Administrative Register of Kentucky

Published by the LEGISLATIVE RESEARCH COMMISSION

Frankfort, Ky. October 1, 1974

This is an official publication of the Commonwealth of Kentucky, Legislative Research Commission, A weekly publication of all proposed regulations filed by administrative agencies of the Commonwealth pursuant to the authority of Kentucky Revised Statutes 13.022.

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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Review Subcommittee

To Meet October 2

The next meeting of the Administrative Regulation Review Subcommittee will be at 10 a.m., CDT on October 2, 1974, in Room 227 at the State Capitol. The meeting is open to the public.

DEADLINE FOR NEXT ISSUE
Deadline for submitting proposed regulations for publication in the November 1, 1974 issue of the Administrative Register is Friday, October 18, 1974.

COMPIlER'S OFFICE MOVED
Mrs. Mabel D. Robertson, the Compiler's Assistant, has moved to Room 433 in the State Capitol, telephone 502-664-7740.

Agencies Set Open Hearings On Regulations

The Department of Education and the State Fire Marshal's Office have scheduled public hearings on proposed regulations. Persons with an interest in the subject matter of these regulations are invited to appear and testify, or to submit comments in writing to the agency.

Department of Education Hearings
Hearings will be held at 10 a.m., CDT October 3, 1974 in the State Board Room, Capitol Plaza Tower, Frankfort, Kentucky on the following eight proposed State Board of Education regulations all published in the September issue of the Administrative Register:

- KAR 1.020 — School construction and site plan; facilities surgery.
- KAR 1.020 — School food service personnel; polices and procedures.
- KAR 1.060 — Food service, minimum time for meals.
- KAR 1.070 — Food service funds and reports.
- KAR 1.080 — Food service cost accounting.
- KAR 1.090 — Minimum school term; holidays; closings.

State Fire Marshal's Hearings
Hearings will be held at 10 a.m., November 1, 1974 in Room G-2, Capitol Plaza Tower, Frankfort, Kentucky, on seven proposed regulations of the State Fire Marshal's Office, all published in this issue of the Administrative Register:

- KAR 50.040 — General construction requirements.
- KAR 50.020 — Construction to accommodate physically handicapped.
- KAR 50.060 — LP Gas license denial, revocation or suspension.
- KAR 50.060 — LP Gas license; financial responsibility.
- KAR 50.070 — LP Gas, standby usage requirements.
- KAR 50.080 — Flammable liquids, self-service stations.
- KAR 50.100 — Fire Department administering.

Administrative Register also

The Administrative Register of Kentucky is published monthly by the Legislative Research Commission, Room 500, State Capital, Frankfort, Kentucky 40601. Subscription rate posted in the index. Volume 8, Issue 12, contains 12 issues, beginning in August and ending with the July issue of the subsequent year.

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Emergency Regulations

WENDELL R. FORD, GOVERNOR
Executive Order 76-693
September 11, 1976

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
200 EAK 2:0602E

RELATES TO: KRS Chapters 42, 44 and 45
DEPLANT TO: KRS 45.9602 and 11.082
SUPERSEDES: Fin-Tr 3-2
EFFECTIVE: September 11, 1976.

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SUPERSEDES: Fin-Tr 3-2
EFFECTIVE: September 11, 1976.
Proposed Regulations

SECRETARY OF THE CABINET
Teachers' Retirement System
(102 KAR 1:020)

RELEVANT TO: KRS 161.620
PRESUMED TO: KRS 161.620

NECESSITY AND FUNCTION: KRS 161.620(5) provides that the trustees of the Teachers' Retirement System shall provide by regulation for the distribution of funds appropriated by the General Assembly for the purpose of supplementing annuity payments, or of making a payment or a payment from the trust fund. This proposed regulation sets up the methods of determining allocation of such funds and the procedures to be followed in distributing such supplemental payments.

Section 1. Funds provided for cost-of-living bonus payments in the Executive Budget for 1974–75 as approved by the General Assembly shall be distributed in the following amounts to persons found eligible for such payments under KRS 161.620(5) and these regulations:

(1) For the payments to be made in 1974, the following schedule will be followed:

<table>
<thead>
<tr>
<th>Retirement Date</th>
<th>Base %</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/1/73 to 7/1/73</td>
<td>55</td>
<td>$150</td>
<td>$300</td>
</tr>
<tr>
<td>7/1/73 to 7/1/73</td>
<td>75</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>7/1/73 to 7/1/75</td>
<td>95</td>
<td>$250</td>
<td>$500</td>
</tr>
<tr>
<td>7/1/70 to 7/1/71</td>
<td>115</td>
<td>$300</td>
<td>$600</td>
</tr>
</tbody>
</table>

(2) For the payments to be made in 1975, the following schedule will be followed:

<table>
<thead>
<tr>
<th>Retirement Date</th>
<th>Base %</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>7/1/70 to 7/1/71</td>
<td>115</td>
<td>$300</td>
<td>$600</td>
</tr>
</tbody>
</table>

Section 2. In order to be eligible for the above payments individuals must: (1) be a member of the Teachers' Retirement System; (2) be a regular employee in the state; (3) have completed thirty years of creditable service, or thirty years of actual service; (4) be at least sixty years of age; and (5) have at least one year of service in the state.

Section 3. For purposes of this regulation persons who qualify for eligibility payments in July and August, and who have rendered no services in a position covered by the Teachers' Retirement System subsequent to June 30 of that calendar year, shall be considered as having retired at the beginning of the fiscal year in which they are so qualified for such annuity payments.

TEED L. CROSBY, Executive Secretary
ADMITTED: September 16, 1974
RECEIVED BY LEC: September 19, 1974 at 9:25 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Ted L. Crosby, Commissioner, Teachers' Retirement System, 216 West Main Street, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION
(200 KAR 1:010)

RELATES TO: KRS 171.650 and 12.080
PURSUANT TO: KRS Chapters 12, 33, 42, 45, 56 and 171
SUBMITTED: Finance —

NECESSITY AND FUNCTION: State agencies having custody of public records are authorized by KRS 171.650 and KRS 12.080 to prescribe reasonable rules as to the time and place of inspection by interested persons of the public records in their custody. This regulation is to carry out such inspection of all public records in the custody of the Executive Department for Finance and Administration.

Section 1. All records of any matter required by law or administrative rule to be maintained by the Executive Department for Finance and Administration and all records arising from the exercise by the Executive Department for Finance and Administration of any administrative rule shall be made available to any person desiring to inspect such records at any reasonable time during normal working hours.

Section 2. Any person desiring access for purposes of inspecting any records of the Executive Department for Finance and Administration shall present to the Commissioner, Executive Department for Finance and Administration, or his designate, a written request to inspect said records. The request shall include the name of the person desiring to inspect the records, the nature of the records, the office, bureau or division having
physical custody of the records if known and the date and time proposed for the inspection of the records.

Section 3. The inspection of all records of the Executive Department for Finance and Administration shall be made in the presence of the record custodian or an employee designated by the custodian at any reasonable time during normal working hours. No document in any official file shall be removed from the file or removed from the possession of the Commissioner or Deputy Commissioner of the Executive Department for Finance and Administration. Any question or dispute between the custodians of the records and the persons desiring to inspect such records as to the reasonableness of the time of inspections shall be submitted to the Commissioner or Deputy Commissioner, Executive Department for Finance and Administration, for determination.

Section 4. Copies of any public record maintained by the Executive Department for Finance and Administration may be made by the person seeking access for purposes of inspection at a fee of 10 cents a page subject to the condition that the copy must be made in the presence of the custodian of the record or an employee designated by the custodian to assure the safe return of the record to the file.

Section 5. Subject to the approval by the Commissioner or Deputy Commissioner, Executive Department for Finance and Administration, of such requirement, and to avoid the unnecessary disruption of the regular activities of any office, the director or manager of any office, bureau or division in the Executive Department for Finance and Administration, as custodian of the records of that office, bureau or division, may require persons seeking access for purposes of inspection to file their requests for copies of the records sought to be obtained. The process of copying records made under this section may be limited to specific times during the working day to assure that there is no undue disruption of the regular and proper conduct of the office’s, bureau’s or division’s work, provided however there shall be a recorded maximum of five (5) requests per day per person, each request limited to one hour, during each working day for processing copies of records requested by interested persons under this section.

JAMES O. KING, Acting Commissioner
ADOPTED: August 23, 1974
RECEIVED BY: August 24, 1974 at 8:21 a.m.

SUMMARY OR REQUEST FOR READING TO: The Commissioner, Executive Department for Finance and Administration, 301 Capitol Annex Building, Frankfort, Kentucky 40601

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

RELATES TO: KRS Chapters 42, 44 and 45.

RELATIVES TO: KRS 45.190 and 13.082

SUPERSEDES: Fla-Tr 2-2

REQUISITE AND FUNCTION: The Executive Department for Finance and Administration is authorized to issue rules and regulations governing the reimbursement of state officers and employees for travel and related expenses in the discharge of their official duties. Except as may otherwise be provided by law with respect to the reimbursement of travel expenses under federal law, this regulation defines and establishes for purposes of reimbursing state employees for travel related expenses the official work stations of state employees.

Section 1. The official station of employees assigned to an office is the city or town within which such office is located. The official station of field employees shall be established by the heads of their respective employing agencies. The designation by agency heads of the official stations of field employees shall be based solely on the best interest of the Commonwealth and not for the convenience of the employees. No allowance or expense or transportation costs reimbursement is permitted between an employee's domicile and his official station. Reimbursement for necessary and authorized travel within the geographic limits of the official stations of all employees may be permitted pursuant to the provisions of Fla-Tr 5-2.

Section 2. If an employee is permanently reassigned, or if he is stationed at a place for three months or longer, such location shall immediately become his official work station.

JAMES O. KING, Acting Commissioner
ADOPTED: September 9, 1974
RECEIVED BY: September 12, 1974 at 4:12 p.m.

SUMMARY OR REQUEST FOR READING TO: The Commissioner, Executive Department for Finance and Administration, 301 Capitol Annex Building, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

RELATES TO: KRS Chapters 42, 44 and 45.

FIELD GUIDE TO: KRS 45.190 and 13.082

SUPERSEDES: Fla-Tr 2-2

REQUISITE AND FUNCTION: The Executive Department for Finance and Administration is authorized to issue rules and regulations governing the reimbursement of state officers and employees for travel or other expenses incident to the discharge of their official duties. Except as may otherwise be provided by law with respect to expense reimbursement for any state officer, this regulation establishes the rates of reimbursement generally applicable to state officials and employees for subsistence expenses (meals and lodging).

Section 1. Actual and necessary subsistence expenses for official travel outside an employee’s official work station shall be reimbursed on a pro rata basis unless total travel time outside the employee’s official work station as defined in Section 1, 200 KAS 2:0308, is in excess of (2) hours or more.

Section 2. Meals. (1) The cost of meals consumed during in-state travel shall be reimbursed at a rate not to exceed $1.50 per twenty-four (24) hour day, exclusive of sales and or excise taxes. Where travel involves a portion of a day, meals will be reimbursed as follows:

(a) Breakfast: Departure from work station or domicile prior to 6:30 a.m. or return thereto after 3:00 a.m., reimbursement shall not exceed $1.50.

(b) Lunch: Departure from work station or domicile prior to 12:00 noon and return thereto after 12:00 noon, reimbursement shall not exceed $3.

(c) Dinner: Departure from work station or domicile prior to 4:00 p.m. and return thereto after 7:00 p.m., reimbursement shall not exceed $6.

(2) Meals consumed during out-of-state travel shall be reimbursed at a rate not to exceed $18 per twenty-four (24) hour day, exclusive of sales and or excise taxes. Where travel involves a portion of a day, meals will be reimbursed as follows:

(a) Breakfast, $3.

(b) Lunch, $5.

(c) Dinner, $10.

(3) Service gratuities for meals may be reimbursed up to an amount equal to fifteen percent (15%) of the amount claimed for each meal.

(4) Subject to the provisions of Paragraph B, Fla-Tr 2-2, the amounts allowed per diem for travel expenses of business guests of agency heads, members of the Governor’s and Lieutenant Governor’s staffs, and employees of the Department of Commerce and Public Information in connection with the economic, industrial development and tourism promotional activities of those departments, may be reimbursed. Such expenses shall be shown as “other expenses” on Form Ap-6.

Section 3. Lodging. (1) Reimbursement for the cost of lodging will be made for overnight accommodations only. Lodging should be at the most economical rate available, consistent with the best interests of the Commonwealth. Facilities should be located in a city, town or place of business within the Commonwealth. Reimbursement is allowed at the cost of the normal rate of rooms for business conducted in the Commonwealth.

(2) Lodging accommodations shared by other persons, state employees, will be reimbursed at the rate for a single room.

(3) Lodging accommodations shared with other state employees will be reimbursed at the rate for a single room.

(4) Actual lodging expense will be reimbursed, but any claims exceeding $20 per day, excluding taxes, must be approved in writing by the agency head.

(5) Employees using camping trailers or truck campers, shall be reimbursed for lodging at the rate of $3 per night plus parking or camping charges. A receipt for parking or camping charges claimed must be submitted with the travel voucher.

Section 4. Lodging for Employee Groups. (1) State agencies and institutions may independently contract with hotels, motels and inns, and shall not be responsible for the occupancy and use of one or more rooms in such establishments by a group of state employees per diem. The rate charged is official work station. Such contract shall cover only group employee lodging, and shall not apply to meals or other reimbursement incurred by employees on their official work station. Each employee must have his own room. Reimbursement is allowed at the cost of the normal rate of rooms.

(2) A written request to the Commissioner of the Executive Department for Finance and Administration to establish a per diem for state employees and state institutions shall be entered into by the agency or institution. The written request shall specifically indicate:

(a) The reason for the request;

(b) The length of the anticipated occupancy;

(c) The number of employees and employees per room;

(d) The expected amount of charges to be incurred;

(e) Any indication of the official business necessitating the travel;

(f) Name and location of the hotel, motel or other establishment proposed as vendor;

With the approval of the Commissioner of the Executive Depart-
Administrative Register

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Section 7. In the event the any licensee shall fail to attend the required educational programs, the secretary of the Board shall notify such licensee at his or her last known address that his or her license may be revoked. A licensee claiming exemption from attendance at educational programs shall file a sworn statement of reasons with the Secretary of the Board when he applies for renewal of his license. The Board shall upon receipt of such a statement within twelve (12) months immediately preceding the annual license renewal date.

Section 9. All registered optometrists shall keep at all times the complete index of the Board filed in their correct addresses.

PAT WARES, O. D., President
ADOPTED: September 13, 1974
RECEIVED BY LEC: September 16, 1974 at 1:34 p.m.

SUMMARY OF REQUEST FOR HEARING TO: Harding B. Johnson, Attorney, Kentucky Board of Optometric Examiners, 535 West Main Street, Frankfort, Kentucky 40601.

Executive Department for Finance and Administration
Kentucky Board of Licensing Nurse Home Administrators (201 KAS 510A)

RELATES TO: KRS 320.280
PENDING TO: KRS 320.240 and 33.062
NECESSITY AND FUNCTION: KRS 320.280 requires all licenses to be renewed annually.

Section 1. The annual course of study year shall be from January 1st of the previous year to December 31st of the current year. Each licensee shall be required to attend a minimum of six (6) credit hours in order to renew his license for the year 1975. For subsequent years, each licensee must receive eight (8) credit hours. The license shall be entitled to credit for those years in which he was not required to attend the approved program. As an example, a licensee who attends educational courses in the year 1975 shall furnish proof of those courses attended at the time that he seeks renewal of his license in 1976. Courses he attended in 1974 will not be considered for the year 1975.

Section 2. Educational programs which will be approved as meeting the minimum standards shall be listed in the Kentucky Board of Optometric Registrations. This approval is based on past performances and continuing education and modified accordingly.

2. Educational meetings of the Southern Council of Optometrists.
3. Educational meetings of the Academy of Optometry.
4. Postgraduate courses offered at any approved college of optometry.
5. Other educational programs approved by the Board as meeting the minimum standards as outlined in this regulation. This shall include any organization meeting the same criteria, or any other regularly organized group of Kentucky Optometrists which wishes to offer its own educational program to meet the standards for annual license renewal. Any such organization or group shall submit five (5) copies of a program schedule and outline to the Board not less than sixty (60) days prior to the date of the program. The Board will review the schedule and outline and, if the program meets the minimum standards, will grant prior approval.

Section 3. Board approval of continuing education programs will be determined on the following basis:

1. Whether the program is likely to contribute to the advancement and extension of professional skill and knowledge in the practice of optometry.
2. Whether the speakers, lecturers and others participating in the presentation are recognized by the Board as being qualified in their field.
3. Whether the proposed course, if it is to be conducted within the Commonwealth of Kentucky, is open to all licensed optometrists licensed in this state.

