
- (b) Where withdrawals are made on an irregular basis and at an irregular rate, the division may specify recording frequency as the circumstances require. Reporting of withdrawal information to the division shall be made semiannually. Recording and reporting shall be done on forms supplied by the division.
- (c) Where necessary in the discretion of the division increased reporting or recording frequency may be required.

(2) The permittee shall complete and return the water withdrawal report forms to the division within 15 days after receiving such forms.

THOMAS O. HARRIS, Secretary

ADOPTED: July 19, 1974

RECEIVED BY LRC: July 19, 1974 at 4:14 p.m.

PUBLIC HEARING: A public hearing on the foregoing regulation will be held in the Auditorium of the Capital Plaza Office Building, Frankfort, Kentucky, on the 6th day of September, 1974, at 2:00 p.m. Persons having an interest in the subject matter of the proposed regulation are invited to attend and present testimony or submit their comments in writing to: Office of the Secretary, Department for Natural Resources and Environmental Protection, 5th Floor, Capital Plaza Office Building, Frankfort, Kentucky 40601.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
Division of Reclamation  
(402 KAR 1:010)

RELATES TO: KRS 350.151

PURSUANT TO: KRS 350.028, 224.033 (17) and 224.045 (6) (b) and 13.082

NECESSITY AND FUNCTION: This regulation is necessary to implement KRS 350.151 which was adopted by the 1974 session of the Kentucky General Assembly and places the control of reclamation of the surface effects of underground mines under the jurisdiction of the Kentucky Department for Natural Resources and Environmental Protection.

Section 1. As used in this regulation, unless the context clearly otherwise requires:

(1) "Underground mining" means any method of penetrating and extracting subsurface coal and removing it to the surface, as opposed to strip mining or auger mining.

(2) "Face-up area" means any surface affected in the process of excavating for the purpose of making entry into a seam of coal to be recovered by underground mining methods.

(3) "Processing area" means that portion of the surface effect which includes tipples, coal storage yards, loading ramps, railroad sidings, washers or other areas other than transportation area as defined below on which coal is stored, handled, processed or refined after being extracted by underground mining methods.

(4) "Refuse area" means any surface affected by deposition of reject material, liquid or solid, resulting from mining coal by any or all methods or processing of such coal.

(5) "Transportation area" means any surface, controlled by the licensee, affected by any means of transporting coal from points of entry to any points on the mine property surface.

(6) "Drainage control area" means that portion of the surface effect which includes any land on which runoff or drainage is controlled, stored or channeled and on which the structures for controlling, storing, channeling or otherwise handling drainage or runoff are located.

(7) "Mine management area" means that portion of the surface effect which includes buildings, parking lots, driveways, equipment storage or repair areas and any other building structure or facility used as part of the underground mining operation not directly related to coal removal, handling, storing, processing, or transporting.

(8) "New operation" means any mine for which surface is disturbed for a face-up area, coal processing area, coal refuse area, transportation area, drainage control area or mine management area subsequent to the effective date of this regulation.

(9) "Existing operation" means any mine for which the surface effect of underground mining activity occurs on or prior to the effective date of this regulation.

(10) "Surface effect" means activity resulting in a disturbance of surface incident to mining coal by any or all methods or processing of such coal.

(11) "Abandoned operation" means any mine from which coal was not removed during the six (6) month period immediately preceding the effective date of this regulation, from which further coal removal is not intended and the surface effects of which are not being used in conjunction with underground mining activity at some other location.

(12) "Licensee" means a person, corporation, partnership or other business entity or agents, representatives, lessees or assigns thereof holding a current deep mine license from the Kentucky Department of Mines and Minerals.

(13) "Approval certificate" means the reclamation plan approval certificate issued by the Division of Reclamation pursuant to this regulation.

Section 2. (1) Construction of a face-up area, processing area, refuse area, transportation area, drainage control area, mine management area or other surface effect of a new operation shall not begin until the licensee has applied for and received a reclamation plan approval certificate from the Division of Reclamation. Application for the approval certificate shall be made on forms supplied by the Division. Each application shall be accompanied by a fee of twenty-five dollars (\$25) for each year of the approval certificate's duration payable to the Kentucky State Treasurer. Each approval certificate shall be issued for a period not to exceed five (5) years in the discretion of the division.

(2) The licensee shall file a reclamation plan for the surface effect with the application for an approval certificate. The reclamation plan shall include, as a minimum, four copies of a United States Geological Survey Topography Map, on a scale of not less than one hundred feet (100') nor more than six hundred feet (600') to the inch, depicting the following:

- (a) Face-up areas and indicate, by appropriate symbols, the location of each opening, the dimensions of the bench, the cropline of the seam or deposit of coal to be mined and the areas on which the overburden or spoil will be placed.
- (b) Processing areas and indicate, by appropriate symbols, the location of tipple, coal storage yards, loading ramps, railroad sidings, washers and other buildings, structures or facilities to be used in processing the coal to be recovered.
- (c) Refuse areas indicated by appropriate symbols.
- (d) Mine management areas and indicate, by appropriate symbols the location of buildings, shops, parking lots, storage yards, driveways and such other facilities or structures as will be used in conjunction with the management of the mine.
- (e) Constructed drainways and channels, diversion ditches, settling ponds, silt control structures and such other control measures as necessary or appropriate for drainage control for the surface effects.
- (f) Transportation areas indicated by appropriate symbols.



Section 3. All existing operations shall file application for a reclamation plan approval certificate and a reclamation plan within sixty (60) days of the effective date of this regulation. The reclamation plan shall include maps of the areas of surface effect as required for a new operation and shall include a schedule for compliance with the reclamation requirements of this regulation. This section shall not apply to an abandoned operation. However, should coal extraction begin on an abandoned operation or its surface effect or portion thereof be constructed on, improved or otherwise used in conjunction with underground mining at some other location subsequent to the effective date of this regulation, the provisions of this regulation relating to existing operations shall apply to all surface effects existing at the time operations are resumed and the provisions of this regulation relating to new operations shall apply to surface effects resulting from or incident to resumption of operations. The maps and reclamation plan, in such case, may be combined into one application and approval certificate.

Section 4. Grading, backfilling and compacting of the surface effect of a mine shall be done as follows:

(1) Where the face-up area of a new operation is located within three hundred feet (300') horizontally and one hundred feet (100') vertically of any stream, all overburden moved in order to create the bench, face or other portion of the face-up area shall be deposited in a location and controlled in a manner which will insure that no surface runoff or other drainage from the highwall, face or bench or area on which the overburden is placed will deposit silt or sedimentation in the stream. As a minimum, adequate control measures shall require that the nearest point of disturbance shall not be less than one hundred feet (100') horizontally and not less than ten feet (10') vertically to the stream, that the licensee construct silt and water treatment control structures as required by the Division of Reclamation, that entrance and tram track roadways shall be the only nature of surface disturbance and that all coal handling and storage areas shall be at some location remote from the face-up area. Where required by the Division of Reclamation, silt and water treatment control structures shall be designed by and the construction thereof certified by a registered professional engineer.

(2) On new operations, the entire proposed surface disturbance of the face-up area shall be completely scalped of all timber and other debris. This material shall be windrowed immediately below the line where the thirty-seven degrees (37°) outslope intersects the natural slope of the terrain when forty percent (40%) of the total excavation has been calculated to be placed over the outslope. All other excavated material shall be hauled to an approved disposal site.

(3) Outcrops of face-up areas for new operations shall be no greater than thirty-seven degrees (37°). That portion of the highwall above the solid rock line shall have back slopes no greater than thirty-three degrees (33°) where the natural terrain is thirty-three degrees (33°) or less. All solid rock highwalls shall be pre-split to a slope of one quarter to one. Where the new operation will be on an area which has been surface mined, outcrops resulting from the surface mining operation shall not be disturbed without prior, written approval of the Division of Reclamation.

(4) On new operations, the bench of the face-up area shall be graded to eliminate any holes or depressions in which any surface water or other drainage or runoff may accumulate. Drainways shall be constructed where necessary to carry any drainage, runoff or surface water across or around the face-up area to eliminate erosion of either the highwall, bench or outslope.