Section 4. Evidence of attendance at an educational program shall be submitted by the sponsoring organization to each registrant at the time of the program. This evidence shall consist of a certificate of attendance, which shall be signed by the secretary or president of the sponsoring organization and shall contain the following information:

1. The name of the sponsoring organization.
2. The name and address of the licensee.
3. The educational topics.
4. Number of hours attended.

Section 5. Credit shall not be given for more than two (2) hours attendance in courses of office management and administration which are directly related to the clinical practice of optometry.

Section 6. The Board shall, on or before February 15 of each year, mail written notices to all licensed optometrists for the ensuing year.

Section 8. In the event an optometrist becomes ineligible for license renewal for failure to comply with the provisions of the education requirements, he shall be suspended from further practice. The Board may then, upon receipt of satisfactory proof that the license has complied with the deficiency of hours of education within twelve (12) months immediately preceding the annual license renewal date.

Section 9. All registered optometrists shall keep at all times the complete index of the Board filed in their correct addresses.

Executive Department for Finance and Administration
Kentucky Board of Licensing Nurse Home Administrators (201 KAS 510A)

RELATES TO: KRS Chapter 216A
PENDING TO: KRS 13.082
SUZERBANKS: HBA-1 and HBA-1
NECESSITY AND FUNCTION: KRS Chapter 216A authorizes the Kentucky Board of Licensees for Nursing Home Administrators to regulate the practice of nursing home administration in Kentucky, including the adoption of standards for licensees.

The purpose of this regulation is to establish uniform requirements for the licensing of nursing home administrators.

Section 1. Requirements for issuance of License. An applicant for a license as a nursing home administrator shall:

1. Meet all educational requirements as outlined in the regulations and guidelines.
2. Have satisfactorily completed sixty-four (64) college credit hours (or its equivalent) in courses deemed suitable for preparation for examination for nursing home administration.
3. Be employed as an administrator of a health facility or service which may be utilized by a patient with a disability, or in lieu of such education requirement, provide some experience in the health care field within the three years prior to the effective date of this regulation.
4. Have at least one (1) year of administrative experience in a health related field. In the case of applicants with less administrative experience, the one (1) year experience requirement may be reduced by one (1) year for each (5) years of experience in a health care field.
5. Pay a nonrefundable fee of $100 at the time of application.
6. Have completed the requirements for the Kentucky Board of Optometric Examiners.
paration for nursing home administration, the applicant shall submit evidence satisfactory to the Board that he had attended a specialized approved course of study in the area of health care administration.

Section 3. Examination Subjects. Every applicant for a license as a nursing home administrator shall successfully pass a written examination which shall include, but need not be limited to the following subjects:

(1) Applicable standards of environmental health and safety;
(2) Local health and safety regulations;
(3) General administration;
(4) Law and legal aspects of nursing home care;
(5) Principles of patient care;
(6) Financial management;
(7) Therapeutic and supportive care and services in long-term care;
(8) Basic departmental organization and management; and
(9) Community interrelationships.

Section 4. Temporary Permits. The fee for a temporary permit shall be $50. The temporary permit shall not be transferable to any other facility.

Section 5. Renewal of Licenses. Upon making an application for biennial renewal of a license, such licensee shall pay a biennial renewal fee of $100 and at the same time, submit evidence satisfactory to the Board that during the biennial period immediately preceding such application that he has attended a validly approved course of at least 40 hours, of which a minimum of 6 (six) college semester hours or eight (8) college quarter hours, provided, however, if the clock hour course shall be acceptable if the licensee has had a baccalaureate or higher degree, or made an examination score of 120 or above, and at least 12 hours of administrative duties in a health care facility. Upon receipt of such application, the Board shall issue a renewal of the license. Evidence required with respect to continuing education, the Board shall issue a renewed license subject to such nursing home administration. Failure to pay the license renewal fee sixty (60) days from the date on which it is due shall cause the license to be suspended pending satisfactory evidence.

Section 6. Enforcement. The Board may license by endorsement, without examination, a nursing home administrator currently licensed by the proper authorities of any other State upon payment of fees as specified in KRS 214.130. The Board may suspend or revoke a license in any case where the license holder is found to be in violation of any provision of the law pertaining to the licensing of nursing home administrators or the rules of the Board, or any provisions of the law, code, rules, or regulations, or any provision of the standards of practice, supervision, or standards of quality established by the Board, or any provision of any law, rule, or regulation of the State or political subdivision thereof having jurisdiction of the operation and licensing of nursing home administrators.

Section 7. Refusal, Suspension, and Revocation of Licenses. The Board may refuse, revoke, or suspend a license to issue or renew a license to a nursing home administrator, or any reapplicant or continuing license holder for due notice and an opportunity to be heard at a formal hearing, upon substantial evidence that such applicant or licensee:

(1) Has violated any of the provisions of the law pertaining to the licensing of nursing home administrators or the rules of the Board, or any provisions of the law, code, rules, or regulations, or any provisions of the standards of practice, supervision, or standards of quality established by the Board, or any provision of any law, rule, or regulation of the State or political subdivision thereof having jurisdiction of the operation and licensing of nursing home administrators.
(2) Has willfully or repeatedly violated any of the provisions of the law, code, rules, or regulations, or any provision of the standards of practice, supervision, or standards of quality established by the Board, or any provision of any law, rule, or regulation of the State or political subdivision thereof having jurisdiction of the operation and licensing of nursing home administrators.
(3) Has been convicted of a felony involving moral turpitude.
(4) Has permitted the practice of nursing home administration to or as a nursing home administrator; or
(5) Has permitted any test or examination to be administered to such a person.
(6) Has practiced fraud, deceit, or misrepresentation in securing or procuring a nursing home administrator license.
(7) Has been convicted of any crime involving the securities laws.
(8) Has been convicted of any crime involving the securities laws.
(9) Has been convicted of any crime involving the securities laws.

Section 8. Complaints and Hearing Procedures. Any person, public officer, or association, or the Board may prefer charges against any licensee or applicant for a license:

(1) Such charges shall be in writing and shall be submitted to the Board within 30 days of the act.
(2) The Board, or any person or persons appointed by it for the said purpose, may hold a preliminary hearing to determine whether there is good cause for issuance of a complaint for hearing.
(3) The Board may dismiss the charges and take no action thereon if it determines that the evidence is insufficient to justify a hearing. If the charges are not dismissed, the order dismissing the charges shall be filed with the Board.
(4) If the Board decides that the charges shall be heard orally, the Board shall notify the respondent in writing at least thirty (30) days before the date fixed for the hearing.

(5) A copy of the charges, together with notice of the time and place of the hearing, shall be served on the accused at least thirty (30) days before the date fixed for the hearing.

(6) Upon the conclusion of the hearing, the Board may dismiss the charges, or suspend such license for a fixed period, or reprimand, or take other disciplinary action with respect to the charges.

(7) An order of suspension made by the Board may contain such provisions as to reinstatement of the license as the Board shall determine.

Section 9. Conduct of Hearing. At any hearing conducted pursuant to these regulations, any party to the proceedings may appear personally and with counsel and shall be given the opportunity to introduce evidence and objections and to cross-examine witnesses.

(1) At any formal hearing conducted pursuant to these regulations, a party shall appear without counsel, if the person designated as a hearing officer shall advise such party of his right to be represented by counsel; and if the party desires to proceed without counsel that he may call witnesses, cross-examine witnesses, and introduce evidence in his behalf.

(2) Appearances shall be noted on the official record of hearing.

(3) The Board or designated hearing officer may grant adjournments upon request of any party to the proceedings, provided that an adjournment shall not be for an indefinite period of time, but shall be set down for a day certain.

(4) In considering an application for adjournment of a hearing the Board or hearing officer shall consider whether the hearing of the evidence will be affected or defeated by the granting of such adjournment.

(5) The Board or designated hearing officer shall issue subpoenas and subpoenas duces tecum upon request of any party to the proceedings of any hearing set down by the Board.

(6) The Board or hearing officer shall not be bound by the strict rules of evidence in the conduct of a hearing, but the determination and conclusions of the hearing officer shall be founded upon sufficient legal evidence to sustain them.

(7) Upon the conclusion of a hearing the Board shall take such action as it deems proper upon such written findings and determinations as it deems proper.

Section 10. Display of Licenses. Every person licensed as a nursing home administrator shall display such license and certificate of biennial registration in conspicuously plain view in the office or place of business or employment of such licensee.

Section 11. Duplicate Licenses. The Board may issue a duplicate license upon payment of a fee of ten dollars ($10).

WILLIAM T. BURKETT, Secretary

JAMES O. KING, Commissioner

APPROVED:

ADOPTED: August 16, 1976

RECEIVED BY LEG: September 20, 1976 at 3:16 p.m.

PREPARED FOR HEARING TO: Mr. William T. Burkett, Secretary, Kentucky Board of Medicine, 501 East Broadway Building Annex, Floor 4, Frankfort, Kentucky 40601.

DEVELOPMENT CLINIC
Department of Fish and Wildlife Resources
(301) 70-1050

RELATED TO: KRS 150.025, 150.620 and 150.990

SUPERSEDES: KFR 111

NECESSITY AND FUNCTION: The purpose of this regulation is to promote, maintain, preserve and conserve the fish population in state-owned lakes.

Section 1. The Commissioner of the Department of Fish and Wildlife Resources, with the advice and consent of the Fish and Wildlife Resources Commission, shall declare that from time to time, if special circumstances in possession limits and size limits on fishes may be necessary because of unique and/or special needs to protect the fish populations of the smaller state-owned lakes.

Section 2. These special regulations will be conspicuously posted on the premises of these lakes. It is the responsibility of each fisherman fishing these lakes to familiarize himself with these special regulations and to abide by them.

Section 3. Failure of any person to comply with these special regulations will be a violation of this regulation.

ARThUR L. MITCHELL, Commissioner

CHARLES P. WATSON, Secretary

ADOPTED: September 19, 1974

RECEIVED BY LEG: September 20, 1974 at 12:21 p.m.

SUMMIT COUNTY OR REQUEST FOR HEARING TO: The Commissioner of the Department of Fish and Wildlife Resources, 501 East Broadway Building Annex, Floor 4, Frankfort, Kentucky 40601.
ADMINISTRATIVE REGISTER

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
(301 EAB 1:00)

RELATES TO: KRS 150.010
PURSUANT TO: KRS 13.082
SUPERSEDES: EPFR-P-120
NECESSITY AND FUNCTION: The purpose of this regulation is to limit the taking of certain fishes to angling. It is necessary to protect the fish population.

Section 1. The following fishes are hereby designated sport fishes and may be taken only by angling as described in KRS 150.010, subsection 1:
1. Largemouth Bass
2. Smallmouth Bass
3. Kentucky Bass
4. Rock Bass
5. White Crappie
6. Black Crappie
7. Walleye
9. Sucker
10. Rockfish (Striped Bass)
11. White Bass
12. Yellow Bass
13. Musky
14. Northern Pike
15. Chain Pickerel
16. Trout

Section 2. All species of fishes except those listed in Section 1, are hereby designated as rough fish and may be harvested by the methods prescribed by any section of KRS Chapter 150 or by any regulation adopted by the Department, including angling.

ARNE L. MITCHELL, Commissioner
CHARLES F. HAYWOOD, Secretary
ADOPTED: September 19, 1974
RECEIVED BY LRC: September 20, 1974 at 12:22 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, 4th Floor, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
(301 EAB 1:070)

RELATES TO: KRS 150.175 and 150.480
PURSUANT TO: KRS 13.082
SUPERSEDES: EPFR-P-122
NECESSITY AND FUNCTION: The purpose of this regulation is to limit the taking of rough fish in backwater areas. It is necessary to protect the fish population.

Section 1. The Commissioner of the Department of Fish and Wildlife Resources may designate all conservation officers and other employees of the Department of Fish and Wildlife Resources to establish and supervise areas for the taking of all types of rough fish as described in KRS 150.010 or in backwater areas, or overflow areas of streams, rivers and reservoirs as long as the taking of rough fish is in accordance with this regulation. Such conservation officers or other designated officials are authorized to determine the exact dates and time when the taking of these rough fish shall commence and cease.

Section 2. Fish may be taken in the areas described above by any method except by the use of poison, electrical devices or fishtraps. If nets and seines are used, they must be appropriately tagged and the user must have an appropriate commercial fishing license.

Section 3. No conservation officer or designated official shall permit the taking of any fish from any seepage, or backwater, or overflow areas where fish are not taken in the backwater areas, or the taking of rough fish in accordance with this regulation.

Section 4. All persons engaged in this type of fishing must have a fishing license.

ARNE L. MITCHELL, Commissioner
CHARLES F. HAYWOOD, Secretary
ADOPTED: September 19, 1974
RECEIVED BY LRC: September 20, 1974 at 12:22 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, 4th Floor, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
(301 EAB 1:100)

RELATES TO: KRS 150.170, 150.175, 150.650, 150.660 and 150.670
PURSUANT TO: KRS 13.082
SUPERSEDES: EPFR-P-144
NECESSITY AND FUNCTION: The purpose of this regulation is to require a trout stamp. It is necessary to protect the trout population.

Section 1. No person shall take from any Kentucky water and retain in his possession a trout herein defined as any fish of the family Salangidae, unless he has in his possession a valid trout stamp which he has previously signed across the face, in ink, and permanently affixed, using the envelope on the stamp, to the back of an appropriate fishing license.

Section 2. A person will be deemed to have retained a trout if he does not immediately upon lifting the trout from the water, remove the hook and return it to the waters from which it was taken in the best condition possible and in such a place that no obstruction prohibit or interfere with the fishes immediate escape.

Section 3. Those persons excepted in KRS 150.170 from having a trout fishing license are likewise excepted from having to take a trout stamp.

Section 4. Those persons fishing in licensed pay lakes for trout placed in those waters by the pay lake owner are not required to have a trout stamp.

ARNE L. MITCHELL, Commissioner
CHARLES F. HAYWOOD, Secretary
ADOPTED: September 19, 1974
RECEIVED BY LRC: September 20, 1974 at 12:22 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, 4th Floor, Frankfort, Kentucky 40601.
wildlife species and insure some uniformity in upland and big game shooting preserve operating procedures.

Section 1. Hunting Seasons: (7) Pheasants — October 1 through April 15 inclusive.
(8) Waterfowl and other exotic partridges — October 1 through April 15 inclusive.
(9) Ducks — October 1 through April 15 inclusive.
(10) Deer — October through April 15 inclusive.
(11) Ducks — October through April 15 inclusive.
(12) Other game — conform with statewide regulations.

Section 2. Upland Game Birds: (1) Pheasants and Applications. A shooting preserve permit renewable annually on July 1, shall be required for legal possession of any male pheasant partridge or other exotic partridge. Permits shall be issued on special forms supplied by the Department of Fish and Wildlife Resources. All applications for commercial shooting preserve permits shall be accompanied by a certificate of the amount of fees paid for this purpose. No shooting preserve permit shall be issued to any private association which intends to limit shooting preserves to less than 100 members and which has less than one hundred fifty (150) members.
(2) Grounds for Permit Refusal and Suspension. The Department may refuse to issue any shooting preserve permit whenever the Department upon examination of all the evidence submitted, may determine that the establishment of a shooting preserve would be detrimental to the game and experimental programs conducted by the Department. In no event shall a shooting preserve permit be issued for an area which lies within five (5) miles of an established commercial hunting preserve for birds stocked by the Department. The Department shall suspend the permit when it is learned that the permittee has violated any of the provisions of this permit when they have received substantial evidence that the operator of the shooting preserve is not acting in a responsible manner, or any associate of the operator of a shooting preserve, or any agent or employee of the Department has reason to believe that the operator of the shooting preserve is not acting in a responsible manner.

(3) Nonresidence permits shall be issued on forms prescribed by the Department. The applicant for a shooting preserve permit shall provide evidence that he is the owner of a bona fide lease of record of the land where he proposes to establish a shooting preserve. No shooting preserve permit shall be issued to any private association having a membership of less than 100 members.

Section 3. Requirements for a Commercial Guide’s License: (1) Applications for a commercial guide’s license must be made through the local Conservation Officer or Wildlife Management Area Manager who will evaluate the applicant’s fitness and qualifications through personal interview and investigation and certify this in writing to the Department. (2) A commercial guide’s license is valid for one (1) calendar year.

Section 4. Requirements: (1) Applicants must be eighteen (18) years of age or older. (2) Applicants must be of good moral character, sober, and in good physical condition. (3) Applicants must be experienced in the field in which they are guiding.

Section 5. Restrictions and Prohibitions: (1) Persons convicted of any game or fish violation during the past three (3) years are prohibited from obtaining a commercial guide’s license. (2) A holder of such license convicted of any game or fish violation shall have his license revoked and will not be eligible for another commercial guide’s license for a period of three (3) years. (3) No commercial guide shall participate in the taking of game or fish beyond the bag limit or creel limit of the person or persons he is guiding.

Section 6. Operating Rules and Reporting Requirements: (1) No person shall hunt or attempt to hunt, in any manner, or carry a gun or firearm without a shooting preserve without first registering and obtaining a permit from the owner or keeper of the preserve. (2) No resident or nonresident shall hunt on a shooting preserve without a current resident or nonresident hunting license. (3) Shooting preserve operators shall maintain records of all shooting preserves and report the names and addresses of all members attending or participating in field trials, the total number of birds or other game hunted, and the names of any person or persons who have obtained a shooting preserve permit.

Section 7. Enforcement Procedure: (1) All shooting preserves, except Bobwhite quail and/or Coturnix quail killed on the shooting preserves, shall be tagged before leaving the preserve, and the following information shall be recorded on the tags prior to their release. Such tags shall be placed in bags and shall be furnished to the applicant at the time he applies for his permission to conduct hunting.
(2) Each tag shall be prepared for cooking. Tags and bands shall be uniform in size and color and shall be marked to indicate the type of game. Tags and bands shall be uniform in size and color and shall be marked to indicate the type of game.
the operator at cost by the Department of Fish and Wildlife. Properly tagged birds killed on a hunting preserve may be transported throughout the state by the shooter during the open season. Properly tagged birds may be purchased in a frozen food locker.

(e) Mallards and blackbells may be taken on a licensed hunting preserve provided a right kind is used.

(f) At the end of each month from October through April, inclusive, the operator shall submit to the Department records of the names, addresses and hunting license numbers of all hunters.

(g) Preserve operators must obtain and retain for one fiscal year (July 1 – June 30 of the following year) a receipt showing evidence of purchase of upland game birds or eggs. The receipt shall show the number of eggs or birds purchased by species.

Section 3. Upland Animals: (1) Any person holding a commercial shooting preserve permit may release for shooting purposes on his licensed area and under stipulated conditions, upland game birds or ducks. Any releases must be accomplished in the manner required by the Commission.

(2) License and Transportation Requirements. The shooting area for upland game must be a single body of land not less than 300 acres or more than 1,000 acres and shall be so fenced as to enclose and contain all released animals, and exclude all known wildlife of the state from becoming a part of the enterprise.

(3) Record Keeping. The operator shall keep a record of the number of each species released and the number killed. The records shall contain the names, addresses, hunting license numbers and game killed by species by each hunter. At the end of each month from October through April, inclusive, the preserve operator shall submit these records to the Department of Fish and Wildlife Resources.

(4) Commercial hunting preserves may release any upland game birds, nonupland game birds, and nonupland game birds by species. Any person taking game or hunting on such area shall have in his possession a commercial resident or nonresident hunting license, or special license, or a permit to hunt on the premises, and a record of the date and time of all hunting and hunting preserves. Game taken on such areas may be possessed, transported, or sold only when accompanied by a bill of sale showing the date, commercial hunting permit number and name and address of the seller.

Dr. Robert C. Webb, Chairman
Department of Fish and Wildlife Resources

ARLEON L. MITCHELL, Commissioner

CHARLES F. HAYWOOD, Secretary

ADOPTED: September 13, 1974
RECEIVED BY LRC: September 20, 1974 at 12:19 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEVELOPMENT CABINET
Department of Fish and Wildlife Resources
(S10145 21050)

RELATES TO: KRS 150.170, 150.176 and 150.360
PENDING TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation pertains to general rules for hunting on land between the Lakes Wildlife Management Area located in Trigg and Lyon Counties. This regulation is necessary in order for the Department's conservation officers to enforce the hunting regulations in cooperation with Tennessee Valley Authority on land between the Lakes Wildlife Management Area located in Trigg and Lyon Counties. The function of this regulation is to provide law enforcement services which fall within the jurisdiction of the Department.

Section 1. License Requirements. Hunters must have a valid Kentucky hunting license and a Land Between the Lakes hunting permit. Permits are non-transferable and may be cancelled if rules are violated. Persons are entitled to possess if the holder is deemed to be a nonresident with firearms. Permits may be obtained at the Recreation Office, Center Station, Golden Pond, Kentucky 42231.

Section 2. General Rules. (1) Except as noted, state and federal regulations apply.
(2) No person may be solicited or taken except as authorized.
(3) Target practice is prohibited except at designated ranges.
(4) Operation of all motorized vehicles is permitted only on paved streets or roads. Use of a sidecar or crossbow is prohibited.

Section 3. Weapons. (1) Sidearms and crossbows are prohibited.
(2) Firearms and bow and arrows, except target and fishing arrows, are prohibited except during authori-
Service special agents engaged in assigned duties, shall enter upon the premises of the Ballard Refuge and Wildlife Management Area while accompanied by a dog or carrying any type of firearm, bow and arrow or crossbow upon or about his person or in a vehicle, except when permission, during any regular hunting season as authorized by regulation.

Section 3. Trespass by Boat. During periods of high water or flood, no unauthorized person(s) may enter upon the premises of the Ballard Refuge and Wildlife Management Area by boat for any purpose. High water or flood conditions do not affect or change the Refuge or Management Area boundary which is marked by yellow signs.

DR. ROBERT C. WEBB, Chairman
Department of Fish and Wildlife Resources Commission

ARNO L. MITCHELL, Commissioner

CHARLES P. HAYWOOD, Secretary

ADOPTED: September 19, 1974
RECEIVED BY LEGIS: September 20, 1974 at 12:18 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways (603 KAR 5:630)

RELATES TO: KRS 133.882
PURSUANT TO: KRS 133.882

NECESSITY AND FUNCTION: This regulation is considered necessary to prevent accidents and to make a right turn against red signal at any intersection where an official sign erected at the intersection by the Department of Transportation is displayed prohibiting such movement.

BILLY PATON, Secretary
ADOPTED: September 20, 1974
RECEIVED BY LEGIS: September 20, 1974 at 11:18 a.m.

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

DEPARTMENT OF TRANSPORTATION
Bureau of Highways (603 KAR 6:010)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: KRS 222.51

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classifications for KY 15 are as follows:

KY 15 AAA
KY 15 Alt. (Solomon St.)
From: Jct. KY 15 near Post Office via Solomon Street To: Jct. KY 15 near L S N Railroad Overpass
AA
From: Jct. US 60 at Winchester To: Jct. Mt. Parkway at Clay City
ADOPTED: August 12, 1974
BILLY PATON, Secretary
RECEIVED BY LEGIS: August 23, 1974 at 4:00 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Director, Division of Maintenance, Bureau of Highways, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways (603 KAR 6:011)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classifications for KY 36 are as follows:

KY 36 AAA
From: South end of bridge at Milton To: Jct. US 42 at Prestonsville near Carrolton, and
From: Jct. with US 60 in Owingsville To: Jct. with I-44, and
From: Jct. DS 68 approximately 15 miles NE of Paris To: Jct. KY 32 in Carlisle
AA
From: Beclarkridge To: Jct. US 27 in Cynthiana, and
From: Jct. J-64 To: Jct. DS 690 in Frankenburg
A
From: Jct. with 3-75 and old US-25 near Williamsport To: Beclarkridge
Except southern R. B. Overpass near Williamsport (To 70 Cap.)
B All other portions not herein classified.

BILLY PATON, Secretary
ADOPTED: August 12, 1974
RECEIVED BY LEGIS: August 23, 1974 at 4:01 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Director, Division of Maintenance, Bureau of Highways, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways (603 KAR 6:012)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: KRS 189.222

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classification of highways and fix a different maximum for each classification.

Section 1. The classification for US 119 is as follows:

US 119 AAA
From: US 258 in Pinewilla, Via Cumberland, Whiteburg and Jenkins To: West Virginia State Line at Williamsburg

BILLY PATON, Secretary
ADOPTED: August 12, 1974
RECEIVED BY LEGIS: August 23, 1974 at 4:00 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Director, Division of Maintenance, Bureau of Highways, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways (603 KAR 6:013)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082

SUPERSEDES: KRS 189.222

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classification of highways and fix a different maximum for each classification.

Section 1. The classifications for KY 136 are as follows:

KY 136 AAA
From: Jct. US 60 West of Henderson, extend west To: 0.3 mile east of KY 268
A
From: Jct. KY 81 near R.L. of Calhoun To: A point 0.9 mile N.W. of Jct. KY 81
A
From: Jct. KY 797 To: Jct. KY 56 at Beech Grove, and
From: Jct. KY 81 near Calhoun To: Jct. KY 81 near North of Bardstown, and
From: 0.8 mile northwest of Jct. with KY 81 near Calhoun To: Jct. with KY 797
B All other portions not herein classified.

BILLY PATON, Secretary
ADOPTED: August 12, 1974
RECEIVED BY LEGIS: August 23, 1974 at 4:01 p.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Director, Division of Maintenance, Bureau of Highways, Frankfort, Kentucky 40601.
DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:014)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-III-KY 797

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classification of KY 797 is as follows:

KY 797 B From: Jct. KY 136, 2.3 miles East of Beech Grove To: Jct. KY 256, 1.7 miles East of KY 147

BILLY PATTON, Secretary
ADOPTED: August 12, 1974
RECEIVED BY LBC: August 22, 1974 at 3:59 p.m.

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

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:015)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-II-PC-KY 909

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a maximum for each classification.

Section 1. The classifications for KY 909 are as follows:

KY 909 AAA From: Jct. US 25, 0.6 mile S.W. of the Rockcastle County Line To: Jct. I-75

B All other portions not herein classified.

BILLY PATTON, Secretary
ADOPTED: August 14, 1974
RECEIVED BY LBC: August 23, 1974 at 4:02 p.m.

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

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:016)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-II-PC-KY 1232

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classification for KY 1232 is as follows:

KY 1232 AAA From: Jct. KY 312 in Corbin (Old US 250) To: Jct. KY 233 and US 250 at Gray

BILLY PATTON, Secretary
ADOPTED: August 14, 1974
RECEIVED BY LBC: August 23, 1974 at 4:02 p.m.

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

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:017)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-II-PC-US 31-W

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classifications of KY 1526 are as follows:

KY 1526 AAA From: Jct. KY 61 To: 0.25 mile W.P. of beginning at entrance to stone quarry

B All other portions not herein classified

BILLY PATTON, Secretary

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:018)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-II-PC-US 31-W

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classifications for US 31-W are as follows:

US 31-W AAA From: Indiana State Line To: Tennessee State Line except underpasses at 30th and Montgomery in Louisville (KY 12 3rd)

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:019)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.082
SUPERSEDES: HWA-II-PC-US 31-W

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Bureau of Highways to establish reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classifications for US 31-W are as follows:

US 31-W AAA From: Indiana State Line To: Tennessee State Line except underpasses at 30th and Montgomery in Louisville (KY 12 3rd)
ADMINISTRATIVE REGISTER

WASHINGTON "AAA"
(T.R.) Louisville Area
From: Jct. with US 60 (B.R.)
To: Jct. with KY 150
and
From: Jct. with US 60 (B.R.)
To: Jct. with KY 35-W
except
B.R. underpass in Louisville on 22nd Street between Magnolia and Standard Avenue

"AAA"
(Elizabethtown "Yassus"
From: US 31-N north of Elizabethtown
To: Jct. with Western Kentucky Parkway
west of Elizabethtown

BILLIE PAXTON, Secretary
ADOPTED: September 13, 1974
RECEIVED BY LEC: September 20, 1974 at 9:29 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Bureau of Administration and Finance, Bureau of Highways, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways
(603 KAR 6:01)

RELATES TO: KRS 189.222
PURSUANT TO: KRS 13.092
NECESSITY AND FUNCTION: KRS 189.222 authorizes the Department of Highways to establish with reasonable weight classifications of highways and fix a different maximum for each classification.

Section 1. The classification for I-714 as is follows:
AAA: From Jct. US 50 west of Paducah
To: The Illinois State Line

BILLIE PAXTON, Secretary
ADOPTED: September 10, 1974
RECEIVED BY LEC: September 20, 1974 at 9:40 a.m.

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

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 1:020)

RELATES TO: KRS 157.390(2)(a)
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPERSEDES: 586.086
NECESSITY AND FUNCTION: To provide approved employment under the minimum foundation program beyond the regular school term for vocational units, supervisory units and units for administrators, directors of pupil personnel, and special instructional services.

Section 1. School districts shall be allotted teachers' salaries for more than 9.25 months by the minimum foundation program for class sizes units listed below. Allotments shall be limited to the lesser of: (1) the number of months employed in the position; (2) maximums under this regulation; or (3) the months approved under a program for lengthened employment.

Section 2. The following positions shall be allotted a maximum of 2.75 months extended employment:
(1) Superintendent
(2) Assistant superintendent
(3) Finance officer and school business administrator
(4) Principal who administers a school with a school business administrator (5) or more full-time equivalent teachers under his supervision
(5) Supervisor of instruction
(6) Director of pupil personnel in districts with fifty (50) or more basic classroom units allotted
(7) Local director of instructional education
(8) Teachers of vocational education:
(a) Agriculture
(b) Business and office
(c) Marketing and distributive education
(d) Health occupations
(e) Home economics
(f) Family life education
(g) Special vocational programs
(h) Trade and industrial

Section 3. The following position shall be allotted a maximum of two (2) months extended employment:
(1) Principal who administers a school with from 12.0 to 19.9 full-time equivalent teachers under his supervision.

Section 4. The following positions shall be allotted a maximum of one (1) month extended employment:
(1) Full-time librarians
(2) Principal who administers a school with from 8.0 to 11.9 full-time equivalent teachers under his supervision

(3) Assistant principal assigned to a school with 25.0 or more full-time equivalent teachers
(4) Full-time guidance counselors
(5) 100 percent of pupil personnel in districts with fewer than fifty (50) basic classroom units allotted.

Section 5. A program plan for lengthened employment for all positions regulated in this regulation in the exception of superintendent, assistant superintendent, finance officer, school business administrator, and director of pupil personnel shall be submitted annually to the superintendent of public instruction for approval.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LEC: September 16, 1974 at 9:27 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Director, Bureau of Administration and Finance, Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 1:030)

RELATES TO: KRS 161.150
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
NECESSITY AND FUNCTION: To provide the basis for Department of Education administration and the Kentucky Insurance Program for certificated and non-certificated employee's of local public school boards of education authorized by the 1974 session of the General Assembly.

Section 1. Group life insurance with accident provisions will be provided at state expense for regular, full-time certificated and non-certificated employees of local public school boards of education.

Section 2. Coverage shall consist of $3,000 life insurance for each certificated and non-certificated employee of each board of education as follows: (a) $500 for each employee aged sixty (60) and over.

Section 3. For the purposes of administration of the above referenced statutes:
(1) A regular, full time non-certificated employee is one who is employed with the expectation that they are to be employed for the full school term (or the remainder of a school term), as defined in KRS 156.070, and whose employment requires a minimum of eighty (80) hours per school month as defined in KRS 156.060.

(2) A regular, full time certificated employee is one who is employed with the expectation that they are to perform their duties for the full school term (or the remainder of the school term) as defined in KRS 156.070, and in no instance will such employment require less than seventy percent (70%) of the school day and/or school month as defined in KRS 156.060.

Section 4. All employees not covered but eligible for coverage shall be covered as of that date; and individuals employed after July 1, 1976 shall become covered from the first of the month after the commencement of their assignments.

Section 5. Each local school board of education shall provide accurate employment data on covered employees on a month to month basis on such forms and such detail as may be specified by the Superintendent of Public Instruction.

Section 6. It shall be the responsibility of each local school district superintendent to certify individually and collectively on a monthly basis those eligible employees who are covered under the terms of the above referenced statutes and these regulations.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LEC: September 16, 1974 at 9:27 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 3:100)

RELATES TO: KRS 157.420(3)(e)
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
NECESSITY AND FUNCTION: To provide guidelines for the use of foundation program capital outlay funds in districts which have a special levy for capital outlay or debt service.
Section 1. A district levying a special voted tax under the provisions of KRS 150.477 or a sinking fund tax under the provisions of KRS 152.080 may pay the appro, riate, oration of the Superintendent of Public Instruction a proportionate for the programs capital outlay fund in the general fund for current expenses.

Section 2. In considering the approval of application to use foundation programs capital outlay funds in the general fund, the Superintendent of Public Instruction shall ascertain that the local school district is making satisfactory progress toward meeting its capital outlay needs as reflected by the latest school facility survey acceptable to the State Department of Education.

Section 3. The amount of foundation program capital outlay funds retained as general fund shall not exceed the amount of revenues produced by KRS 150.477 or KRS 152.080.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LEC: September 18, 1974 at 9:19 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAS 3:020)
RELATES TO: KRS 156.060, 156.130, 156.160 and 13.082
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPPRESSED: SHE 21.020
NECESSITY AND FUNCTION: To provide a method for the approval of bond issues.