(5) Where necessary to prevent stream sedimentation from surface water, drainage or other runoff from the processing area, new and existing operations shall grade the processing area to eliminate any holes or depressions in which surface water, drainage or other runoff may accumulate and provide drainways around the processing area to channel any such surface water, drainage or other runoff to an appropriate sediment control structure or facility.

(6) On and after the effective date of this regulation, refuse piles on new operations or existing operations shall be compacted in layers no greater than two feet (2') in height and graded to a slope no greater than twenty-seven degrees (27°). The refuse area shall be graded so that there are no holes or depressions in which any surface water, drainage or other runoff may be allowed to accumulate. Where necessary, channels or drainways shall be constructed to collect any surface water, drainage or other runoff and direct it to an appropriate sediment control structure or facility.

(7) All portions of any transportation area, except as governed by Section 5 of this regulation, shall be constructed or improved so that dust is controlled and erosion due to drainage or other surface runoff is controlled or eliminated. New operations shall comply during construction and existing operations shall have six (6) months from the effective date of the regulations to bring the transportation area into compliance.

(8) New operations shall have drainage control measures constructed and operating on the face-up area upon completion of the highwall or face, bench and outslope and prior to opening any shafts to be used for or in connection with coal removal. Except where otherwise provided in this regulation, new operations shall have all drainage control measures constructed and operating as soon as any other area or portion of the surface effect is used in conjunction with underground mining activities. Where required by the Division, silt con-

trol basins, sediment ponds or settling basins shall be designed structures.

(9) All parking lots, driveways and equipment storage or repair areas which are subject to erosion by surface water or other runoff shall be graded to eliminate any holes or depressions which may accumulate water and eliminate any ruts caused by vehicular traffic and shall have drainways or channels to carry any surface water, drainage or other runoff to an appropriate sediment control facility. Where necessary or desirable such portions of the management area shall be covered with crushed rock or other suitable material not less than three inches (3") deep.

(10) Final grading of new and existing operations shall blend with the previously reclaimed bench where the new or existing operation is being conducted on an area which has been previously surface mined.

Section 5. (1) For purposes of this section, a haul or access road shall be a road either constructed or used by the licensee as part of or incident to the mining operation and shall be considered part of the surface effect from the point at which such road joins a publicly maintained road or highway. New operations shall comply with the standards set out in this section during the construction of haul or access roads and existing operations shall have six (6) months from the effective date of this regulation to bring haul or access roads within required standards.

(2) Haul or access roads shall comply with the following standards, except that existing operations are exempt from those standards relating to percent of grade:

- (a) No haul or access road shall be constructed in a stream or so close to such stream that material will toe out below the high water mark. Any channel changes shall be approved by the Division of Water as required by KRS 151.250. When a stream crossing is proposed and the drainage area above the proposed structure is considered by the Division of Reclamation to be large enough that the proposed structure could create hazard to either life or property, then a permit from the Division of Water shall be required.
- (b) The center line of the proposed road must be flagged or marked with an acceptable substitute at the time the reclamation plan is submitted to the Division.
- (c) The grading of an access or haul road shall be such that the maximum pitch grade shall not exceed twenty percent (20%) and grades above ten percent (10%) shall not exceed a length of three hundred feet (300') and shall revert to a ten percent (10%) grade or less for a minimum distance of three hundred feet (300') between the beginning and ending of each such incline.
- (d) The grade on switch back curves must be reduced to less than the approached grade and shall not be greater than five percent (5%).
- (e) Ditch relief cross drains shall be spaced according to grade. All natural drains shall be accommodated with an appropriate sized relief structure at the point where the natural drain intersects the roadway. Appropriate skews shall be introduced to reduce turbulence and other resistance factors. Outlet and inlet ends of structures shall be constructed on original ground when possible. Fill sections shall not be subjected to discharge flows of structures or open channels.
- (f) Ditch relief culverts will be installed according to the following table of spacings in terms of percent of road grade:

ROAD GRADE IN PERCENT	SPACING OF CULVERTS IN FEET
2-5	300-500
6-10	200-300
11-15	100-200
16-20	100

- (g) Culvert pipe openings shall not be less than one and one half (1 1/2) times the channel end area required to flow through the structure.
- (h) Where drainage structures are required for areas greater than one hundred (100) acres and if the structure is to remain in place during the rainy season they shall be large enough to convey a twenty-five (25) year storm without creating a head elevation that might inundate adjacent property which has not heretofore been inundated. Consideration will be given to the time of year the crossing is to be constructed, and the length of time it is to be used, but in no event, and under no condition will the normal flow of the stream be affected or the sediment load of the stream be materially increased. If the drainage area above the structure is large enough to be deemed by the Division of Reclamation engineering staff to be hazardous to either life or property, then a permit from the Division of Water shall be required as set forth in paragraph (a) above.
- (i) Cut slopes shall not be steeper than 1:1 (45°) in soils and may be vertical in rock.
- (j) All fill and cut slopes shall be seeded during the first planting and/or seeding season after the construction of the road.
- (k) If a berm is produced in skimming the road, it shall not be left on the ditch side.

- (l) Roads shall not be surfaced with any acid producing material which will produce a runoff of acid, the surface being that part of the road which is normally used by vehicles in motion to and from the defined terminals.
- (m) Bridges, culverts, stream crossings, etc., which the operator might elect to use on another project, may not be removed from their existing function without the consent of the Division of Reclamation.
- (n) When an access road is to be abandoned and shall no longer be used as a road by the operator, the landowners, or the state or national forest services, surface drainage to minimize erosion and vegetative cover shall be provided. Regardless of the future use of the road, adequate surface drainage shall be provided. "Abandoned" means that the operator has ceased to use the road and has provided adequate surface drainage and proper vegetative cover as required by the Division of Reclamation regulations. When the road has been abandoned, the bond may be released. If the road is turned over to another party for their use and adequate surface drainage has been provided, the bond on the road may be released.
- (o) All grades referred to in this regulation shall be subject to a tolerance of two percent (2%) except a maximum pitch grade. All measurements referred to in this regulation shall be subject to a tolerance of five percent (5%) of measurement. All angles referred to in this regulation shall be measured from the horizontal and shall be subject to a tolerance of five degrees (5°).
- (p) For conditions of safety through the precarious terrain in which mining access roads are usually constructed, all road surfaces shall drain to the outside of the roadway. Where construction through a point or some other topographic condition results in a through cut, then surface drainage shall be to the side of the deepest cut.
- (q) Low speed being a consideration in the design of haul or access roads, all surfaces shall be elevated at a ratio not to exceed one-fourth inch (1/4") per foot of road width.
- (r) A berm of earth with a minimum height of three feet (3') and/or standard steel beam type guard rail shall be constructed the entire length of all side cuts or fill sections where the terrain incline below the shoulder of the road is greater than 10 degrees (10°).
- (s) If construction across a hollow should produce an entire fill section, then the side depicting the shortest fill slope will be treated as a cut section in carrying out the requirements of any of the above section.
- (t) As long as the bond is in force, maintenance of all surfaces, ditchlines, cross drains, back slopes, and fill slopes shall be perpetual, if such attention is required in order to induce safe and reliable travel to and from the mining area.
- (u) Access road surfaces shall be completely clear of all snow, ice, and mud while minerals are being transported from the mining area. At anytime the Division of Reclamation personnel should deem an access road unsafe due to any of the articles of this regulation or if the transporting of minerals from the mine should be causing hazards to travelers on public road, due to tracking of mud and/or other debris onto the surface of said public road then all hauling from the mining area shall be stopped until proper corrective measures are imposed.