Section 1. The Superintendent of Public Instruction shall determine the approval of the application for the proposed bond issues. He shall supervise all phases of school revenue and approved bond issues. Subject to subsequent review by the State Board of Education.

Section 2. The Superintendent of Public Instruction shall approve all school revenue and school voted bond issues, subject to subsequent review by the State Board of Education.

Section 3. The maximum interest rate for the sale of school revenue bonds established by the State Board of Education shall be seven and three-fourths per cent (7 3/4 %). In the event a bid on an issue of bonds exceeds the maximum interest rate the Superintendent of Public Instruction may declare an emergency to exist and request the Chairman to convene the Superintendent of Education for the purpose of approving or disapproving his recommendation that the bonds be sold.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LEC: September 18, 1974 at 9:19 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAS 3:020)
RELATES TO: KRS 156.060, 156.130, 156.160 and 13.082
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPPRESSED: SHE 21.020
NECESSITY AND FUNCTION: To provide a method for the approval of bond issues.

Section 1. The Superintendent of Public Instruction shall approve all school revenue and school voted bond issues. Subject to subsequent review by the State Board of Education.

Section 2. The Superintendent of Public Instruction shall approve all school revenue and school voted bond issues, subject to subsequent review by the State Board of Education.

Section 3. The maximum interest rate for the sale of school revenue bonds established by the State Board of Education shall be seven and three-fourths per cent (7 3/4 %).

In the event a bid on an issue of bonds exceeds the maximum interest rate the Superintendent of Public Instruction may declare an emergency to exist and request the Chairman to convene the Superintendent of Education for the purpose of approving or disapproving his recommendation that the bonds be sold.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LEC: September 18, 1974 at 9:19 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAS 3:020)
RELATES TO: KRS 156.060, 156.130, 156.160 and 13.082
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPPRESSED: SHE 21.020
NECESSITY AND FUNCTION: To provide a method for the approval of bond issues.

Section 1. The Superintendent of Public Instruction shall approve all school revenue and school voted bond issues. Subject to subsequent review by the State Board of Education.

Section 2. The Superintendent of Public Instruction shall approve all school revenue and school voted bond issues, subject to subsequent review by the State Board of Education.

Section 3. The maximum interest rate for the sale of school revenue bonds established by the State Board of Education shall be seven and three-fourths per cent (7 3/4 %). In the event a bid on an issue of bonds exceeds the maximum interest rate the Superintendent of Public Instruction may declare an emergency to exist and request the Chairman to convene the Superintendent of Education for the purpose of approving or disapproving his recommendation that the bonds be sold.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LEC: September 18, 1974 at 9:19 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.
ELECTED AND APPOINTED

Section 1. Teachers' salaries shall be payable at the close of each school year, as defined in KRS 158.065. Boards of education may pay salaries for partial school months through established board policies. In no case shall salaries be paid until after services have been rendered. A board of education may require a teacher to present reports of attendance and other professional services. The board may also determine if a board of education may adopt a policy whereby salaries may be made payable for a period in excess of the number of months for which the school is operated, not exceeding twelve (12) months. If this plan is adopted, the first salary payment for the current year shall be made on or before the close of the first school month following the opening of the school unless the board has a policy for making payment for a partial school month.

Section 2. A board of education shall adopt one of the following plans if a policy is approved for payment of teachers' salaries other than on the basis of months of service:

(1) The board has the option to pay the salary as determined by the board in July and August of the following fiscal year.

(2) The board of education shall set up a payroll account into which shall be credited the salary determined by the board for the teacher at the close of the school year or on or before June 30, the gross amount for services earned by teachers but not paid. The amount transferred into this payroll account shall be held for the payment of deferred teachers' salaries and shall not be used for any other purpose. Payment of salaries from this fund are to be at the regular pay periods in July and August of the following fiscal year.


division of Finance on or before February 15.

LYNN Y. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:21 a.m.
SUBMIT CORRIG or REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Franklin, Kentucky 40001.

(3) School psychologist, school social worker, school business administrator and other professional personnel shall have full-time employment and in the employment of a federal, state or local agency. Professional personnel shall have been employed by these agencies for a complete school year or a minimum of 190 days during a calendar year. In no case shall more than one (1) year of experience credited for professional experience during a calendar year.

(4) It will be the responsibility of the local board of education to validate the employment of professional personnel employed in the school district.

(5) Such validation of employment shall be on file in the office of the superintendent.

(6) Units granted to a public school district by the Board of Vocational Education for contract services in an area vocational school or an area vocational school extension center will be calculated on the basis of KAS III with four (4) to nine (9) years of experience.

(7) Professional personnel leaving employment of a local board of education after June 19, 1956, shall be granted experience credit when calculating the Foundation Program salary allotment when the employee's career was interrupted to perform military duty, voluntarily or involuntarily, and who has been relieved from such duty under conditions other than dishonorably.

Section 3. Each local board of education may allow increments in pay to members of its professional staff who render services beyond those normally expected of other professional members of the staff when these duties rendered extend beyond the regular school day.

Section 4. Expenditures for increments for extra duties shall be classified as extra-duty and shall be paid from local revenue or funds other than the allotment for instructional salaries. The Board of Education of the local school district shall not be coerced toward meeting the requirements of KRS 157.420.

LYNN Y. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:21 a.m.
SUBMIT CORRIG or REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Franklin, Kentucky 40001.

ELECTED AND APPOINTED

Section 1. Local boards of education shall submit annually to the Board of Education for the State of Kentucky the program schedule for substitute teaching. Such pay schedule shall take into consideration the following:

(1) Substitute teachers shall be paid on a single salary schedule based on training and experience.

(2) The salary schedule shall be paid to teachers in accordance with Foundation Program requirements as outlined in KRS 157.390.

(3) The Board of Education shall have the authority to authorize such substitute teaching which may exceed the regular full-time teacher.

LYNN Y. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:21 a.m.
SUBMIT CORRIG or REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Franklin, Kentucky 40001.

Section 2. For the purpose of calculating the salary allotment of each school district, experience for all professional personnel shall be defined as follows:

(1) Professional personnel shall have taught or acquired professional service under contract for a complete school year or a minimum of 190 days during a school year in a public school system in a school district, non-public elementary or secondary school or college or university. Those personnel shall have acquired professional service in accordance with the public school system or non-public elementary or secondary school in which the professional personnel rendered professional service in the state in which the professional personnel rendered professional service. In no case shall more than one (1) year of experience be credited for professional experience during a school year.

(2) Experience credit shall not be taken into consideration in calculating the salary allotment for a Foundation Program level the following circumstances:

(a) Substitute teaching
(b) Teaching for less than a half day
(c) Married schools.


division of Finance on or before February 15.

LYNN Y. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:21 a.m.
SUBMIT CORRIG or REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Franklin, Kentucky 40001.

ELECTED AND APPOINTED

Section 1. It shall be the duty of the local board of education, on the advice of the superintendent, to determine the amount of professional service of the teachers and that of other school employees who are responsible for the operation of the schools.
ADMINISTRATIVE REGISTER

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Administration and Finance

(702 EAB 3:110)

RELATES TO: KRS 156.470
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPERSEDES: SBE 21.125, 21.175

NECESSITY AND FUNCTION: To establish uniform procedures for the accounting of school activity funds.

Section 1. Internal accounts shall be defined as all funds derived from fund raisings under the auspices of the school except that funds raised by organizations and other entities not under the auspices of the school shall not be considered internal accounts.

Section 2. The responsibility for administration and control of internal accounts shall rest with the district board of education.
Section 3. The district board of education in delegating the
responsibility of accounting for school activity funds shall
direct the superintendent to develop accounting proce-
dures consistent with those set out in the Kentucky Department
of Education’s Program for General School Activity Funds in
Kentucky Schools, *Bureau of Adminis-
tration and Finance, May 1, 1972*, a copy of which is made a
part of this section for reference and may be obtained from
the Superintendent of Public Instruction.

Section 4. Internal accounts shall be audited annually;
(1) High School Activity Fund accounts shall be audited by a
Certified Public Accountant;
(2) The High School Activity Fund account for the purpose
of making the audit shall be defined as follows:
(a) Schools with grade ranges of 10 through 12
(b) Schools with grade ranges of 9 through 12
(c) Schools with grade ranges of 7 through 12
(d) Schools with grade ranges of 1 through 12
(3) Activity Fund accounts other than High School accounts
shall be audited either by a Certified Public Accountant or a
Select Committee approved by the board of education. The
committee shall be composed of central office staff, prin-
cipals, teachers or citizens who are not employees of the
board.
(4) If an audit committee is selected by the board of edu-
cation, the names and titles of the committee members shall
be submitted to the Superintendent of Public Instruction for
approval in writing to the date of the audit.
(5) Two (2) copies of the audit reports of all internal
accounts shall be made. A copy shall be on file in both the
office of the principal and the office of the Superintendent
of the local school district where they shall be open for
public inspection.

LYNN V. GINZER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:25 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel
Alexander, Secretary, Kentucky State Board of Education,
17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 3:140)
RELATES TO: KRS 424.260
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPERSEDES: KRS 21.310
NECESSITY AND FUNCTION: To provide guidelines in the
accounting for the expenditure of funds for buildings, supplies,
equipment or contractual services other than professional,
including an expenditure in excess of $2500 without first
asking newspaper advertisement.

Section 1. Notice for bidding shall state time and place
for receiving and opening of bids.

Section 2. All bids shall be submitted in writing, type-
written or in ink, sealed, opened and read publicly at a legal
meeting of the board of education or its authorized agent.

Section 3. No bids shall be changed after they are once
submitted. This in no way prevents the acceptance or rejec-
tion of alternates which are specified as a part of the
regular bid form and specifications. However, the full
intent of this section is to prohibit negotiation of contracts
subsequent to time bids are submitted.

Section 4. In the event the lowest bid is not accepted,
the board shall record in the minutes the reason for the rejec-
tion.

Section 5. All bids submitted shall be recorded in the
official minutes.

Section 6. Notification of the awarding of the contract
shall be given immediately to all bidders. This notice shall
include a list of all bidders together with their bids.

Section 7. Any bid which is accepted in non-compliance with
any of the above items shall be considered null and void.

LYNN V. GINZER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:26 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel
Alexander, Secretary, Kentucky State Board of Education,
17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 3:150)
RELATES TO: KRS 156.070
PURSUANT TO: KRS 156.250, 156.265 and 13.082
SUPERSEDES: KRS 21.340
NECESSITY AND FUNCTION: To provide a procedure for cor-
correcting exceptions identified in the independent audit
authorized by the State Committee for School District
Audits.

Section 1. All local boards of education shall be required
to report to the Superintendent of Public Instruction, in
writing, programs to be implemented in school audits authorized by the State Committee for School District
Audits or, in writing, justify any failure to correct exceptions appearing in any school audit authorized by the
State Committee for School District Audits.

LYNN V. GINZER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:26 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel
Alexander, Secretary, Kentucky State Board of Education,
17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Administration and Finance
(702 KAR 3:160)
RELATES TO: KRS 157.360(1)
PURSUANT TO: KRS 156.070, 156.130, 156.160 and 13.082
SUPERSEDES: KRS 21.340
NECESSITY AND FUNCTION: To establish regulation relative to
allowing classroom units on the basis of an area larger
than a district.

Section 1. The superintendent of Public Instruction shall
allow classroom units or pupil units for an area larger
than a school district where there is a need for educational services which cannot be adequately and economically provided on a
district basis.

Section 2. The number of classroom units allotted under
this regulation shall not exceed the number of unused units
of entitlement for all the school districts which wake the
area.

Section 3. The request to the Superintendent of Public
Instruction for units shall be accompanied with a program
plan.

Section 4. One of the local boards of education in the
area will be designated by the Superintendent of Public Instruction as a district coordinator and classroom units for any services
to the area will be allotted to the district of record.

Section 5. The district of record may contract with an
Educational Development District, organized under KRS Chapter
176, as a school district, for educational services for exceptional
children. This concomitantly the adoption of a State Board of
Education Regulation.

LYNN V. GINZER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LBC: September 16, 1974 at 9:26 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel
Alexander, Secretary, Kentucky State Board of Education,
17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 1:020)
RELATES TO: KRS 157.220-157.300
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUPERSEDES: KRS 21.340
Amended KRS 157.280 to include provisions for contracting
educational services for exceptional children. This concomitantly the adoption of a State Board of
Education Regulation.

Section 1. (1) Private organizations having programs for
educational enrichment for children and youth shall apply to the State Board of Education for approval if they wish to enter into contract
agreements with local school districts. 
(2) Private organizations' educational programs shall meet the
requirements of appropriate section (s) of Kentucky Revised
Statutes and State Board of Education regulations. In the event
that a private organization located outside of Kentucky
wishes to provide contract services, it shall be approved.
in the area of exceptionality involved by the Department of Education in the state where the organization is located and doing business.

LYNAN V. GINGER
Superintendent of Public Instruction

EDUCATION AND ARTS CABINET
Department of Education

ADMINISTRATIVE REGISTER
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EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction

(704) 426-3100

RELATES TO: KRS 157.200 – 157.305
PURSUANT TO: KRS 157.305

Section 1. The following positions shall be administrative and special instructional service classroom units under the minimum foundation program:
(1) Art education teacher
(2) Art program consultant
(3) Assistant principal shall be employed one-half time in position
(4) Assistant superintendent shall be employed full-time in position
(5) Consultant in an academic subject field
(6) Driver education teacher
(7) Finance officer shall be employed full-time in position
(8) Guidance counselor
(9) Industrial arts education program consultant
(10) Industrial arts teacher
(11) Librarian shall be employed one-half time in position
(12) Director of vocational education
(13) Materials specialist
(14) Music education program coordinator
(15) Music program consultant
(16) Physical education coordinator
(17) Principal shall be employed one-half time in position
(18) Reading program consultant
(19) School bus driver
(20) School bus driving instructor
(21) School health coordinator
(22) School lunch director
(23) School psychologist
(24) School social worker
(25) Special education in-service program coordinator
(26) Superintendent shall be employed full-time in position
(27) Teacher in programs for exceptional children
(28) Visiting teacher.

Section 2. The following administrative and special instructional service classroom units shall be allotted as basic classroom units provided the school district has not staffed its total basic classroom unit entitlement and has staffed more administrative and special instructional service classroom units than allotted:
(1) Art education teacher
(2) Art program consultant
(3) Industrial arts teacher
(4) Industrial arts education program consultant
(5) Instructional aide
(6) Physical education coordinator
(7) Principal
(8) Principal shall be employed one-half time in position
(9) Superintendent
(10) Teacher in programs for exceptional children
(11) Visiting teacher.

LYNAN V. GINGER
Superintendent of Public Instruction

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction

(704) 426-3100

RELATES TO: KRS 157.305
PURSUANT TO: KRS 157.305

Necessity and Function: This proposed regulation is to assure the health and safety of first grade pupils. KRS 157.305 requires the State Board of Education to adopt regulations governing the use of school days.

Section 1. Any school may reduce the school day for pupils in the first grade to not less than six (6) hours, provided the superintendent of the district requests such reduction and receives proper approval from the Superintendent of Public Instruction.
(1) The school day for first grade shall not be less than three (3) hours on any one school day.
(2) The superintendent's request for reduction shall be made on an annual basis prior to the beginning of the school year.
(3) The teacher shall spend the remaining one one-half (1 1/2) hour of the school day in preparation.

LYNAN V. GINGER
Superintendent of Public Instruction

SUBJECT TO: KRS 157.305

SUBJECT TO: KRS 157.305

SUBMITTED BY: LRC September 18, 1974 at 9:27 a.m.
SUBMIT CURRENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 339-5320

REQUIRES TO: KRS 157.360
PUBLISH TO: KRS 157.360, 156.070, 156.130, and 156.160
SUPPRESSED: SBE 40, 150

REQUIRES AND PROCEDURES: KES 157.360 provides for the allocation of classroom units for administrators, their certified assistants, and for certain special service personnel. The proposed regulation is to furnish superintendents and boards of education with the minimum requirements for approval of special units.

Section 1. The Foundation Program provides for the allocation of classroom units for administrators, their certified assistants and for certain special service personnel. Three (3) factors shall be considered in the approval of administrative and special instructional services units:

(1) Personal qualification to serve in approved units of principalship or assistant principalship shall hold a certificate valid for the position of superintendents.

(2) The Superintendent of Public Instruction will approve the assignment of the prospective assistant superintendent on an internship basis under the following conditions:

(a) The request shall be made by the local school superintendent, and shall include provisions for the completion of the program.

(b) The prospective assistant superintendent shall have been admitted to the preparation-program certification for the school superintendent by the teacher education institution and shall have a minimum of fifteen (15) semester hours graduate credit for the completion of the total program.

(c) The internship program shall be planned jointly by the teacher education institution and the local school superintendent and shall include provisions for completing certification requirements for principalship before September 1 of the following school year.