#### Section 6. Vegetation and screening:

- (1) Upon completion of the face-up area, new operations shall seed the outslope prior to opening or constructing any entries to be used for or in connection with coal removal. Existing operations shall have sixty (60) days from the effective date of this regulation to seed the outslope of all face-up areas. Where after seeding, vegetative cover is not established to the satisfaction of the Division, reseeding may be required.
- (2) As the use of any refuse area or portion thereof is discontinued all coal waste shall be covered with a minimum of one and one half feet (1 1/2') of earth and all acid bearing material shall be covered with at least three feet (3') of non-acid bearing material and one and one half feet (1 1/2') feet of earth. The discontinued portion shall also be graded to contours comparable to the surrounding undisturbed terrain and seeded.
- (3) All other areas of the surface effect of both new and existing operations shall be seeded whenever and with such frequency as necessary to control erosion. Where considered necessary by the Division of Reclamation, planting may also be required.
- (4) Where necessary to assist in the establishment of vegetative cover, mulch, lime or fertilizer or combination thereof may be required by the Division of Reclamation. Where available, existing vegetation which will screen any portion of the operation from adjoining property or from any wild river, park, recreation area, public road, cemetery, or other building or public property shall be left in place.
- (5) At least twenty-four (24) hours prior to commencing any revegetation activity, the operator shall notify the area supervisor of the Division of Reclamation and have available for inspection invoices as proof of purchase for seed, seed-

lings, lime and fertilizer and a soil test report.

(6) Roads shall be seeded to legumes and perennial grasses. This may be modified if, in the opinion of the Division, the roadway will not contribute serious off-site damage to the public or adjacent property owners.

(7) When planting is completed the operator shall file a planting report with the Division of Reclamation on a form furnished by the Division.

(8) There shall be established at least a seventy percent (70%) ground cover of perennial vegetation per acre. Where planting is required, there shall be six hundred (600) or more woody plants living per acre, including volunteers, with distribution of stems fairly uniform. Inspection will be made at the end of the first growing season for vegetation bond release. If above requirements are not met, a complete revegetation plan including liming, fertilization and seeding based on new soil tests shall be submitted to and carried out at the direction of the Division.

#### Section 7. Closing, temporary or permanent:

(1) When the use of a face-up area of a new or existing operation is discontinued by closing either permanently or for a period which will be greater than six (6) months, the bench shall be graded if necessary and seeded. Any exposed coal shall have a minimum of four feet (4') of non-acid bearing material over any pit or seam. The fill shall be graded to slope away from the highwall at an angle not to exceed ten degrees (10°) from the horizontal and in such a manner that no holes or depressions remain to accumulate drainage, runoff or other surface water. Sealing of any drift openings or exposed shafts or tunnels, done to conform with regulations of the Kentucky Department of Mines and Minerals or agency of the United States Government, shall be completed prior to such grading.

(2) Where the use of a processing area, transportation area or management area on either a new or existing operation is discontinued by closing permanently, all structures and buildings thereon shall be torn down and removed. Where such use is temporarily discontinued, such structures, buildings and facilities shall be kept in a state of good repair as determined by the Division during the period of non-use.

Section 8. Signs to be posted at mining site. An appropriate sign shall be displayed at the points of access to each operation adjacent to the nearest public highway. The sign shall be at least two feet by four feet (2' x 4'), constructed of a wooden or other durable material, and clearly identify the name of the operator and number of his approval certificate. Such sign shall be maintained during the life of the operation. Failure to post such sign shall subject the licensee to penalty as provided by statute.

Section 9. Succession of operators. Where one (1) operator succeeds another at an operation, either by sale, assignment, lease or otherwise, the Division may release the first operator from all liability under this regulation as to that particular operation. However, both operators must have otherwise complied with the requirements of this regulation and the successor operator assumes as part of his obligation under this regulation, all liability for the reclamation of the area of land affected by the former operator.

Section 10. Where necessary or advisable to conduct experimental work or do research for reclamation techniques, the Division may, if consistent with the requirements of KRS Chapter 350, make exceptions to this regulation.

ADOPTED: July 19, 1974

THOMAS O. HARRIS, Secretary

RECEIVED BY LRC: July 19, 1974 at 4:14 p.m.

PUBLIC HEARING: A public hearing on the foregoing regulation will be held in the Auditorium of the Capital Plaza Office Building, in Frankfort, Kentucky on the 6th day of September, 1974, at 9:00 a.m. Persons having an interest in the subject matter of the proposed regulation are invited to attend and present testimony or submit their comments in writing to: Office of the Secretary, Department for Natural Resources and Environmental Protection, 5th Floor, Capital Plaza Office Building, Frankfort, Kentucky 40601.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
Division of Conservation  
(402 KAR 2:010)

RELATES TO: KRS 262.090 and 146.110

PURSUANT TO: KRS 262.090 and KRS 13.082

NECESSITY AND FUNCTION: This regulation is necessary to implement the procedure whereby the Conservation Districts establish their eligibility for appropriations from the Direct Aid Program by providing the information called for in the regulation.

Section 1. Hereafter each Conservation District shall provide the Kentucky Soil and Water Conservation Commission as a prerequisite to eligibility of that Conservation District for an appropriation from the Direct Aid Program the following:

- (1) A copy of the annual audit and financial statement by the Conservation Fieldman assigned to aid that Conservation District.
- (2) A copy of the Annual Conservation District Budget by April 1 of each year.
- (3) A summary of the major accomplishments of the Conser-



vation District of the previous year by September 1 of each year. No particular form shall be required.

(4) A verification of the bonding of all officers and employees of the Conservation District entrusted with the management of funds and equipment.

(5) A copy of the annual projected program of work of the Conservation District by April 1 of each year.

ADOPTED: May 16, 1974 by the Kentucky Soil and Water Conservation Commission.

WELBORN ADAMS, Chairman

RECEIVED BY LRC: July 19, 1974 at 4:11 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Conservation, Frankfort, Kentucky 40601.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
Division of Conservation  
(402 KAR 2:020)

RELATES TO: KRS 262.090 and 146.110

PURSUANT TO: KRS 262.090 and 13.082

NECESSITY AND FUNCTION: This regulation is necessary to detail the categories of expenditures which Conservation Districts are and are not allowed to make.

Section 1. Hereafter expenditures of Conservation District funds by a Conservation District or expenditures of funds by others for the benefit of the Conservation District shall be limited to the following:

- (1) Salaries to include clerical assistance and subprofessional and professional conservationist.
- (2) Office operations to include office supplies, office equipment, rent or purchase; office rent and office utilities.
- (3) Education and promotion to include newsletters, pamphlets, brochures, books, and materials, prize money, plaques and ribbons, displays, award dinners, Soil Stewardship meals, promotional dinners, and cooperators' meetings, services rendered by ladies auxiliary and youth boards, conservation demonstrations including seed, fertilizer and seedlings, scholarships, photo equipment and supplies.
- (4) Legal fees and notices, WSCD organization expenses, and bonds and Workmen's Compensation for Conservation District officers and employees.
- (5) Others. Supervisors expenses to Area, State and National meetings, supervisors per diem for regular and special local meetings, travel of Conservation District employees on Conservation District business, periodicals, agriculture and engineering equipment, state and national dues, and purchase of real estate to carry out authorized Conservation District functions, and maintenance for authorized projects.

Section 2. Hereafter Conservation District funds or funds for the benefit of the Conservation District shall not be expended for the following:

- (1) Per diem for supervisors in excess of \$12 per meeting.
- (2) Gifts.
- (3) Flowers.
- (4) Donations and contributions.
- (5) Meals at board meetings for supervisors, their wives, and staff.
- (6) Wives' expenses.
- (7) Per diem for associate supervisors.

Section 3. Exceptions to sections 1 and 2 may be made by the Commission only upon prior written application by the Conservation District.

Section 4. No Conservation District shall be eligible for state funds unless it has complied with this regulation.

ADOPTED: May 16, 1974 by the Kentucky Soil and Water Conservation Commission.

WELBORN ADAMS, Chairman

RECEIVED BY LRC: July 19, 1974 at 4:13 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Division of Conservation, Frankfort, Kentucky 40601

DEPARTMENT OF TRANSPORTATION  
Bureau of Vehicle Regulation  
(601 KAR 1:010)

RELATES TO: KRS 189.222

PURSUANT TO: KRS 189.222 and 13.082

NECESSITY AND FUNCTION: KRS 189.222, as enacted by the 1974 General Assembly, requires the Department of Transportation to design regulations to implement the provisions as set forth therein to permit truck tractors, semi-trailers and trailers or motor trucks and trailers to be operated in combinations not exceeding 65 feet over specific highways.

Section 1. Unless otherwise provided herein; truck tractors, semi-trailers and trailers or motor trucks and trailers may be operated in combinations not exceeding sixty-five (65) feet over the following highways:

- (1) The Toll Road System
- (2) The Interstate Highway System
- (3) All other four (4) lane highways not a part of (1) or (2) above.