Section 2. Duties of the superintendent. (1) In the performance of his duties, the superintendent shall at all times be governed by the provisions of the Kentucky Revised Statutes, the regulations of the State Board of Education, and the policies of the local board of education.

(2) He shall have the responsibility of cooperating with the State Department of Education in all in-service training programs and other programs designed to improve instruction.

(3) Application for the unit of assistant superintendent shall indicate the type of work to be performed by the assistant and shall include information on such factors as number of teachers, transportation program, instructional program, building program, and size of the district. The duties shall be designed to relieve the superintendent and shall not be primarily the duties of a supervisor of instruction, business manager, or director of pupil personnel. An assistant superintendent shall devote full time to this position.

(4) Adequate space for the superintendent and for the assistant superintendent shall be provided.

(5) Sufficient equipment and supplies shall be furnished to enable the superintendent to efficiently perform his duties. Adequate financial support to allow constant supervision of the entire system and permit visits outside the system for purposes of professional growth shall be provided.

LYNN F. GINZBERG
Superintendent of Public Instruction
APOSTED: September 17, 1974
RECEIVED BY LBC: September 17, 1974 at 9:28 a.m.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 339-5320

REQUIRES TO: KRS 157.360
PUBLISH TO: KRS 157.360, 156.070, 156.130, and 156.160
SUPPRESSED: SBE 40, 155

PENDING TO: KES 157.360 requires the superintendent of public instruction to allot units to principals. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A principal shall be defined as a person who devotes fifty percent (50%) or more of his time to the supervision of instruction. The remaining portion of his time shall be devoted to administrative duties.

(2) An assistant principal shall be defined as a person who directs a school for eight (8) or more teachers; however, a full-time principal is not recommended for an eight (8) teacher school.

(3) An assistant principal shall have such duties as may be assigned including administration duties and supervision of instruction. The assistant principal shall be in charge of the main school building as that of a principal. The assistant principal shall devote at least fifty percent (50%) of his time to the duties of the assistant principalship. Classroom teaching will not be considered a part of this unit.

Section 2. (1) Personnel qualified to serve in approved units of principalship or assistant principalship shall hold a certificate valid for the position of principalship at the appropriate level (elementary or secondary or twelve grade).

(2) The Superintendent of Public Instruction will approve the employment of an assistant principal on an internship basis under the following conditions:

(a) The request shall be made by the local school superintendent, and approved by the local board of education.

(b) The prospective assistant principal shall have been admitted to the program of preparation-certification for the school principalship by the teacher education institution and shall have a minimum of fifteen (15) semester hours graduate credit for the completion of the total program.

(c) The internship program shall be planned jointly by the teacher education institution and the local school superintendent and shall include provisions for completing certification requirements for principalship before September 1 of the following school year.

Section 3. The principal of an elementary, secondary, or twelve-grade school shall devote a significant portion of his time to supervision. He shall be responsible for participating in the various activities which are designed to improve instruction. The principal's program for improving instruction shall be submitted as a part of the school's annual report. This plan shall reflect the thinking of all those concerned with the instructional program.

Section 4. (1) Adequate office and storage space shall be provided. Clerical assistance commensurate with the size of the school shall be provided.

(2) Provision shall be made for furnishing the necessary equipment such as typewriter, adding machine, duplicating machine, and other equipment to perform his duties in a satisfactory and efficient manner.

(3) Provision shall be made to permit the adequate operation of the principal's office shall be furnished.

LYNN F. GINZBERG
Superintendent of Public Instruction
APOSTED: September 17, 1974
RECEIVED BY LBC: September 17, 1974 at 9:28 a.m.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 339-5320

REQUIRES TO: KRS 157.360
PUBLISH TO: KRS 157.360, 156.070, 156.130, and 156.160
SUPPRESSED: SBE 40, 155

PENDING TO: KES 157.360 requires the superintendent of public instruction to allot units to principals. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A principal shall be defined as a person who devotes fifty percent (50%) or more of his time to the supervision of instruction. The remaining portion of his time shall be devoted to administrative duties.

(2) An assistant principal shall be defined as a person who directs a school for eight (8) or more teachers; however, a full-time principal is not recommended for an eight (8) teacher school.

(3) An assistant principal shall have such duties as may be assigned including administration duties and supervision of instruction. The assistant principal shall be in charge of the main school building as that of a principal. The assistant principal shall devote at least fifty percent (50%) of his time to the duties of the assistant principalship. Classroom teaching will not be considered a part of this unit.

Section 2. (1) Personnel qualified to serve in approved units of principalship or assistant principalship shall hold a certificate valid for the position of principalship at the appropriate level (elementary or secondary or twelve grade).

(2) The Superintendent of Public Instruction will approve the employment of an assistant principal on an internship basis under the following conditions:

(a) The request shall be made by the local school superintendent, and approved by the local board of education.

(b) The prospective assistant principal shall have been admitted to the program of preparation-certification for the school principalship by the teacher education institution and shall have a minimum of fifteen (15) semester hours graduate credit for the completion of the total program.

(c) The internship program shall be planned jointly by the teacher education institution and the local school superintendent and shall include provisions for completing certification requirements for principalship before September 1 of the following school year.

Section 3. The principal of an elementary, secondary, or twelve-grade school shall devote a significant portion of his time to supervision. He shall be responsible for participating in the various activities which are designed to improve instruction. The principal's program for improving instruction shall be submitted as a part of the school's annual report. This plan shall reflect the thinking of all those concerned with the instructional program.

Section 4. (1) Adequate office and storage space shall be provided. Clerical assistance commensurate with the size of the school shall be provided.

(2) Provision shall be made for furnishing the necessary equipment such as typewriter, adding machine, duplicating machine, and other equipment to perform his duties in a satisfactory and efficient manner.

(3) Provision shall be made to permit the adequate operation of the principal's office shall be furnished.

LYNN F. GINZBERG
Superintendent of Public Instruction
APOSTED: September 17, 1974
RECEIVED BY LBC: September 17, 1974 at 9:28 a.m.
EDUCATION AND ARTS CUMULATIVE
Department of Education
Board of Instruction
(704 EAR 3:066)

RELATES TO: KES 157.360
PENDING TO: KES 13.082, 156.070, 156.130 and 156.160
SUPERSEDES: SHE 40.166

NECESSITY AND FUNCTION: KES 157.360 requires the superintendents of public instruction to allot units to visiting teachers. The purpose of these criteria is to furnish superintendents of public instruction with the basic requirements for approval of special units.

Section 1. (1) Approval of this unit shall be based upon the needs of the district. The visiting teacher shall work in cooperation with the director of pupil personnel in carrying out field services such as serving individual pupils who need special understanding, helping with problems of social adjustment, promoting positive adjustment to school experience, and helping pupils find opportunities to continue their educational progress toward realization of their potentialities and shall coordinate the finds with the respective teachers.

(2) The visiting teacher shall have a Bachelor's Degree and a certificate valid for elementary or secondary school teaching. The visiting teacher shall have had a minimum of two (2) years successful teaching experience.

Section 3. The program shall be based on the following points:

(a) Working with parents and other citizens to promote desirable home-school relationships.

(b) Acting as liaison with community and state agencies in solving school and community problems of children.

(c) Guiding and counseling individual children in making adjustments to the school situation.

(d) Investigating and correcting home situations which are resulting in maladjustment and nonattendance.

(e) Writing, teaching, and guidance counselors in identifying, problems of children and assisting in the solution.

Section 4. Adequate clinical assistance shall be provided. The visiting teacher shall be provided with office space and the necessary equipment and supplies to carry on her activities.

LYNN T. GIGGE
Superintendent of Public Instruction
ADOPTED: September 16, 1974
RECEIVED BY LSC: September 16, 1974 at 9:29 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: M. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CUMULATIVE
Department of Education
Board of Instruction
(704 EAR 3:080)

RELATES TO: KES 157.360
PENDING TO: KES 13.082, 156.070, 156.130, and 156.160
SUPERSEDES: SHE 40.166

NECESSITY AND FUNCTION: KES 157.360 requires the superintendent of public instruction to allot units to the unit of school health coordinator. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 2. Approval of this unit shall be based upon the needs of the district. The school health coordinator shall hold a teaching or administrative certificate valid for serving as a teacher at the high school unit or elementary level based on a minimum of a baccalaureate degree and meet the standards by one of the following plans:

(1) Have preparation in a recognized area in health, physical education, recreation or an area in home economics or a major in one (1) of the following: health, health-physical education, biology, home economics.

(2) Have a total of twelve (12) semester hours consisting of six (6) hours natural science, three (3) hours in nutrition, health or physical education, and three (3) hours in human growth and development.

Section 3. The program shall consist of the following general duties:

(1) Coordinate all comprehensive health screening procedures.

(2) Supervise appropriate follow-up of health screenings and directly appropriate services for each individual child.

(3) Assist in the determination of the appropriateness of school health examinations of children.

(4) Establish and supervise first aid facilities for each school.

Section 4. The school health coordinator shall be provided with office space, equipment, and supplies to carry on the necessary activities. Adequate clinical assistance shall be provided.

LYNN T. GIGGE
Superintendent of Public Instruction
ADOPTED: September 16, 1974
RECEIVED BY LSC: September 16, 1974 at 9:30 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: M. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.
EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) KAB 3:090

RELATES TO: KES 157,360
Pursuant to: KES 13,082, 156,070, 156,130, and 156,160
Supercedes: KES 3,345

NECESSITY AND FUNCTION: KES 157,360 requires the super-
intendent of public instruction to allot units to the unit of
physical education at the elementary and secondary level. The
object of this legislation is to furnish superintendents and boards of
education with the basic requirements for approval of special units.

Section 1. No elementary or secondary school shall be
considered as having an approved physical education program
unless programs have been put into operation which meet the
guidelines prescribed by the "Approved Guidelines for Health and/or
physical education." The superintendents of Education shall be
approved and published in its specified bulletin, syllabi, and
courses of study.

Section 2. Personnel qualified to serve in an approved unit
of physical education shall meet the criteria of one of the
following plans:
(1) For positions in grades seven (7) through twelve (12): any regular certificate which is valid for teaching at the
high school level if the holder has one of the following types of specialization: (a) area of concentration in health, physical
education and safety; (b) major in health and physical education;
(c) major in physical education.
(2) For elementary positions: beginning with the 1964-65
school year, persons new to the position shall have a regular
teaching certificate valid for the elementary school level, a
bachelor's degree and eighteen (18) semester hours credit in
physical education (courses definitely labeled as physical
education rather than health or hygiene). Persons who served in an
approved unit of physical education at the elementary
level during the 1964-65 school year on the basis of a regular
teaching certificate valid at the elementary school level and eighteen
(18) semester hours credit in health and physical education
may use these hours toward the fulfillment of the
requirements.
(3) For physical education: a special certificate in
health and physical education or any regular certificate which
has been officially approved for teaching physical education
in all twelve (12) grades.
(4) No emergency certificate will be approved for this
special unit.

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LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LEC: September 18, 1974 at 9:30 a.m.

Section 2. The consultant shall give leadership to the
development of a comprehensive school health program and shall
strive for the school district's compliance with the School
Health Code of the Department of Education.

(2) The consultant shall plan, organize, and administer a
program of physical education and other programs which are
included in this position. These programs shall follow the
guidelines contained in the "Approved Guidelines for Health and
Physical Education." (3) The consultant shall work for better facilities, equip-
ment, and materials for improving these school programs.
(4) The consultant shall work in cooperation with the
existing supervisory program in the school district.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LEC: September 18, 1974 at 9:30 a.m.

SUMMIT CORRECT OR REQUEST FOR RELATING TO: Mr. Samuel
Alexander, Secretary, State Board of Education,
77th Floor, Capital Plaza Office Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(53:110)

RELATES TO: KES 157,360
Pursuant to: KES 13,082, 156,070, 156,130 and 156,160
Supercedes: KES 40,171

NECESSITY AND FUNCTION: KES 157,360 requires the super-
intendent of public instruction to allot units to the unit of
physical education at the elementary and secondary level. The
object of this legislation is to furnish superintendents and boards of
education with the basic requirements for approval of special units.

Section 1. No elementary or secondary school shall be
considered as having a special music program unless the following
standards are met: (a) A Bachelor's Degree.
(b) A major in music education or a music education program.
(c) An area of concentration in physical education or a major in
medical education, or a major in health and a major in
physical education.

Section 2. (1) The consultant shall give leadership to the
development of a comprehensive school music program and shall
strive for the school district's compliance with the School
Music Education Code of the Department of Education.

(2) The consultant shall plan, organize, and administer a
program of music education and other programs which are
included in this position. These programs shall follow the
guidelines contained in the "Approved Guidelines for Music
Education." (3) The consultant shall work for better facilities, equip-
ment, and materials for improving these school programs.
(4) The consultant shall work in cooperation with the
existing supervisory program in the school district.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) KAB 3:100

RELATES TO: KES 157,360
Pursuant to: KES 13,082, 156,070, 156,130 and 156,160
Supercedes: KES 3,345

NECESSITY AND FUNCTION: KES 157,360 requires the super-
intendent of public instruction to allot units to the unit of
music education at the elementary and secondary level. The
object of this legislation is to furnish superintendents and boards of
education with the basic requirements for approval of special units.

Section 3. The program shall follow the criteria contained in the "Approved Guidelines for Music Education."
ADMINISTRATIVE REGISTER

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 3:120)

RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130, and 156.160

Necessity and Function: KRS 157.360 requires the superintendent of public instruction to allot units to the unit of music program consultant. The purpose of these criteria is to insure qualified superintendents and boards of education with the basic requirements for approval of special units.

Section 1. Personnel qualified to serve as a consultant in music education shall have:
(a) A Bachelor's Degree and a major or area in music education.
(b) A Master's Degree.
(c) Experience in music education.
(d) A certificate of adequate music education.
(e) A certificate of adequate teaching experience.

Section 2. The consultant shall assist in developing an organized music program that provides the following:
(1) Help plan, coordinate, and develop the music program in individual schools as well as statewide.
(2) Help plan and conduct demonstrations for classroom teachers, serve as a consultant in music, and help individual teachers improve the quality of the music program at the classroom level.

Section 3. Sufficient office space, storage space and clerical assistance shall be provided to the consultant's time to be used efficiently and effectively.

LYNN V. GINGER
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LRC: September 18, 1974 at 9:32 a.m.

SUBMIT COMPLIGHT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 7th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 3:130)

RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130, and 156.160

Necessity and Function: KRS 157.360 requires the superintendent of public instruction to allot units to the unit of industrial arts teacher. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. Any accredited school shall be provided for in an approved unit of industrial arts in a junior and/or senior high school shall meet the certification standards with the following certificate:
(a) A regular certificate, valid at the secondary level, with an area of concentration or a major or minor selected from an approved program of preparation in industrial arts education. Continuing approval of the Arts unit beginning with the school year 1965-1966 will require a minimum of twenty-four (24) semester hours applicable towards a major or area of concentration.

Section 2. (1) In scheduling industrial arts classes, consideration shall be given to pupil placement with beginning pupils in beginning classes and advanced pupils in advanced classes.
(2) The State Department of Education Bulletin, "Industrial Arts for Kentucky Schools," shall be used as a manual for guidance by administrators and industrial arts teachers. The maximum number of pupils per shop class shall not exceed twenty-four (24). Drafting classes shall not exceed that of the normal classroom unit.
(3) The length of class periods shall be equal to other classes requiring laboratory experiences.
(4) The school with an industrial arts teacher should offer a comprehensive general shop program including not less than three hours of shop classes.

Section 3. (1) Minimum space requirements shall be forty (40) square feet per pupil in beginning classes and sixty (60) square feet per pupil in shop classes exclusive of adequate facilities such as storage rooms, a planning room and a finishing room.
(2) The shop shall be provided with equipment adequate for the instructional program.
(3) An adequate shop budget shall be provided.

LYNN V. GINGER
Superintendent of Public Instruction
ADMINISTRATIVE REGISTER

ADOPTED: September 11, 1974
RECEIVED BY ELC: September 18, 1974 at 9:32 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mrs. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 3:160)

RELATES TO: KRS 557.360
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUPERSEDES: 66-40.195

REASON AND JUSTIFICATION: KRS 557.360 requires the superintendent of public instruction to allot units to the unit of local director of vocational education. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. Personal qualified to serve as an approved unit as local director of vocational education shall meet the following requirements for the unit of local director of vocational education:
(1) Be a graduate from an accredited college or university with a Master's degree and professional preparation in an accredited curriculum of vocational education.
(2) Have three (3) years of progressively responsible experience in advising or supervising vocational education.
(3) Hold the Kentucky education certificate designated for this position.