(4) The following sections of highways not listed in (1), (2) or (3) above:

- (a) Ky. 15 from Campton to Whitesburg
- (b) U.S. 23 from Ohio River Bridge at Portsmouth to Pikeville
- (c) U.S. 25E from Pineville to Virginia State Line
- (d) U.S. 27 from Lexington to Nicholasville and from Stanford to Burnside
- (e) U.S. 31E from Glasgow to Tennessee Line
- (f) Ky. 52 from Richmond to Irvine
- (g) Ky. 55 from Campbellsville to Columbia
- (h) U.S. 62 from Eddyville to Paducah
- (i) U.S. 68 from Bowling Green to Russellville
- (j) Ky. 90 from I-65 to Glasgow
- (k) Ky. 114 from Salyersville to Prestonsburg
- (l) U.S. 119 from Pineville to Harlan
- (m) U.S. 127 from I-75 near Glencoe to Owenton and from Jct. Ky. 151 to Danville
- (n) U.S. 150 from Bardstown to Springfield and from Danville to Stanford
- (o) Ky. 151 from I-64 to Jct. with U.S. 127

(5) An operator will not be deemed to be in violation of this regulation if operating within ten miles of the above roads, upon connector roads, provided the connector roads have a surface width of at least twenty feet.

(6) Roads within fifteen miles of the following border entry points: Ohio River Bridge, Cairo, Illinois; Ohio River Bridge, Paducah; Ohio River Bridge, Henderson; Ohio River Bridge, Owensboro; Ohio River Bridge, Milton; Ohio River Bridge, Maysville; Ohio River Bridge, South Portsmouth; Ohio River Bridge, Ashland.

Section 2. Truck tractors and semi-trailers engaged in the transportation of tobacco, unmanufactured tobacco products on motor vehicles not exceeding sixty (60) feet, excluding normal bumper overhang, may be operated upon any AAAA, AAA or AA highway.

BILLY PAXTON, Secretary

ADOPTED: July 1, 1974

RECEIVED BY LRC: July 3, 1974 at 9 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: William L. Willis, Attorney, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION  
Bureau of Vehicle Regulation  
(601 KAR 1:020)

RELATES TO: KRS 189.271 and 189.222

PURSUANT TO: KRS 189.271 and 13.082

NECESSITY AND FUNCTION: KRS 189.271, as enacted by the 1974 General Assembly, empowers the Department of Transportation to adopt rules and regulations to implement the provisions as set forth therein for the issuance of a special permit to the owner, operator, or lessee of a motor vehicle for the purpose of hauling industrial materials whose gross weight, including vehicle and load, exceeds the limits or fails to comply with the requirements of Chapter 189 of the Kentucky Revised Statutes.

Section 1. An application for an Industrial Materials Permit shall be submitted to the District Engineer having jurisdiction over the major portion of the proposed haul routes and shall be accompanied by a transportation plan. The transportation plan, in addition to such other information as may be required by the Department, shall indicate the portions of the State Primary Road System which the applicant intends to utilize in the transportation of industrial materials, the identities of the highways and bridges on the State Primary Road System over which the applicant proposes to transport industrial materials, and the specification of weight limits on such highways and bridges. In the event an Industrial Materials Permit is obtained, any deviation from the transportation plan shall be sufficient cause for the Department to revoke the Industrial Materials Permit.

Section 2. Upon receipt of the transportation plan and upon proper application upon forms approved by the Department, the applicant may be issued, for the sum of \$20, an Industrial Materials Permit which shall be good for not more than one year from the date of issuance. A separate permit shall be issued for each vehicle proposed to be operated by the applicant.

Section 3. The Industrial Materials Permit shall be for the transportation of a specified material and shall allow the applicant to transport divisible or indivisible loads which a motor vehicle would transport in the usual and ordinary course of business. Said loads shall include, but not be limited to, minerals or natural resources.

Section 4. Any Industrial Materials Permit issued by the Department shall not allow a vehicle to exceed the gross weight for a vehicle as provided for in KRS 189.222 (1) (e).

Section 5. Any applicant convicted under the provisions of KRS 189.990 (2) (a) two or more times within a five-year period shall be required to give bond to the Department with an approved surety in an amount to be determined by the Department, said amount shall not exceed \$6,000 per vehicle. Addi-

tionally, upon conviction under KRS 189.990(2)(a) two or more times within a five-year period, the Department may revoke the applicant's permit to transport industrial materials.

Section 6. In the event the applicant is required to give a bond by the Department, the applicant shall be the principal obligor on the bond and the Commonwealth shall be the obligee. The bond may not exceed \$6,000 per vehicle and the applicant may file a corporate bond or a cash bond which bond may be conditioned upon compliance with the terms of any transportation plan and/or Industrial Materials Permit issued by the Department. In the event the applicant's liability is discharged upon a bond, the Department may require the filing of a new bond.

Section 7. The Department of Transportation may at its discretion require a maintenance agreement with the applicant to insure upkeep of the highways or bridges which may become damaged by loads transported under authority of an Industrial Materials Permit. Any maintenance agreement entered into shall not be in lieu of, but shall be in addition to, any bond which might be required.

BILLY PAXTON, Secretary

ADOPTED: July 23, 1974

RECEIVED BY LRC: July 23, 1974 at 2:47 p.m.

SUBMIT COMMENT OR HEARING REQUEST TO: William L. Willis, Attorney, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION  
Division of Aeronautics and Airport Zoning  
(602 KAR 1:010)

RELATES TO: KRS Chapter 183

PURSUANT TO: KRS 183.550, KRS 183.580 and KRS 13.082

NECESSITY AND FUNCTION: This regulation prescribes the form for applications for intrastate certificates of public convenience and necessity and the information required.

Section 1. (1) Applications for intrastate certificates of public convenience and necessity shall be made to the Department by petition filed in duplicate in the office of the Director, Division of Aeronautics and Airport Zoning, 421 Ann Street, Frankfort, Kentucky 40601. The application shall specify the type of authority sought. If the application is for regular route authority, it must contain a description of the route or routes. The applicant must identify by certificate number each intrastate certificate of public convenience and necessity it has, whether authorized by this Department or the Civil Aeronautics Board.

(2) The application shall contain schedules showing all rates, fares and charges for transportation of passengers or property between different points on its route or routes, and between points on its own route and on the routes of other common carriers when a through route and joint rate have been established.

Section 2. Supporting statements from any interested party or parties may be submitted with the application. Supporting statements must state the reasons therefor and may contain recommendations regarding the proposed service.

BILLY PAXTON, Secretary

ADOPTED: July 11, 1974

RECEIVED BY LRC: July 12, 1974 at 1:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARINGS TO: The Director, Division of Aeronautics and Airport Zoning, 421 Ann Street, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION  
Division of Aeronautics and Airport Zoning  
(602 KAR 1:020)

RELATES TO: KRS Chapter 183

PURSUANT TO: KRS 183.570 and KRS 13.082

NECESSITY AND FUNCTION: This regulation provides rules and procedures for hearing and determining applications for certificates of public convenience and necessity by common carriers by air.

Section 1. Applications shall be set for a hearing at the earliest date convenient to the Department. If more than one application has been filed seeking a certificate over the same route or any part thereof, or if more than one application seeking the same or similar authority, has been filed prior to the issuance of notices of a hearing on any of the applications, then, in such an event, a consolidated hearing shall be called on all such applications. Any such application filed after hearing notices have been issued may, in the Secretary's discretion, be considered at a consolidated hearing or may be heard independently.

Section 2. The secretary shall appoint an examiner to conduct hearings regarding any application. The examiner shall be a practicing attorney in this State.

Section 3. Protests. Any interested party who objects to an application and desires to intervene and participate in the

proceedings may file a protest with the Department. All protests must state the grounds therefor and be filed at least ten days before the date set for the hearing.