Section 2. The program of local supervision in vocational education shall meet the following requirements:
(1) Coordinating and directing the development of the annual and long-range education plan for the local school districts in cooperation with educational agencies, an advisory committee, and other planning agencies that relate to the local school districts.
(2) Planning, coordinating, and developing programs in individual schools within the school district.
(3) Cooperating with the existing supervisory program in the school district.
(4) Improving vocational facilities, equipment, and utilization of vocational materials.
(5) Planning for professional improvement of the vocational staff.
(6) Evaluating vocational programs.

Section 3. Sufficient office space and clerical assistance shall be provided this unit to allow the local director of vocational education to use his time efficiently and effectively.

LYNN V. GINER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY ELC: September 18, 1974 at 9:32 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mrs. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704 KAR 3:160)

RELATES TO: KRS 557.360
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUPERSEDES: 66-40.195

REASON AND JUSTIFICATION: KRS 557.360 requires the superintendent of public instruction to allot units to the unit of school psychologist or school psychometrician. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A school psychologist holding a valid teaching certificate and currently employed shall be approved for a special units unit in 1969-70, and until such time as criteria including certifying the State Board of Education.
(2) The position of school psychometrician is defined as a skilled technician employed by the school district to assist principals, superintendents, counselors, and teachers in the measurement of abilities, achievements, progress, and other characteristic of school pupils.

Section 2. A person qualified to serve as an approved unit of school psychologist or school psychometrician shall hold a certificate valid for the position of school psychologist.

Section 3. (1) The school psychometrician employs his specialized knowledge and skills in the measurement of pupil characteristics and in psychological testing under the direction of the school's administrative and supervisory officers. While he has specialized in the evaluation and measurement of the psychological and educational traits of young persons, and in the statistical treatment of numerical data obtained by evaluative methods, he is neither a psychologist nor an instructional supervisor.
(2) The purpose of the services rendered by the school psychometrician to members of the school's staff is to provide services accurate data than would otherwise be available regarding individual pupils and groups of pupils in the school. The school psychometrician's chief responsibility is to recommend to the principal the application of measuring instruments which will provide most accurately the information about pupils described by other staff members. He discharges these responsibilities by:
(a) Selecting and recommending the measuring devices that will have the greatest diagnostic value.
(b) Planning and directing the administration of the tests or other devices chosen by the school staff member or members.
(c) Making such statistical calculations as are needed by the staff.
(d) Preparing charts, graphs and other interpretive material for use by the staff.
(e) Keeping and filing for later reference the important data obtained.
(f) Selecting, training, and supervising clerical workers employed to score tests, collect data, and carry out statistical tasks in his office.
(g) Conducting minor research studies of groups of school pupils to determine administrative, supervisory or guidance officers.
(h) Assisting guidance officers in obtaining and organizing pertinent data needed regarding individual students.
(i) Making diagnostic tests of the individual child.
(3) The purpose of the services rendered by the school psychologist and psychometrician is to provide services that will have the greatest diagnostic value for the time of the school's teachers, guidance counselor(s) and administrative and supervisory personnel in supplementing data regarding students to agencies or individuals not directly involved in the school's educational programs. This responsibility is discharged by:
(a) Supplying data regarding students to approved state, national or university research workers.
(b) Supplying data regarding students who transfer to other school systems or who graduate and apply for admission to colleges, etc.
(c) Supplying data regarding students to prospective employers.
ADMINISTRATIVE REGISTER

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Section 3. (1) The application for the unit shall state that the person shall be employed full-time in his duties. The application shall clearly set forth the school business administrator’s functions and duties and the procedures to be followed in carrying them out.

Section 4. Provision of office space, financial and support shall be provided.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 332-3200

RELATES TO: ERS 157.360
PENDING TO: ERS 13.082, 156.070, 156.130, and 156.160
SUPERSEDING: SBE 40.200

EFFECTIVE AND FUNCTION: ERS 157.360 requires the superintendent of public instruction to allot units to the unit of driver education and traffic safety teacher. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. Driver education and traffic safety is the comprehensive program of instruction and experiences provided by schools for the purpose of teaching students knowledge, skills, and attitudes necessary to their well-being. Through effective instruction, the driver education and traffic safety course can do a great deal to promote traffic efficiency and safety.

Section 2. Driver and traffic safety education teachers shall be required to complete the certificate endorsement (12 hours) for driver education. No emergency certificates shall be approved for this special unit.

Section 3. The driver and traffic safety education program shall follow the guidelines found in "Approved Guidelines of Driver and Traffic Safety Education."*

Section 4. Financial support shall be provided for maintenance of a car(s).

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 332-3200

RELATES TO: ERS 157.360
PENDING TO: ERS 13.082, 156.070, 156.130, and 156.160
SUPERSEDING: SBE 40.200

EFFECTIVE AND FUNCTION: ERS 157.360 requires the superintendent of public instruction to allot units to the unit of school lunch director. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. The district school lunch director shall be defined for purposes of this section to include the director of school nutrition, and shall supervise the school lunch program on a school districtwide basis, as part of the school curriculum.

Section 2. Personnel qualified to serve in an approved unit for school lunch qualifications shall meet the standards by one of the following plans:

(1) Hold a high school certificate with a major in home economics with three (3) years of experience in teaching or work related to education.

(2) Hold a valid high school or elementary certificate with a minor in nine (9) semester hours of approved work in the area of foods and nutrition and an additional nine (9) semester hours of food and nutrition or related subjects such as: Administration, Biological Chemistry, Child Care and Development, Curriculum Development, Economics, Evaluation, Food Chemistry, Institutional Management, Institutional Marketing, Methods of Teaching, Organic Chemistry, Physiology, Psychology, Sociology, Supervision, Visual Teaching, and provided they have had one (1) year experience in teaching or work related to education.

(3) In addition to the requirements in paragraphs (a) or (b), persons new to the program beginning with the year 1958-59 shall be required to have three (3) years of experience in teaching or work related to education.

Section 3. The plans for a school lunch program shall deal with ways to achieve full service, effective personal and financial management, economical purchase and storage, adequate nutrition, and desirable health practices, and means of interpreting these to the community.

Section 4. Office space, equipment, supplies necessary to carry out the program, typewriter, micrograph machine, desk, phone, and other items of this type of the needs in the school community, and adequate financial support to insure an effective program shall be provided.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(704) 332-3200

RELATES TO: ERS 157.360
PENDING TO: ERS 13.082, 156.070, 156.130, and 156.160
SUPERSEDING: SBE 40.200

EFFECTIVE AND FUNCTION: ERS 157.360 requires the superintendent of public instruction to allot units to the unit of school lunch director. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. The district school lunch director shall be defined for purposes of this section to include the director of school nutrition, and shall supervise the school lunch program on a school districtwide basis, as part of the school curriculum.

Section 2. Personnel qualified to serve in an approved unit for school lunch qualifications shall meet the standards by one of the following plans:

(1) Hold a high school certificate with a major in home economics with three (3) years of experience in teaching or work related to education.

(2) Hold a valid high school or elementary certificate with a minor in nine (9) semester hours of approved work in the area of foods and nutrition and an additional nine (9) semester hours of food and nutrition or related subjects such as: Administration, Biological Chemistry, Child Care and Development, Curriculum Development, Economics, Evaluation, Food Chemistry, Institutional Management, Institutional Marketing, Methods of Teaching, Organic Chemistry, Physiology, Psychology, Sociology, Supervision, Visual Teaching, and provided they have had one (1) year experience in teaching or work related to education.

(3) In addition to the requirements in paragraphs (a) or (b), persons new to the program beginning with the year 1958-59 shall be required to have three (3) years of experience in teaching or work related to education.

Section 3. The plans for a school lunch program shall deal with ways to achieve full service, effective personal and financial management, economical purchase and storage, adequate nutrition, and desirable health practices, and means of interpreting these to the community.

Section 4. Office space, equipment, supplies necessary to carry out the program, typewriter, micrograph machine, desk, phone, and other items of this type of the needs in the school community, and adequate financial support to insure an effective program shall be provided.
EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160
SUBSCRIPTS: SHE 40.220

EMERGENCY REGULATIONS KRS 157.360 requires the superintendent of public instruction to allot units to the unit of educational instruction. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A supervisor of instruction is a person who devotes the allotted time for supervision to providing leadership services in the improvement of instruction in the school program by working with administrators, teachers, other supervisors, and the lay public.

(2) In districts entitled to a fractional unit or one (1) unit for a supervisor, this unit or this position shall be for a general supervisor. Districts entitled to more than one (1) unit for a supervisor shall employ a general supervisor for the first unit.

Section 2. (1) A supervisor of instruction shall hold a certificate valid for the position at the appropriate level: elementary or secondary, or twelve grade. The Standard Special Education Certificate for Supervisors shall be the equivalent of the certificate with the educational programs of all types of handicapped children.

(2) Emergency certificates shall not be issued for the position of supervisor of instruction.

(3) The personal qualifications of the person for a position of leadership in the improvement of instruction shall be heavily in the establishment of a program of supervision for instructional services.

Section 3. The program of supervision shall make provision for:
(1) Cooperative curricula revision and development involving all the educational programs.
(2) Assistance in the selection and use of good instructional materials:
(a) Preparation of study guides, courses of study, handbooks, and other materials adapted to local needs.
(b) Cooperative efforts with principals and classroom teachers to improve the learning environment in schools and to meet pupil needs.
(c) Adequate evaluation of the supervisory program in terms of improved instructional services.

Section 4. (1) Adequate office space and necessary office equipment shall be provided sufficient clerical help shall be provided to enable the supervisor to use her time effectively. Financial support shall be provided to the degree necessary to permit proper classroom supervision and to furnish those supplies, instructional materials and other items of expense of the supervisor’s office.

(2) A Master’s degree.
(3) Evidence of special preparation in the teaching of reading.
(4) Special approval by the assistant superintendent for instruction.

Section 5. The consultant shall:
(1) Work with the school districts with the existing supervisory program in the school district.
(2) Help plan, correlate and develop the reading program in the schools as well as statewide.
(3) Give scheduled demonstrations for classroom teachers, school administrators, and individual teachers to improve the quality of the reading program at the classroom level, such services to be rendered generally in the classroom.
(4) Promote school and district workshops on an in-service basis as much as possible. This will include the use of outside demonstration consultants when available.
(5) Approve, equip, and material and bring about the greatest utilization of reading materials.
(6) Seek to improve the relation of reading experiences to the total school program.

Section 6. Sufficient office space, storage space and clerical assistance shall be provided to allow the consulting teacher’s time to be used efficiently and effectively.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUBSCRIPTS: SHE 40.220

LETHA V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LRC: September 18, 1974 at 9:36 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUBSCRIPTS: SHE 40.220

LETHA V. GINGER
Superintendent of Public Instruction
ADOPTED: September 19, 1974
RECEIVED BY LRC: September 18, 1974 at 9:36 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
RELATES TO: KRS 157.360
PURSUANT TO: KRS 13.082, 156.070, 156.130 and 156.160
SUBSCRIPTS: SHE 40.220

LETHA V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LRC: September 18, 1974 at 9:36 a.m.
SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601
NECESSITY AND FUNCTION: KES 157.360 requires the superintendent of public instruction to allot units to the units or special education programs to the existing supervisory program in the school district or school districts.

Section 1. (1) A work-study program for Exceptional Children and Youth shall include instruction in the classroom and supervision of work-study programs
(2) The on-the-job training phase of the program shall be a cooperative arrangement with the school system and employers whereby students receive actual part-time job training.
(3) The work-study program coordinator shall have the responsibility for the coordination of the program between the school and employers.
(4) The coordinator shall supervise exceptional students between the ages of sixteen (16) and twenty-one (21) who are enrolled in a special education program and/or enrolled in regular classes.
(5) The maximum number of students shall depend on the number of students in the program and the size of the school district.
(6) The school system shall give credit for the time when the student is in the on-the-job training program.
(7) Students' wages shall be paid directly to the students under this program.
(8) The student shall not pay any fees for job placement under this program.

Section 2. Students shall be counted in attendance full-time on the basis of the combined school and work programs or the hours in which they are enrolled. Students enrolled in an on-the-job program shall not spend more than the equivalent of one-half of the school day in work programs from either phase of the program shall be recorded according to the usual methods.

Section 3. The work-study program coordinator shall hold a valid special education teaching certificate or a special education supervision certificate.

LYNN V. GINGER
Superintendent of Public Instruction
Bureau of Instruction
(704) 888 3260

EDUCATION AND ARTS CABSIN
Department of Education
Bureau of Instruction
Relations to: KES 157.360

RELATIONS TO: KES 157.360

NECESSITY AND FUNCTION: KES 157.360 requires the superintendent of public instruction to allot units to the units of special education programs to the existing supervisory program in the school district or school districts.

Section 1. Personnel qualified to serve as a consultant in a special subject area shall have at least a teaching major or a master's degree, and a regular teaching certificate and a special education certificate.

Section 2. The consultant shall work in cooperation with the existing supervisory program in the school district or school districts.

Section 3. Sufficient office space and clerical assistance shall be provided to allow the consultant's time to be used efficiently and effectively.

LYNN V. GINGER
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EDUCATION AND ARTS CABSIN
Department of Education
Bureau of Instruction
Relations to: KES 157.360

RELATIONS TO: KES 157.360

NECESSITY AND FUNCTION: KES 157.360 requires the superintendent of public instruction to prepare regulations governing medical inspection, physical education and recreation, and other rules and regulations deemed necessary to protect the physical welfare and safety of the public school children.

Section 1. Each school shall include health instruction in its curriculum for grades K-12. All pupils shall receive instruction in programs meeting the "Approved Guidelines of Physical Education, Nutrition and Health Education."
shall obtain a chest x-ray for evidence of tuberculosis. Local school boards shall require each year thereafter a repeat tuberculosis skin test for all new applicants, new or returning to school, for evidence of tuberculosis. A chest x-ray for all positive reactors, followed by the current medical and physical examination of the student, and a repeat chest x-ray for all positive reactors, followed by the current medical and physical examination of the student, shall be obtained for evidence of tuberculosis. Additional tests and examinations may be required as deemed necessary by the local boards of education.

1. All local boards of education shall require a medical examination of each bus driver in accordance with the regulations of the State Department of Education. Any medical examination shall include test for tuberculosis, hearing and vision disability, mental instability, and for serious medical diseases including diabetes mellitus and other chronic or communicable diseases if indicated in the opinion of the examining physician. All bus drivers shall be reported on the special form approved by the State Department of Education.

2. All local boards of education shall require a medical examination of each custodian, cafeteria worker, and other school employees whose employment which shall include a tuberculosis skin test. All positive reactors shall obtain a chest x-ray for evidence of tuberculosis. Local school boards shall require each year thereafter a repeat tuberculosis skin test for all tuberculosis nonreactors and chest x-ray for all tuberculosis reactors and other chronic or communicable diseases. Additional tests and examinations may be required as deemed necessary by the local boards of education.

3. All local boards of education shall require a medical examination of each child within a period of six (6) months following his initial enrollment in school regardless of grade. All local boards of education shall require a scheduled program of continuous health supervision for all school enrollments and supervision shall include immunization, scheduled screening tests for tuberculosis, vision, hearing, and dental tests.

4. An effective mechanism for referral and appropriate follow-up of children receiving medical examination or teacher observation shall be recorded on the medical record within twelve (12) weeks of the screening program or detection of abnormality.

5. Each school shall develop emergency care procedures to take care of ill students and accidents in a school. The emergency care procedures shall include first aid for wound, burns, fractures, sprains, asthma, anaphylactic shock and all necessary emergency measures.

6. Each local board of education shall require all vaccinations and immunizations as required by law or regulation.

7. A record shall be maintained throughout the pupil's attendance in school including all immunizations including screening test, teacher observation, and physician's recommendation. A follow-up by the school shall be made on each case noted and the result recorded.

8. All school districts shall report all known or suspected cases of communicable disease immediately to the local health department.

9. All boards of education shall, in relation to each pupil, maintain a physical environment that is conducive to the health and safety of the child. It shall be the responsibility of all local boards of education to comply with current laws, regulations and standards to provide:

- Adequate supply of water of safe, potable, sanitary quality.
- Sanitary disposal of sewage, other water carrier waste, and solid waste.
- Adequate toilet and lavatory facilities and other sanitary arrangements as required by the State Board of Health Code.
- Adequate heating, lighting, and ventilation in all school buildings and grounds, provided.
- Adequate equipment for food services and other equipment as required by the State Board of Health Code.
- Adequate control of air pollutants as required by the Department of Natural Resources and Environmental Protection, Division of Air Pollution.

Section 5. Each board of education, based on need, shall designate a person to serve as School Health Coordinator. Each board of education shall meet the minimum qualifications required of this position. The school health coordinator shall work in cooperation with the Director of Pupil Personnel, other local school officials, the State Department of Education, and the local health department in the planning, and implementing a school health services program that meets the requirements of the school health code adopted by the State Board of Education.