Section 4. All protests, pleadings, motions, and other papers must be filed with the Department in duplicate and shall be typewritten and double-spaced on white legal size paper, properly styled with the matter to which they are relative, and the Docket Number assigned by the Department. When filed by a party represented by an attorney, they shall be signed by at least one attorney of record in his individual name and shall state his address. Except when specifically provided otherwise, pleadings need not be verified or accompanied by an affidavit. The attorney's signature shall constitute the certification by him that he has read the matter; that to the best of his knowledge, information, and belief the statements contained therein are true; and that it is not interposed for delay. If the matter is not signed or is signed with the intent to defeat the purpose of this rule, it may be stricken as sham and false, and the matter may proceed as though there had been no filing.

Section 5. Filing with the Department means the receipt of a pleading, or other paper in the office of the Director, Division of Aeronautics and Airport Zoning, 421 Ann Street, Frankfort, Kentucky 40601, during the regular office hours. The date and time of such receipt shall be indicated thereon by the Department, such date being the date of filing. In the event the date on which any protest, pleading, motion, or other paper must be filed is Saturday, Sunday, or a legal holiday, the date for filing will be the close of the next regular business day of the Department.

Section 6. Service of Pleadings and other Papers. Any person who files a protest, pleading, complaint, or other paper, must serve a copy thereof upon the applicant, respondent, or initiating party and shall certify to the Department that such service has been accomplished.

Section 7. Withdrawal. Any person who desires to withdraw a protest, pleading, or other paper may do so upon written notice to the Department and to the interested parties as soon as possible.

Section 8. Continuances. (1) All hearings shall be held on the day set by the notice issued by the Department. No change will be made in a hearing date except: (a) Upon agreement of all interested parties with approval of the Department; (b) By order of the Department issued upon a written motion by a party stating the reasons for a continuance; and (c) Upon order of the Department for any reasons deemed necessary or advisable.

(2) If the continuance is granted prior to the expiration of the time for filing protests such time will be extended until 10 days before the date set for the hearing. If the continuance is granted after the expiration of the time for filing protests no further protests will be received.

Section 9. Appearances. If an appearance by applicant is not made at a hearing on the application, the application may be denied or dismissed. If a protestant does not appear at the hearing on the matter in which the protest was filed, such protest will not be considered as a part of the record. If a party who files a supporting statement fails to appear, such statement will not be considered as a part of the record.

Section 10. Adjournment. The hearing may be adjourned to a future day for a just cause shown, or with consent of the parties, or by the Examiner on his own motion and order.

Section 11. Service on Attorney. When a party has appeared by an attorney, all communications, notices, pleadings, etc., must be sent to such attorney. Service on the attorney will be considered as service on the party. The Department shall be notified of any change in such attorney.

Section 12. Proof. Evidence at all hearings shall be by oral testimony, except upon special permission of the Examiner designated by the Secretary to hold the hearing.

Section 13. Prepared Statements. Prepared statements will be received in evidence only when copies thereof have been furnished to all parties and the Department for a reasonable time prior to their introduction in the proceeding, so that objections may be made before such statements are read or made a part of the record.

Section 14. Exhibits. All exhibits filed during a hearing must be filed in duplicate and a copy thereof shall be furnished to each party.

Section 15. Stipulations. Parties to any proceeding before the Department, may, by stipulation entered in the record, agree upon the facts therein or any portion thereof. It is desirable that facts be thus agreed upon whenever practicable. Such stipulations will not be binding on the Department, or upon the parties who are not parties to the stipulation, and the Examiner may require additional evidence if he deems it necessary.

Section 16. Qualification of Witnesses. Witnesses shall not be permitted to give opinion evidence unless they have first qualified so as to show that their special familiarity

and knowledge with the subject entitles them to express an opinion which will be helpful to the Department.

Section 17. Evidence. Any evidence which would be admissible under the statutes of the State of Kentucky, and under rules of evidence followed by the circuit courts of the State of Kentucky, will be admitted by the Examiner in hearings before the Department. However, subject to the discretion of the Examiner, matter may be admitted that will be of assistance in determining the rights of the parties.

Section 18. Transcript. The Examiner holding a hearing may, in his discretion, order the taking of a transcript of the hearing. Should a case be protested or contested in any manner, a transcript of the testimony, exhibits, statements and arguments shall be made. In the event a transcript is ordered by the Examiner or is required by this regulation, it shall be the duty of the party instituting the proceeding to provide the stenographic reporter for its transcription. The reporter shall furnish the original and one copy of the transcript to the Department. All transcripts shall be indexed to show the location of the testimony of each witness and all exhibits. The cost of transcribing the evidence and of furnishing an original of the transcript to the Department shall be borne by parties to the hearing and shall be prorated between or among them, on the basis of testimony, cross-examination, and statements put in the record by each party. Additional copies of the transcript may be purchased from the reporter at the entire cost of the party desiring same.

Section 19. Exclusion of Witnesses. Upon request of a party or on the Examiner's own motion, witnesses may be ordered excluded from the hearing room. Principals may remain in the hearing room.

Section 20. Briefs. The Department will receive briefs, if a party desires to submit one and is allowed to do so by the Examiner, or the Examiner may require the filing of briefs, which briefs when submitted may be answered by the opposition and will be considered in the determination of the matter. The time for filing of the briefs and replies will be set by the Examiner at the close of the hearing and no additional time will be allowed without good cause shown.

Section 21. Upon request by any party or upon his own motion, the Examiner may hold a prehearing conference to determine whether the parties can agree by stipulation on any relevant facts and whether the parties may resolve any issues before the hearing. The Examiner may order the parties to exchange any prepared statements and exhibits they intend to introduce at the hearing and to exchange the names and qualifications of any experts they intend to call as witnesses at the hearing.

Section 22. When Matter May Be Reopened. Any matter may be reopened at any time by the Department if it is found that fraud, or any act, or omission, amounting to a fraud, has been perpetrated; or if it appears that the laws, rules and regulations were not complied with by any party or by the Department, and that the rights of any persons have been prejudiced thereby.

Section 23. Subpoenas. Any applicant, protestant, or other party, who desires to summon and compel the attendance at any hearing of any witness or witnesses, or who desires the production in evidence of any books, records, papers, etc., may procure the issuance of a subpoena or a subpoena duces tecum or orders of personal attendance, by application to the Director, Division of Aeronautics and Airport Zoning, unless the hearing is in progress, in which case application shall be made to the Examiner conducting the hearing. Applications for subpoenas or subpoenas duces tecum or orders of personal attendance shall be made in the manner provided by the appropriate sections of the Kentucky Rules of Civil Procedure, and upon their issuance shall be served as provided in Rule 45.03 of the Kentucky Rules of Civil Procedure. Cost of Service shall be paid by the party at whose instance the issuance was made. However, it shall be the duty of the person desiring the attendance of a witness to see that said witness is present at the time and place of the hearing; the failure of the witness to appear, whether subpoenaed or not, will not constitute grounds for the continuance of the hearing.

Section 24. Report and Recommended Order. Upon the conclusion of a hearing, the Examiner shall make a Report and Recommended Order which shall contain findings of fact and conclusions of law together with recommended rates, fares and charges and time schedules, when necessary. Copies of the Report and Recommended Order shall be served upon each of the parties.

Section 25. Exceptions and Replies Thereto. Any party to a hearing may, within fifteen days after the day of service of the Report and Recommended Order upon him, file and serve his exceptions thereto. Exceptions shall consist of as many objections to the whole or any part of the Order as the party filing the exception desires to make, with each objection numbered. Each objection shall fully state the nature thereof and the grounds therefor. Replies to exceptions shall be filed within fifteen days after service of the exceptions, if any party desires to make a reply. The reply shall consist of a separate reply to each objection set out in the exception.

Section 26. Final Order. (1) Upon the filing of the

exceptions and replies thereto and/or upon expiration of the time for filing of same, the Examiner shall render the complete record to the Secretary, who shall consider and pass upon the case. The Secretary may, after a study of the case, refer it back to the Examiner and request the taking of more proof on any point in issue. The Secretary may require oral argument of the case. When passed upon by the Secretary, the decision shall be served by registered mail upon all parties and shall be a final order of the Department. The final order shall contain the date of its rendition.

(2) At the time a certificate is granted, the final order granting it may approve a time schedule and a schedule of rates, fares and charges filed by the applicant or a time schedule and a schedule of rates, fares, and charges determined by the Department, which, when approved, shall be the time schedule and the schedule of rates, fares and charges upon which the carrier shall operate until the Department has approved a change or modification thereof.