Section 6. Each school district shall require a medical examination for each child throughout the school year, in addition to periodic physical examination at the beginning of each school year in which he or she participates or more often if deemed necessary due to illness or injury.

Section 7. Each school district shall require its curriculum to include health instruction, stressing timely and local uses of all tobacco products, personal hygiene, accident prevention, the value and benefits of physical activity to the health of students, and consumer health.

EDUCATION AND ARTS CAFETERIA
Department of Public Instruction
Bureau of Instruction
(704 EAB 5:010)

RELATES TO: KRS 152.060, 152.310, 152.320, 152.330, 152.340, 152.350, 152.360, 152.370.

PURSUITS TO: KRS 13.082, 150.070, 150.160, 150.130

NECESSITY AND FUNCTION: KRS 150.330(1) states: "Any PERSONAL-USE SPORTIVE Means any private kindergarden or nursery school which provides educational services for four or more children, of the ages of three and six years, in return for tuition, fees or other forms of compensation, provided, that the kindergarten or nursery school shall not include any public school or college operating under the accreditation program of the State Board of Education.

Section 1. (1) Permits shall be of two kinds, Regular and Provisional. A Regular Permit shall be issued when the school has met all requirements provided for by the regulations of the State Board of Education and the law. A Provisional Permit shall be issued when the school meets the requirements provided for by the regulations of the State Board of Education and the law for a Regular Permit, but shows intention of meeting the fall requirements within a three-year period.

Section 2. (1) A Regular or Provisional Permit shall be issued when a completed application, accompanied by a fee of thirty-five (35) dollars ($35), has been approved. Permits shall be subject to annual renewal annually on payment of a ten-dollar ($10) fee. When a school seeking a Provisional Permit fails to meet the requirements for a Regular Permit, but shows intention of meeting the fall requirements within a three-year period stated above.

Section 2. (1) The educational qualifications of the instructional staff are an indication of the quality of the educational program.

Section 3. (1) The child-instructional staff ratio shall
be as follows:

Age 3: 10 children 1 adult
11 - 15 children 1 adult and 1 full-time assistant

Age 4: 15 children 1 adult
16 - 25 children 1 adult and 1 full-time assistant

Age 5: 20 children 1 adult
21 - 35 children 1 adult and 1 full-time assistant

Children shall never be left without one (1) adult in attendance at all times, unless another adult is present in the immediate vicinity of a second person.

Section 4. If the school provides transportation, insurance comparable to the local public school district's transportation insurance coverage shall be carried.

Section 5. (1) The program shall provide opportunities and experiences with each child's level of comprehension and rate of growth.

(2) The program shall include desirable experiences in:

(a) Physical development
(b) Emotional growth and stability
(c) Intellectual growth
(d) Social and cooperative growth
(e) Artistic and creative growth
(f) Good programs shall be informal and flexible with a suitable balance between quiet and active periods. This type of program shall be carefully planned in an individual way, so that each child's needs and interests will be beneficial to the instruction in which he shall be available.

Section 6. The kindergarten facility shall not only provide for the health, safety, and comfort of the children but also enhance the educational program as well:

(1) No area shall be operated before the second story basement quarters shall be permitted only after authorization of the State Board of Education.

(2) There shall be at least thirty-five (35) square feet of space in the classrooms for each child enrolled.

(3) There shall be a capability, with books or a bar at a height to allow children to handle their wrapes independently.

(4) All children shall be provided with a table at the right height for the age children who will use them.

(5) Each floor shall be equipped with fire extinguishers with a separate carbon dioxide extinguisher or its equivalent for each kitchen maintained. All staff members shall be trained in their use.

(6) All gas burners shall be vented.

(7) There shall be at least sixty (60) square feet of yard space per child enrolled.

(8) The yard surface shall be well drained with grassy and sand areas provided with shade.

(9) The yard shall be completely fenced or otherwise protected when hazardous conditions exist to insure the safety of the children.

(10) All kindergarten/maternity schools shall be in compliance with the regulations of the Division of Buildings and Grounds, State Department of Education, pertaining to public kindergarten facilities, as well as the regulations of the office of the State Fire Marshal.

(11) A certificate of placement of approval from the State Fire Marshal's office shall be kept on file at the school.

Section 7. The health of young children is of extreme importance and every effort shall be made to insure good health:

(1) Heating shall be of a type that would keep floor and room temperatures at sixty-eight (68) to seventy-two (72) degrees and regulated so that children cannot be burned by hot apparatus.

(2) There shall be water available at all times.

(3) A drinking fountain or water from individually dispensed paper cups shall be made easily accessible to classroom, playrooms or yard.

(4) Restrooms shall be provided where children are served milk for at least evening and/or afternoon refreshment.

(5) All first-aid materials shall be kept beyond the reach of children.

(6) All rest and wash basin facilities shall be provided and available to classroom, playrooms or yard.

(7) All children shall have the same recommended immunizations as those required for enrollment in First grade.

(8) All toilets and wash basin facilities shall be provided and available to classroom, playrooms or yard.

(9) All kindergarten/maternity schools shall be in compliance with the regulations of the Division of Health Services of the Department for Human Resources that pertain to children and staff health.

(10) Sanitation shall meet the regulations established by the Bureau for Health Services of the Department for Human Resources.

Section 8. Even though a kindergarten room is well equipped and contains a sufficient supply of materials, this is no guarantee that there will be an effective program. The teacher must be trained in the use of specific materials and supplies effectively, and what takes place in a kindergarten room is limited only by the creativity of the teacher. (1)

(1) All furniture shall be child size, sturdy and washable.

(2) There shall be a piano and/or record player for each school.

(3) The housekeeping area shall be set up to include equipment such as: doll bed, doll tea table and chairs, dishes, stove, cooking utensils, telephone, broom, dust pan and squeezer.

This type equipment shall be scaled to the size of the children.

(4) Wooden unit blocks of various shapes and sizes with shelves for storage, large hollow blocks and ramps, and walking boards shall be provided.

(5) Every room shall be equipped with a table and chairs, book trolley or shelves and five to seven well-selected books per child.

(6) Color materials consisting of such items as blocks, puzzles, clay, scissors, trims, thread, buttons, yarn, buttons, and toys such as tri-colors, vases, lighted cars, or scooters.

(7) Consumable materials in ample supply shall be available in each kindergarten in the form of crayons, ink, a box of newspaper, paper, paints, brushes, crayons, pastes, and sand or salt.

Section 9. This regulation shall in no way modify or limit the authority of other regulatory agencies for enforcement of their rules and regulations.

LTTHAN V. GIBBS
Superintendent of Public Instruction
APOSTED: September 11, 1974
RECEIVED BY LC: September 13, 1974 at 9:30 A.M.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: R. pp, Alexander, Secretary, Kentucky State Board of Education, 704 West Florence, Capital Plaza Office Tower, Frankfort, Kentucky 40601

EDUCATION AND ARTS CLERK
Department of Education
Office of Instruction
Post Office Box 526
RELATES TO: KES 157.312, 157.315, 157.360, 156.070, 158.090 and 156.300
SUBJECT: KES 11.082, 156.070, 156.130 and 156.130
SUPERBEND: 3SB
NECESSITY AND FUNCTION: KES 157.315 requires the State Board of Education to adopt regulations and prescribing the criteria for kindergartens in the schools and the eligibility requirements of pupils to attend these classes.

Section 1. (1) Each teacher of kindergartens shall hold a regular elementary certificate and shall have completed the course specified in Education Regulations.

(2) Teachers must be aware of the physical, emotional and intellectual needs of young children; how they grow and develop; how personality development is affected by educational experiences, and how their needs may be met through learning of young children.

(3) Provisional and Standard Elementary Certificates issued after September 13, 1973, shall be valid for teaching at the kindergarten level only upon completion of the endorsement program for kindergarten teaching.

Section 2. The pupil-teacher ratio shall be as great as to insure safety and guidance for the growth and development of children. The pupil-teacher ratio shall not exceed twenty (20) children per teacher.

Section 3. A child who is in five (5) years of age or on December 1 following the opening of school may enter kindergarten.

Section 4. (1) There shall be a minimum of thirty-five (35) square feet of floor space per child within the classroom. The requirements for heating, lighting, and ventilation shall be in accordance with the State Board of Education Regulations and the class shall be located on the first floor to provide safety for children.
(2) The room shall provide adequate storage space with individual locker space for each child.

(3) Drinking fountain, a sink of child height with warm and cold water, and toilet facilities shall be made as easily accessible as possible.

Section 5. The length of the school day for kindergartens shall be not less than six hours (3 hours) per day. The session may be lengthened to include lunch.

Section 6. The program shall include desirable experiences in social living, physical development, emotional growth and stability, language development, and meaningful creative activities. The program shall provide opportunities and expand age in accordance with each child's level of comprehension and rate of growth.

Section 7. There shall be as adequate amount of good equipment and consumable materials to provide for a well-balanced motor and creative activities. For children, recognizing individual and group differences.

LYNN V. G Không văn bản
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LBC: September 18, 1974 at 9:36 a.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 7th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
705 EAK 5:010

RELATES TO: KRS 156.070, 157.320, and 163.030
PURSUANT TO: KRS 13.082
SUPERSEDED: KRS 78.250(4)

NECESSITY AND FUNCTION: To establish the limits for reimbursement of school bus transportation expenses incurred by local school districts sending their students to state vocational-technical schools and area vocational education centers.

Section 1. Local school districts shall be reimbursed for the transportation costs of their secondary school students attending the state's vocational-technical schools and area vocational education centers. Mileage for the purpose of reimbursement shall be calculated from the secondary school attendance district to the vocational school and back to the secondary school. Reimbursement shall be based on the state's average cost per bus mile for the previous school year, exclusive of the pay for the bus driver, as calculated by the Division of Pupil Transportation, Bureau of Administration and Finance.

Section 2. Local school districts shall be reimbursed for the actual number of days students are transported to the area vocational school up to a maximum of one hundred seventy-five (175) school days per year.

Section 3. Reimbursement for bus transportation shall be limited to the expenses allowable for transporting secondary school students to the nearest designated state vocational-technical school or area vocational education center. However, this shall not preclude a local school district from sending certain students to a more distant area vocational school to enroll in a particular program which is not offered in the local school and for which the local school is prepared to pay the extra transportation costs.

Section 4. Twelve (12) or more secondary school students shall be transported at the following rates per mile: (A) negotiated rates other than those negotiated rates of the state for the previous school year as calculated by the Division of Pupil Transportation, Bureau of Administration and Finance shall serve as the guide in determining the level of reimbursement.

Section 5. Reimbursement for bus driver expenses shall be on a per mile basis not to exceed the hourly rate paid other bus drivers employed in the local school district.

Section 6. Local school districts that do not provide public transportation for their secondary school students shall be reimbursed on an equal basis in terms of expense for the pupil transportation program offered in the area vocational education center during the regular school year.

LYNN V. G Không văn bản
Superintendent of Public Instruction
ADOPTED: September 17, 1974
RECEIVED BY LBC: September 18, 1974 at 9:39 a.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 7th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
705 EAK 5:060

RELATES TO: KRS 156.070, 163.030 and 339.430
PURSUANT TO: KRS 13.082
SUPERSEDED: KRS 78.250(4)

NECESSITY AND FUNCTION: To establish the procedure acceptable to the students in state-operated area vocational education facilities.

Section 1. State-operated vocational-technical schools and area vocational education centers shall be permitted to accept live work projects when the administrative and local staffs deem these necessary and appropriate for the vocational education of the students.

Section 2. State-operated area vocational schools accepting live work projects shall:

(1) All services performed in a school shop shall be documented on standard shop order forms provided by the Bureau of Vocational Education.

(2) The principal or coordinator of the facility shall be responsible for all unsupervised on-the-job training and for recording all services performed in a school order log book that shall be maintained as a proper record.

(3) All individuals or organizations committing live work to a school shop shall be prohibited to the school shop policy for accepting and performing live work. Persons committing live work shall sign the policy form indicating that they understand the policies and agree with them.

(4) Live work shop orders shall be approved and initialed by the principal or coordinator of the school shop and by the instructor of the class.

(5) No payments shall be handled by an instructor, live work shop orders shall not be released until payment for parts, supplies, and other cost items has been made and documented by the authorized personnel in the school.
EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 KAR 7:040)
RELATES TO: KRS 156.070 and 156.485
PUBLISHED TO: KSR 13.062
RECEIVED BY LSC: September 11, 1974 at 8:32 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

Section 1. The following definitions apply for all adult basic education programs in Kentucky:

(1) "Eighth Grade Equivalency Certificate" means a certificate issued by a local board of education indicating that a person has completed the eighth grade level as demonstrated by a score of 6.0 on the required tests.

(2) "High School Equivalency Certificate" means a certificate issued by the State Department of Education which indicates that a person has achieved the level of education equivalent to that of persons who have successfully completed the twelfth grade.

(3) "General Education Development test" means the test used to determine a person's eligibility for issuance of a High School Equivalency Certificate. This test is referred to as the GED test.

EDUCATION AND ARTS CABINET
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LSC: September 11, 1974 at 8:32 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

RELATES TO: KRS 156.070 and 163.360
PUBLISHED TO: KSR 13.062
SUPERSEDES: KSR 78.025
RECESSION AND FUNCTION: To assure that the education, experience, and qualifications of the school personnel are satisfactory in terms of quality education.

Section 1. The chief administrator must be a graduate of an institution of higher learning (college or university) or have sufficient background and training in the area for which he will be responsible.

Section 2. An instructor must be a graduate of an accredited high school or its equivalent determined by evidence of an acceptable score on the grade school testing center and one (1) year of additional education beyond high school graduation. The number of semester hours of credit from an accredited institution or
Section 3. In an instructor in health occupations shall have at least high school diploma, or its equivalent, determined by evidence of an acceptable score on a GED test administered by an approved testing center; be a graduate of an approved course of vocational education in the health occupation area to be taught; and have at least three (3) years of work experience in the occupational area. The (1) year of work experience requirement may be substituted by one (1) year of additional education beyond the high school level in an approved post-secondary school of the profession for an instructor of health occupations shall be as high as those required by students national board and association/organization license, certificate, or approve the graduates of vocational programs.

Section 4. Instructors employed in flight training programs shall have appropriate Federal Aviation Administration (FAA) certificates.

Section 1. Cancellation and refund policy must be clearly stated in the school catalog and the student enrollment contract.

Section 2. If the school is accredited by a nationally recognized accrediting agency, which is approved by the U.S. Office of Education, and that such accrediting agency has a specific refund and cancellation policy, the State Board of Education will accept the stated refund and cancellation policy.

Section 3. If the school is not accredited by a nationally recognized accrediting agency, or if the nationally recognized accrediting agency which the school is accredited by the U.S. Office of Education does not have a stated refund and cancellation policy, the State Board of Education will accept the refund and cancellation policy of the school if it meets the following minimum requirements:

(a) During the first twenty-five (25) percent of the course of instruction, no part of the tuition shall be returned to the student.

(b) During the second twenty-five (25) percent of the course of instruction, 25 percent of the tuition shall be returned to the student.

(c) After completion of fifty (50) percent of the course of instruction, the student is entitled to no refund.

Section 4. A school located outside this state that enrolls students in this state shall comply with the above policies unless their policy is more favorable to the student.
Administrative Register

State Board of Education, the Department of Education, or the State of Kentucky. The use of similar forms is also prohibited; however, the school may advertise that it has a "certificate of approval or license from the State Board of Education."

Section 3. The school shall not utilize advertising of any type which is misleading or erroneous, as defined in the Federal Trade Act (15 USC 45). [15 USC 45]

Lynn Y. Ginger
Superintendent of Public Instruction

ADOPTED: September 11, 1974
RECEIVED BY LRC: September 18, 1974 at 9:45 a.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601

Section 1. Each school shall be required to submit annually a financial statement prepared on prescribed forms approved by the State Board of Education, which forms shall be signed by a licensed accountant or pro-qualifed official.

Lynn Y. Ginger
Superintendent of Public Instruction

ADOPTED: September 11, 1974
RECEIVED BY LRC: September 18, 1974 at 9:45 a.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

Section 1. The school's student enrollment application, contract, or agreement must be certified as true and correct by an authorized officer at the time of application, and shall include:

(1) Method of computing of the course for which the student has enrolled.
(2) Total cost and initial payment at time of registration.
(3) Subsequent payments and dates the payments are due.
(4) Refund and cancellation policies.

Lynn Y. Ginger
Superintendent of Public Instruction

ADOPTED: September 11, 1974
RECEIVED BY LRC: September 18, 1974 at 9:45 a.m.

SUBMIT CORRECT OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

Section 1. Educational institutions desiring approval of

Lynn Y. Ginger
Superintendent of Public Instruction
EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 EAR 11:040)

RELEVANT TO: KES 156.070, 156.100, 163.030
PREVIOUS TO: KES 13.082
SUPERSEDES: KES 13.082

NECESSITY AND FUNCTION: To provide a means of withholding approval of the training institutions, when it is found upon investigation that the institution
meets all of the requirements of Section 1775, Chapter 36, Title 38, United States Code.