Section 27. Temporary Authority. An applicant may petition the Department for temporary authority pending a final determination of its application. A petition for temporary authority must state the grounds therefor and show that there is an urgent need for the service proposed. The petition must be verified. The Secretary may grant temporary authority for not more than 60 days or until a final determination of the application, upon such recommendation by the examiner appointed to hear the application.

BILLY PAXTON, Secretary

ADOPTED: July 11, 1974

RECEIVED BY LRC: July 12, 1974 at 1:56 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Director, Division of Aeronautics and Airport Zoning, 421 Ann Street, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET  
Registry of Election Finance  
(801 KAR 1:010)

RELATES TO: KRS 121.180 (1)

PURSUANT TO: KRS 121.120 (3) and 13.082

SUPERSEDES: REF-3-1

NECESSITY AND FUNCTION: KRS 121.120 (3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and KRS 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120 (3) (a). Amendments adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for Party Executive Committees" form is amended as attached.

ROBERT L. SLOSS, Chairman

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 25, 1974 at 2:43 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Registry of Election Finance, 310 W. Liberty Street, Louisville, Kentucky 40202.

(Forms are printed on Page 4)

PUBLIC PROTECTION AND REGULATION CABINET  
Registry of Election Finance  
(801 KAR 1:020)

RELATES TO: KRS 121.180 (2)

PURSUANT TO: KRS 121.120 (3) and 13.082

SUPERSEDES: REF-7

NECESSITY AND FUNCTION: KRS 121.120 (3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and KRS 121.100 to KRS 121.200." The Registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120 (3) (a). Amendments adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for a Campaign Committee or Political Action Committee" amended as attached.

ROBERT L. SLOSS, Chairman

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 25, 1974 at 2:42 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Registry of Election Finance, 310 West Liberty Street, Louisville, Kentucky 40202.

(Forms are printed on Page 5)

PUBLIC PROTECTION AND REGULATION CABINET  
Registry of Election Finance  
(801 KAR 1:030)

RELATES TO: KRS 121.180 (2)

PURSUANT TO: KRS 121.120 (3) and 13.082

SUPERSEDES: REF-2-1

NECESSITY AND FUNCTION: KRS 121.120 (3) required the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and KRS 121.100 to 121.200." The Registry shall "Develop prescribed forms for the making of the required reports," KRS 121.120 (3) (a). Amendments to The Campaign Financing Act adopted by 1974 General Assembly require new form.

Section 1. "Report of Receipts and Expenditures for a Candidate" form is amended as attached.

ROBERT L. SLOSS, Chairman

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 25, 1974 at 2:40 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Registry of Election Finance, 310 West Liberty Street, Louisville, Kentucky 40202.

(Forms are printed on Page 6)

PUBLIC PROTECTION AND REGULATION CABINET  
Registry of Election Finance  
(801 KAR 1:040)

RELATES TO: KRS 121.170

PURSUANT TO: 121.120 (3) and 13.082

SUPERSEDES: REF-5-1

NECESSITY AND FUNCTION: KRS 121.120 (3) requires the Registry to "adopt such regulations, official forms and perform such duties as are necessary to implement the provisions of KRS 121.015 and KRS 121.100 to 121.200." The registry shall "Develop prescribed forms for the making of the required reports", KRS 121.120 (3) (a). Amendments adopted by the 1974 General Assembly require a new form.

Section 1. "Registration Form and Statement of Organization for a Campaign Committee or Political Action Committee" is amended as attached.

ROBERT L. SLOSS, Chairman

ADOPTED: July 17, 1974

RECEIVED BY LRC: July 25, 1974 at 2:41 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Registry of Election Finance, 310 W. Liberty Street, Louisville, Kentucky 40202.

(Forms are printed on Page 7)

## KRS References

KRS Section	Regulation No.	KRS Section	Regulation No.
Chapter 13	1 KAR 1:010	189.222	601 KAR 1:010
15.020	40 KAR 1:010		601 KAR 1:020E
15.025	40 KAR 1:020		601 KAR 1:020
116.025	31 KAR 1:010	189.271	601 KAR 1:020E
118.790	31 KAR 1:010		601 KAR 1:020
121.170	801 KAR 1:040E	262.090	401 KAR 2:010
	801 KAR 1:040		401 KAR 2:020
121.180 (1)	801 KAR 1:010E	Chapter 315	201 KAR 2:020
	801 KAR 1:010		201 KAR 2:040
121.180 (2)	801 KAR 1:020E		201 KAR 2:050
	801 KAR 1:020		201 KAR 2:060
	801 KAR 1:030E		201 KAR 2:070
	801 KAR 1:030	315.050	201 KAR 2:010
146.110	401 KAR 2:010	Chapter 318	401 KAR 1:020
	401 KAR 2:020		201 KAR 1:120
151.140	401 KAR 4:010	325.265	201 KAR 1:120
151.160	401 KAR 4:010	350.151	402 KAR 1:010
Chapter 183	602 KAR 1:010		
	602 KAR 1:020		

## KAR Codification

(Following is an outline of the codification system which has been developed for the KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE. The entries for regulations contained in this issue are listed below. Other Cabinets, Departments and agencies of state government will be assigned Titles and Chapters as their regulations are received.)

### TITLE 1—LEGISLATIVE RESEARCH COMMISSION

#### Ch. 1—Administrative Regulations

- 010 — Form of administrative regulations
- Administrative Register — Codification

### TITLE 31—STATE BOARD OF ELECTIONS

#### Ch. 1—Absentee Voting

- 010 — When charged with or indicted for a crime

### TITLE 40—DEPARTMENT OF LAW

#### Ch. 1—Attorney General

- 010 — Procedures for Official Opinions
- 020 — Private requests for opinions

### TITLE 201—DIVISION OF OCCUPATIONS AND PROFESSIONS

#### Ch. 1—Board of Accountancy

- (010 through 110 reserved)
- 120 — Examinations — Subjects, grading, re-examination

#### Ch. 2—Board of Pharmacy

- 010 — Schools approved by the Board
- 020 — Examinations
- 030 — (reserved for "Reciprocity")
- 040 — Registration of interns
- 050 — Licenses and permits — Fees
- 060 — Pocket certificates
- 070 — Prescription intermediary services restricted

### TITLE 401—BUREAU OF ENVIRONMENTAL QUALITY

#### Ch. 1—Division of Plumbing

- (010 reserved for definitions)
- 020 — Installation permits

#### Ch. 2—(reserved for Division of Solid Waste)

#### Ch. 3—(reserved for Division of Air Pollution)

#### Ch. 4—Division of Water Resources

- 010 — Water withdrawal permits — Criteria — Reports

### TITLE 402—BUREAU OF LAND RESOURCES

#### Ch. 1—Division of Reclamation

- 010 — Reclamation plans of surface effects of underground mines — Definitions — Certificates, fees, terms — Requirements

#### Ch. 2—Division of Conservation

- 010 — Direct aid eligibility of districts
- 020 — Allowable district expenditures

#### Ch. 3—(reserved for Division of Forestry)

### TITLE 601—BUREAU OF VEHICLE REGULATION

#### Ch. 1—Division of Motor Carriers

- 010 — Truck tractors, semi-trailers — Maximum length
- 020 — Permit for hauling industrial materials — Fee — Bond
- 020E— (same as 020, filed on Emergency basis)

### TITLE 602—DIVISION OF AERONAUTICS AND AIRPORT ZONING

#### Ch. 1—Air Carriers

- 010 — Applications for intrastate certificates of public convenience and necessity
- 020 — Rules and procedures for hearings on certificates

### TITLE 801—REGISTRY OF ELECTION FINANCE

#### Ch. 1—Reports and Forms

- 010 — Executive committee's report of contributions and expenditures
- 010E— (same as 010, filed on Emergency basis)
- 020 — Campaign committee's report of contributions and expenditures
- 020E— (same as 020, filed on Emergency basis)
- 030 — Campaign treasurer's report of contributions and expenditures
- 030E— (same as 030, filed on Emergency basis)
- 040 — Notice of organization of campaign committee
- 040E— (same as 040, filed on Emergency basis)



# KENTUCKY REVISED STATUTES

## Chapter 13

### ADMINISTRATIVE REGULATIONS

**13.075 Definition of Commission.** — As used in this chapter unless the context requires otherwise: "Commission" means the Legislative Research Commission. (Enact. Acts 1956, ch. 97, sec. 1, eff. May 18, 1956.)

**13.080 Definitions and construction.** — As used in KRS 13.080 to 13.125,

(1) "Administrative Body" means each state board, bureau, commission, department, division, authority, officer, or other entity, except the legislature and the courts, authorized by law to make regulations. (2) "Subcommittee" means Administrative Regulation Review Subcommittee.

(3) "Regulation" means each statement of general applicability issued by an administrative body that implements, interprets, or prescribes law or policy, or describes the organization procedure, or practice requirements of any administrative body. The term includes the amendment or repeal of a prior regulation, but does not include

(a) statements concerning only the internal management of an administrative body and not affecting private rights or procedures available to the public, or

(b) declaratory rulings, or

(c) intradepartmental memoranda.

(4) "Affirmative consideration" means that an administrative body must either adopt suggestions or recommendations regarding a regulation or issue a concise statement setting forth the reasons for not adopting suggestions or recommendations regarding a regulation.

(5) Compliance with the provisions of KRS 13.080 to 13.125 does not dispense with the requirements of any other law necessary to make the regulation effective. (Enact. Acts 1952, ch. 63, sec. 1; 1972, ch. 180, sec. 1; 1974, ch. 73, sec. 1, eff. July 1, 1974.)

**13.082 Uniformity of power to adopt regulations — Repeal of conflicting provisions.** — (1) The power vested in every administrative body to adopt regulations shall be uniform and shall be confined to the direct implementation of the functions and duties assigned to an administrative body by the General Assembly, or by executive order.

(2) All grants of authority to adopt regulations inconsistent with this provision are hereby repealed and the Legislative Research Commission is hereby directed to identify and to draft legislation for introduction in the 1976 General Assembly repealing all provisions of the Kentucky Revised Statutes in conflict with this section. (Enact. Acts 1974, ch. 73, sec. 5, eff. July 1, 1974)

**13.084 Refiling of regulations — Rescinding of regulations not refilled.** — (1) Each administrative body shall file within one (1) year of July 1, 1974, in accordance with the provisions of KRS Chapter 13, all regulations which were adopted by such administrative body prior to July 1, 1974, and which are still effective and all regulations which were adopted by such administrative body prior to July 1, 1974 and which do not become effective until after July 1, 1974.

(2) All regulations filed prior to July 1, 1974, whether or not they shall have become effective, are rescinded effective one (1) year after July 1, 1974. (Enact. Acts 1974, ch. 73, sec. 6, eff. July 1, 1974.)

**13.085 Publication, hearing, and review of proposed administrative regulation — Requisites of proposal — Public hearing.** — (1) Except as provided in subsection (2) of this section no regulation made by any administrative body after July 1, 1974, shall become effective until after an original and five (5) duplicate copies of the regulation are forwarded to the office of the Legislative Research Commission, and:

(a) the proposed regulation has been published in the Administrative Register as required by KRS 13.096; and

(b) a public hearing is held, if requested, by a person having an interest in the subject matter, within thirty (30) days following publication of proposed regulation, as provided by subsection (4) of this section; Provided, however, that if no public hearing is requested within thirty (30) days of publication the regulation shall be submitted to the Administrative Regulation Review Subcommittee;

(c) the proposed regulation has been reviewed by the Administrative Regulation Review Subcommittee as required by KRS 13.087; and

(d) the proposed regulation is reviewed by the appropriate interim or standing committees of the General Assembly, if required by KRS 13.087.

(2) The requirements of subsection (1) of this section shall not apply when the administrative body finds that an emergency exists, and the Governor issues an executive order that the regulation become effective immediately upon being filed in the office of the Legislative Research Commission. A regulation so filed shall expire at the end of 120 days, during which time the proposed regulation may be processed in accordance with this section if the administrative body desires it to become permanent. The General Assembly hereby declares that it is the state policy that emergencies are held to a minimum.

(3) Each proposed regulation submitted to the Legislative Research Commission shall include a citation of the authority pursuant to which it, or any

part of it, was adopted, a brief statement which sets forth the necessity for issuing the regulation, a summary of the functions sought to be implemented by the regulation, and the place and manner in which interested persons may present their views.

(4) If within thirty (30) days following publication of the text of a proposed regulation a request is received by the administrative body from a person having an interest in the subject matter of the regulation to offer comment upon the proposed regulation, the administrative body shall fix a date, time and place for a hearing, open to the public, on the proposed regulation. Every hearing shall be conducted in such a manner so as to guarantee each person who wishes to offer comment a fair and reasonable opportunity to do so; Provided, However, every hearing shall be conducted so as to be completed within sixty (60) days from the date the proposed regulation was first published in the Administrative Register. No transcript need be taken of the hearing unless a written request for a transcript is made in which case the person requesting the transcript shall have the responsibility of paying for same. Following the hearing the administrative body shall give affirmative consideration to all written and oral statements submitted regarding the proposed regulation. The administrative body shall then forward to the Legislative Research Commission a copy of the regulation as originally published in the Register accompanied by a statement indicating whether any changes have been made in the original wording and by a statement summarizing the comments submitted to the administrative body at the hearing.

(5) The Legislative Research Commission shall cause to be endorsed on the original and duplicate copies of each regulation submitted the time and date of the filing thereof and shall maintain a file of such regulations for public inspection, with suitable indexes. (Enact. Acts 1952, ch. 63, sec. 2; 1972, ch. 180, sec. 3; 1974, ch. 73, sec. 2, eff. July 1, 1974.)

**13.087 Administrative Regulation Review Subcommittee—Procedure upon objection to regulations.**—(1) There is hereby created a permanent subcommittee of the Legislative Research Commission to be known as the Administrative Regulation Review Subcommittee. The subcommittee shall be composed of three (3) members, no more than two (2) of whom shall be members of the same political party. The Legislative Research Commission shall appoint from the membership of the General Assembly, the members of the subcommittee for terms of two (2) years, and the members so appointed shall elect one (1) of their number to serve as chairman. Any vacancy which may occur in the membership of the subcommittee shall be filled by the Legislative Research Commission at its next regularly scheduled meeting after the occurrence of the vacancy.

(2) The subcommittee shall meet monthly at such time and place as the chairman may determine. The members of the subcommittee shall be compensated for attending meetings, as provided in KRS 7.090(2).

(3) Any professional, clerical or other employees required by the subcommittee shall be provided in accordance with the provisions of KRS 7.090(4) and (5).

(4) Prior to filing, all regulations shall be submitted to the Administrative Regulation Review Subcommittee to determine if the regulation conforms to the statutory authority under which it was promulgated and if it carries out the legislative intent of the statutory authority under which it was promulgated. The subcommittee's finding that a regulation does not conform to the statutory authority or carry out the legislative intent shall be reported to the promulgating administrative body and to the Director of the Legislative Research Commission. In the event the subcommittee determines that a regulation, other than an emergency filing approved by the Governor, does not conform to the statutory authority, or does not coincide with the legislative intent, the subcommittee shall attach to the regulation a written notation of its objection, including a statement of the reasons therefor, and shall return the regulation to the promulgating administrative body. Notice of such objection shall be given by the subcommittee to the Director of the Legislative Research Commission. The subcommittee shall act on a regulation submitted to the Legislative Research Commission within thirty (30) days of the submission of the regulation.

(5) The promulgating administrative body may revise a regulation to comply with the subcommittee's objections, and may return the revised regulation to the subcommittee, or it may return the regulation, with the subcommittee's notation attached, without change. The Legislative Research Commission shall immediately accept a regulation as filed if it is not objected to by the subcommittee.

(6) In the event an administrative body returns a regulation, objected to by the subcommittee, to the Legislative Research Commission, without change, the regulation shall be referred by the Director to the standing committee of the House of Representatives and Senate or to the Interim Committee with appropriate jurisdiction as determined by the Rules of the House and Senate then in effect or in effect during the most recent session of the General Assembly. The standing committees of the House and Senate or the interim committee to which a regulation is referred under this section shall review the regulation in the same manner as did the Administrative Regulation Review Subcommittee and shall not expand their review beyond determining whether the regulation conforms to the statutory authority under which it was promulgated and whether the regulation carries out the legislative intent of the statute it seeks to implement. In the event the standing committee of the House



and Senate or the Interim Committee determines that a regulation does not conform to the statutory authority under which it was promulgated, or does not coincide with the legislative intent of the statute it seeks to implement the standing committees or the interim committee shall attach to the regulation a written notation of its objection, including a statement of the reasons therefor, and the Director shall return the regulation to the promulgating administrative body. Notice of such objection shall be given by the standing committees or by the interim committee to the Director of the Legislative Research Commission. The standing committees or interim committee shall act on a regulation submitted in accordance with this section within thirty (30) days of the date the administrative body returns the regulation.

(7) The promulgating administrative body may revise a regulation to comply with the subcommittee's interim or standing committee's objections, and may return the revised regulation to said subcommittee or committee, or may return the regulation with the subcommittee's interim or standing committee's notation attached, without change. The Legislative Research Commission shall immediately accept the regulation as filed.

(8) The subcommittee shall report monthly to the Legislative Research Commission all action taken on administrative bodies' regulations. The Director of the Legislative Research Commission shall report to the Commission all action taken by the standing committee or by the interim committee.

(9) All regulations objected to by the subcommittee and by the standing committees or interim committee and not revised by the promulgating administrative body together with the notations of the subcommittee's and the standing committee's or interim committee's objection shall be transmitted by the Director to the clerk of the Senate and the clerk of the House of Representatives on or before the first day of each regular session of the General Assembly. The clerk of the Senate and the clerk of the House of Representatives shall lay all regulations so transmitted before the Senate and the House of Representatives, respectively, for such action as the respective legislative bodies may determine to be appropriate. (Enact. Acts 1972, ch. 180, sec. 4; 1974, ch. 73, sec. 3, eff. July 1, 1974.)

**13.090 Functions of Legislative Research Commission.**—(1) The commission shall prescribe rules governing the manner and form in which regulations shall be prepared, to the end that all regulations shall be prepared in a uniform manner. The commission may refuse to accept for filing any regulation that does not conform to the rules.

(2) The Legislative Research Commission shall furnish advice and assistance to all administrative bodies in the preparation of their regulations, and in revising, codifying and editing existing or new regulations. (Enact. Acts 1952, ch. 63, sec. 3; 1972, ch. 180, sec. 5.)

**13.096 Kentucky Administrative Regulations Service—Administrative Register.**—(1) The Legislative Research Commission shall compile, publish and distribute the regulations filed by administrative bodies in a manner which will accommodate changes in regulations and allow distribution of any topical or organizational part of the regulations as well as all of them. This compilation shall be known as the Kentucky Administrative Regulations Service and shall constitute the official state publication of administrative regulations.

(2) There is hereby created a publication known as "The Administrative Register" to be printed and published on a monthly basis by the Legislative Research Commission for the purpose of giving notice of proposed regulations filed in accordance with KRS 13.085. Every regulation forwarded to the Legislative Research Commission shall have its complete text printed in the Administrative Register along with the accompanying statements required by KRS 13.085.

(3) The Commission shall prescribe reasonable fees for subscription to the Kentucky Administrative Regulations Service and the Administrative Register. All fees paid to the Commission for these publications shall be placed in the State Treasury to the credit of a revolving, trust or agency fund account, for use by the Legislative Research Commission in carrying out the provisions of this section. (Enact. Acts 1956 (1st Ex. Sess.) ch. 6, sec. 1; 1972, ch. 180, sec. 6; 1974, ch. 73, sec. 4, eff. July 1, 1974.)

**13.097 Regulations Compiler—Certificate—Filing of publication with Secretary of State.**—The Kentucky Administrative Regulations Service shall be prepared under the direct supervision of an employee appointed by the director of the Legislative Research Commission and designated the Regulations Compiler. The Director shall cause to be prepared a certificate to the effect that the text of the regulations as printed in this service is correct. One (1) copy of the Kentucky Administrative Regulations Service with the original certificate therein shall be maintained in the office of the Secretary of State. All other copies shall contain a printed copy of the certificate and shall constitute prima facie evidence of the law in all courts and proceedings. (Enact. Acts 1956 (1st Ex. Sess.) ch. 6, sec. 2; 1974, ch. 370, sec. 2.)

**13.100 Effect of Commission's file stamp on regulation or publication of regulation.**—The Legislative Research Commission's authenticated file stamp on a rule or regulation, or publication of a rule or regulation in the Kentucky Administrative Regulations Service shall raise a rebuttable presumption that the rule or regulation was adopted and filed in compliance with all requirements necessary to make it effective. (Enact. Acts 1952, ch. 63, sec. 5; 1956 (1st Ex. Sess.), ch. 6, sec. 3.)

**13.102 Administrative body's publication of informational copies.**—No administrative body other than the Legislative Research Commission shall

publish administrative rules or regulations unless the rules or regulations are inclosed in a booklet or binder on which the words "Informational Copy" are clearly stamped or printed. (Enact. Acts 1958, ch. 47, sec. 1; repealed and reen. Acts 1966, ch. 255, sec. 5; 1972, ch. 180, sec. 7.)

**13.105 Judicial notice.**—The courts shall take judicial notice of any regulation duly filed under the provisions of KRS Chapter 13, after the regulation has become effective. (Enact. Acts 1952, ch. 63, sec. 6; 1972, ch. 180, sec. 8.)

**13.115 File of ineffective regulations to be kept.**—When any regulation filed with the Legislative Research Commission expires by its own terms, or is superseded or revoked, the commission shall cause the same to be placed in a "dead" file. (Enact. Acts 1952, ch. 63, sec. 8.)

**13.125 Notice and hearings on proposed regulations.**—Where practicable to do so, state agencies are encouraged to give notice, to interested persons, of proposed regulations, and conduct hearings upon the proposed regulations prior to adoption thereof. (Enact. Acts 1952, ch. 63, sec. 10, eff. June 19, 1952.)

## Administrative Procedures Act Changed by Legislature

(Continued From Page 1)

proposed regulations is confined to a determination of two questions: (1) Does it conform to the statutory authority? (2) Does it conform to the legislative intent of the statutes?

If conformity exists, the regulation is approved and is effective immediately. If non-conforming, the proposed regulation is returned to the issuing agency with reasons for the Subcommittee's rejection attached. The agency may revise the regulation to meet the Subcommittee's objections, or may return the regulation without change.

If a proposed regulation is returned unchanged, it will be presented to the standing committee of the Senate and House of Representatives (or to the Joint Interim Committee) having appropriate jurisdiction. Review by the legislative committees is confined to a determination of the same two questions: (1) Does it conform to statutory authority? (2) Does it conform to the legislative intent of the statutes?

If the legislative committee determines that conformity exists, the regulation becomes effective immediately.

If found by the legislative committee to be non-conforming, the proposed regulation is returned to the

issuing agency with a statement of objections attached.

The issuing agency may revise the regulation to meet the objections of the legislative committee, or it may return the regulation without change. In either event the regulation becomes effective upon its receipt by the LRC.

If a regulation objected to by the legislative committee is returned to the LRC without change, a copy of the regulation with objections attached, shall be transmitted by the Director of the LRC to the Chief Clerks of the Senate and House of Representatives for such action as the General Assembly may seem appropriate.

In emergency situations, the procedures of prior publication, opportunity for public hearing and Subcommittee review do not apply. However, the administrative body must find that an emergency exists and the Governor issue an Executive Order directing that the proposed regulation become effective immediately upon being filed with the LRC.

Emergency regulations have a limited life of 120 days, and then are rescinded by law. During this period, however, the issuing agency can process a replacement regulation in accordance with normal procedures if it desires that the regulation become permanent.

### Subscription Order Form

Here is my subscription to the Administrative Register of Kentucky for the year beginning August, 1974 and ending July, 1975. Enclosed is my check for \$24 made payable to the KENTUCKY STATE TREASURER.

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