Section 1. The State approving agency, when upon investigation finds that an institution or training establishment has been under-manned, unethical practice, non-representation, fraud, or has failed to conform to any of the representations contained in its application for approval, shall withhold approval; or if such institution or training establishment has been approved previously, the approval shall be withdrawn.

LORRAINE V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LSC: September 10, 1974
SUBMIT REQUEST OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 EAR 11:050)

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
(705 EAR 11:050)

RELATES TO: KES 156.070, 156.100, 163.030
PREVIOUS TO: KES 13.082
SUPERSEDES: KES 13.082

NECESSITY AND FUNCTION: To provide for the required inspection and supervision of all types of facilities.

Section 1. The State approving agency, through its administrative unit in the Interagency Relations Division, Bureau of Vocational Education, shall:
(1) Visit training institutions and training establishments in order to inspect the training facilities and ascertain that they meet all of the qualifications as specified in this section as approved.
(2) Visit approved institutions and training establishments when deemed necessary. These visits must be in accordance with the provisions and inspections as outlined in the annual contract entered into between the Veterans Administration and the State Board of Education. The visits will be to determine whether the institutions and training establishments continue to comply with the representations made in their application for approval.

LORRAINE V. GINGER
Superintendent of Public Instruction
ADOPTED: September 11, 1974
RECEIVED BY LSC: September 10, 1974
SUBMIT REQUEST OR REQUEST FOR HEARING TO: Mr. Samuel Alexander, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Labor
Occupational Safety and Health
(603 EAR 21:020)

RELATES TO: KES Chapter 338
PREVIOUS TO: KES 13.082
SUPERSEDES: KES 13.082

NECESSITY AND FUNCTION: KES 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations, and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the Board. The following regulations contain those standards to be enforced by the Division of Occupational Safety and Health Compliance inspectors.

Section 1. The Occupational Safety and Health Board hereby adopts 29 CFR Part 1910, the Occupational Safety and Health Standards, December, 1972 edition, Volume 3, Number 343, Government Printing Office, Washington, D.C. 20402, including those changes which have been adopted by the U.S. Department of Labor and Rule 37, as published through July 31, 1973. These standards are hereby adopted by reference with the following exceptions:
(1) 29 CFR Part 1910.123, dealing with the proofs of this regulation adopt and extend the applicability of established federal standards contained in CFR Part 1910 to all employers, employees, and places of employment throughout the Commonwealth except those excluded in KES 338.021, Table 3.
(2) 29 CFR Part 1910.2 shall read as follows:
As used in this part, unless the context clearly requires otherwise:
(a) "Height" means KES Chapter 338.
(b) "Assistant Secretary of Labor" means the Commissi-
oner of Labor, Commonwealth of Kentucky.
(c) "Employee" means any entity for whom a person is
employed except those employees excluded in KES
338.016.
(d) "Employee" means any person employed except those
employees excluded in KES 338.017.
(e) "Written statement which requires condi-
tion, or the adoption or use of one or more prac-
tices, measures, or operations, or processes, reasonably necessary or appropriate to provide safe or healthful working conditions, shall mean as it includes the words "regulation", and "rule".
(f) "National Consensus Standard" means any occupational
safety and health standard or modification thereof
which has been adopted or promulgated by and by a
nationally recognized standards–producing organization.
(g) "Established Federal Standard" means any operative
occupational safety and health standard promulgated
by any agency of the United States Government.
(3) CFR Part 1910.13 through 1910.16 relating to ship
repairing, shipbuilding, shipbreaking, and longshore-
and.1910.207A
repairing, and longshore: and
relating to pesticides are excluded in their
entirety.
(29) CFR Part 1910.141(c) (2) (i) shall read as follows:
(a) Each work area shall have a separate compart-
ment with walls or partitions between fixtures suf-
ficiently high to ensure privacy.
(5) CFR Part 1910.309(c) shall be added and it shall read as
follows:
(c) Notwithstanding the provisions of subsections (1)
(1) and (2) of this section, the effective date of the
requirement in section 250–7 of the National Elec-
trical Code, that all 15- and 20-ampere receptable
outlets on single-phase circuits for construction
shall meet the specifications contained in that
section, and that circuit protection for personnel, is postponed indefinitely.
(6) Vinyl Chloride shall be removed from the table 0–1
which is found in 29 CFR 1910.92.
(7) 29 CFR 1910.51 relating to medical services and first
aid shall be changed to read as follows:
(a) The employer shall ensure the ready availability of medical services and first aid and make reasonable
consultation on the matters of occupational health.
(b) Employers shall maintain a self-help pro-
gram, with consultation thereon, utilizing first-
aid instruction material approved by the Kentucky
Department of Labor. Lone workers such as salesmen,
truck drivers, etc., shall be subject to the self-help
program.
(c) Where the eyes or body of any person may be exposed
to the use of vinyl chloride, suitable facilities for
quick drenching or flushing of the eyes and
body shall be provided within the work area for
immediate emergency use.

Section 2. (1) 29 CFR Part 1910.93 o is hereby adopted
by reference.
(2) CFR Part 1910.93 g is hereby adopted by reference.
(3) Situations where workers are exposed to levels of vinyl
chloride in excess of 0.50% without proper protective equipment shall be considered to constitute an imminent
danger.

GEORGE B. WAGNER, Deputy Commissioner, for
JAMES R. YOCON, Commissioner of Labor
ADOPTED: September 12, 1978
APPROVED: ELIJAH M. ROGGE, Secretary
RECEIVED BY LEC: September 19, 1974 at 2:10 p.m.

SUMMIT COMMENT OR REQUEST FOR HEARING TO: The Coordi-
nator, Kentucky Department of Labor, Occupational Safety and
Health Program, Capital Plaza Office Tower, Frankfort, Kent-
ucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Division of Oil and Gas
(805 KAR 1100)

RELATES TO: KES Chapter 338
PURPOSE TO: Provide for the adoption of the
SUPERSEDURE: 9WG 72-2
ADDITIONAL INFORMATION: KES 338.051 and 338.051 author-
ize the Kentucky Occupational Safety and Health Standards Board
and promulgate occupational safety and health rules, regulations, and standards.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Oil and Gas
(805 KAR 1100)

RELATES TO: KES 353.550 and 353.590
SUPERSEDURE: KES 11-2.11, 353.560 and 353.560
SUPERSEDURE: OAM 8-9-1
FUNCTIONS: KES 353.550 and 353.560 requires the Department of Mines and Minerals to regulate the
parallels and wall location plans. This proposed regulation amends uniformity and clarity in well loca-
tions and identity.
Section 1. Location plates for wells proposed to be drilled under the provisions of KRS Chapter 353 shall be prepared and certified by a licensed Kentucky Land Surveyor, provided that when the location of the well is to be undertaken by a company or person other than the person or company as provided in the KRS Chapter 353, each such plat shall be prepared by a licensed Kentucky Land Surveyor, as provided by an employee registered in Kentucky. If any plat submitted by an applicant is determined by the Department to be materially inaccurate or incomplete, the Department may require that a new plat be submitted. The Department may further require that all future plats submitted by such applicant be prepared by a licensed Kentucky Land Surveyor or a Kentucky registered engineer in accordance with the Character 353 regulations.

Section 2. A separate location plat shall be submitted with each application to drill, deepen or reopen a well.

Section 3. Location plats for wells proposed to be drilled under the provisions of KRS Chapter 353 shall be prepared in the well the proposed well shall be shown relative to the two (2) nearest boundaries of oil and gas ownership, and to the nearest producing well (if within 1,000 feet of the proposed well). The distances shall be clearly shown in feet.

The location of the proposed well shall be shown relative to two (2) permanent points (landmarks or monuments) by bearing and distance.

(3) The plat shall include a diagram or description sufficient to enable the Department of Mines and Minerals to locate the well and establish legal rights of way. The plat shall be made on a scale of 1:24,000. The diagram or description shall be prepared by the cartographer coordinate system, latitude and longitude, or the Kentucky grid system.

(4) The plat shall be prepared to a scale of one (1) inch equals 200 feet or less.

Section 4. Location plats in addition to the data required in Section 3 shall also include the following information:

(1) Operator
(2) Name of lease
(3) Well number
(4) Location of well (by instrument)
(5) Determination of any easement or riparian interest

Section 5. Public Protection and Regulation Cabinet

Section 6. Definitions: These regulations constitute and may be cited as the "Standards of Safety." (a) "Building" means any structure, or combination of structures, that is intended by design, construction, or intended use, for human occupancy and includes, but is not limited to, hotels, motels, apartments, schools, or other institutional, commercial, or industrial buildings, facilities, or structures. (b) "Building" means any building, structure, or combination of buildings, structures, or other structures, or other structures, or other structures, that are intended for human occupancy and includes, but is not limited to, hotels, motels, apartments, schools, or other institutional, commercial, or industrial buildings, facilities, or structures. (c) "Building" means American Society for Testing and Materials. (d) "Building" means as a material, device, or mode of construction, means materials, devices or equipment list by Underwriter's Laboratories, Inc. or testing laboratory of the American Gas Association.
or other recognized testing authority or approved by the architect. (e) "Fire" as applied to a building or structure, means the amount of heat, the nature, or the location of a building or structure to which a fire is applied.

(f) "Garage" means a space or area that is enclosed or partially enclosed, and is designed for the storage of vehicles.

(g) "Interior Finish" means the materials and products used to finish the interior of a building or structure, including, but not limited to, wall coverings, ceiling finishes, flooring, cabinets, countertops, and other similar materials.

(h) "Kitchen" means a space or area in which food is prepared and cooked.

(i) "Living Room" means a space or area in which people gather to socialize and relax.

(j) "Master Bath" means the largest and most prominent bathroom in a building or structure.

(k) "Bedroom" means a space or area used primarily for sleeping.

(l) "Balcony" means an enclosed or partially enclosed outdoor space that is accessible from a room in a building or structure.

(m) "Patio" means an enclosed or partially enclosed outdoor space that is not accessible from a room in a building or structure.

(n) "Garage" means a space or area that is enclosed or partially enclosed, and is designed for the storage of vehicles.

(o) "Basement" means a space or area below the grade level of the building or structure.

(p) "Unfinished" means not completed or finished to the extent required for occupancy.

(q) "Finished" means completed and ready for occupancy.

(r) "Interior Finish" means the materials and products used to finish the interior of a building or structure, including, but not limited to, wall coverings, ceiling finishes, flooring, cabinets, countertops, and other similar materials.

(s) "Fire Walls" means walls that are designed to resist the spread of fire.

(t) "Fireproof" means a material that is designed to resist the spread of fire.

(u) "Smokeproof" means a material that is designed to resist the spread of smoke.

(v) "Smoke Vent" means a device that is designed to allow smoke to escape from a building or structure.

(w) "Smoke Control" means a system that is designed to limit the spread of smoke in a building or structure.

(x) "Fire Rating" means the time period during which a material or assembly is expected to maintain its fire resistance.

(y) "Fire Retardant" means a material that is designed to reduce the flammability of a material.

(z) "Fire-resistant" means a material that is designed to resist the spread of fire.

(A) "Smoke-resistant" means a material that is designed to resist the spread of smoke.

(B) "Smoke Vent" means a device that is designed to allow smoke to escape from a building or structure.

(C) "Smoke Control" means a system that is designed to limit the spread of smoke in a building or structure.

(D) "Fire Rating" means the time period during which a material or assembly is expected to maintain its fire resistance.

(E) "Fire Retardant" means a material that is designed to reduce the flammability of a material.

(F) "Fire-resistant" means a material that is designed to resist the spread of fire.

(G) "Smoke-resistant" means a material that is designed to resist the spread of smoke.

(H) "Smoke Vent" means a device that is designed to allow smoke to escape from a building or structure.

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(yy) "Smoke Control" means a system that is designed to limit the spread of smoke in a building or structure.

(zz) "Fire Rating" means the time period during which a material or assembly is expected to maintain its fire resistance.
which are applied to the surface of combustible material in order to reduce the hazard, is herein referred to as a rating obtained according to the standard test method for fire hazard classification of the building material, as underwriters' laboratory, Inc., U.L. 723, NFPA 255, ASTM E64.

(1) "Noncompliant" as applied to the installations of heating equipment, means any material which will not ignite and burn.

(2) "Occupancy": (1) "Assembly Occupancy" means the occupancy or use of a building or structure or any portion thereof for the transaction of business, the receiving or providing of professional services, or the displaying, selling or buying of goods, wares, or merchandise, or the housing of vehicles or transportation equipment, except where the occupancy or in high hazard; including among others:

- Lecture Rooms
- Auditoriums
- Motion Picture Theaters
- Bowling Alleys
- Museums
- Classrooms
- Recreation Areas
- Restaurants
- Skating Rinks
- Television Stations
- Theaters

(2) "Business Occupancy" means the occupancy or use of a building or structure or any portion thereof for the transaction of business, the receiving or providing of professional services, or the displaying, selling or buying of goods, wares, or merchandise, or the housing of vehicles or transportation equipment, except where the occupancy or in high hazard; including among others:

- Service Stations
- Barter Shops
- Beauty Parlor
- Department Stores
- Garages

(3) "Educational Occupancy" means the occupancy or use of a building or structure or any portion thereof by any purpose relating to or receiving education instruction; including among others:

- Pre-school Child
- Elementary Classroom Unit
- Colleges
- Kindergartens
- Nurseries

4. "High Hazard Occupancy" means the occupancy or use of a building or structure or any portion thereof that involves highly combustible, high flammable or explosive materials or equipment characteristic that constitute a special fire hazard; including among others:

- Alumina Power Factories
- Charging or filling stations
- Distilleries
- Dry Cleaning Plants
- Dry Printing Plants
- Explosive-Manufacture, Sale or Storage
- Flour and Feed Mills
- Gasoline Pump Plants

5. "Industrial Occupancy" means the occupancy or use of a building or structure or any portion thereof for assembling, fabricating, finishing, manufacturing, packaging or processing operations, except for occupancies or in high hazard; including among others:

- Mills
- Machine Rooms
- Processing Plants
- Factories
- Ice Plants
- Laboratories
- Washrooms
- Manufacturing Plants

6. "Facilities Occupancy" means the occupancy or use of a building or structure or any portion thereof by persons harbored or admitted to a specific medical or charitable or other care or treatment, or by persons involuntarily detained; including among others:

- Nursing Homes
- Homes for the Aged
- Homes of Correction
- Infirmaries
- Jails

7. "Residential Occupancy" means the occupancy or use of a building or structure or any portion thereof by persons harbored or admitted to a specific medical or charitable or other care or treatment, or by persons involuntarily detained; including among others:

- Hotels

- Boarding Houses
- Lodging Houses
- Rooming Houses
- Convents
- Multifamily Houses
- Dormitories
- Stables

9. "Storage Occupancy" means the occupancy or use of a building or structure or any portion thereof for the storage of goods, wares, merchandise, agricultural or manufactured products or the sheltering of livestock and other animals. The occupancy is classified as high hazard.

10. "Noncombustible Construction" means construction conforming to the requirements of Section 707 of the Building Code, or Section 706 of the National Building Code, or Section 704 of the State Fire Marshall's Office.

- "Fest House" means an enclosed structure other than a roof, structure, located on the roof, extending not more than twelve (12) feet below the highest line of coplant primarily for living or recreational accommodations.

- "Place of Assembly" shall apply to all buildings or sections of buildings used for the gathering of more than one person for the purpose of assembly and amusement, including any recreation, educational, political, social, or amusement purposes, or for the consumption of food or drink.

- "Pre-fabricated" means fabricated prior to erection or installation or the building or structure foundation.

- "Pre-fabricated Noncombustible Construction" means construction conforming to the requirements of Section 704 of the National Building Code, or Section 706 of the State Fire Marshall's Office, or Section 707 of the National Building Code, or Section 704 of the State Fire Marshall's Office.

- "Public Place" means a thoroughfare or open space over twenty-one (21) feet wide which is dedicated to public use, or a facility, such as a fire department, public service.

- "Public Building" means an open space over twenty-one (21) feet wide which is dedicated to public use, or a facility, such as a fire department, public service.

- "Repair" means the replacement of existing work with equivalent materials for the purpose of its maintenance or repair, including any addition, change or modification in composition, or improvement of equipment.

- "Pre-occupied" means required by the provisions of these Standards.

- "Self-Closing" as applied to a fire door or other protective, means normally closed and equipped with an approved device which will insure closing after having been opened for use.

- "Shaft" means a vertical opening or passage through two (2) or more floors of a building or through floors and roof.

- "Specialty" indicates special provisions of these Standards which, while not mandatory, are highly desirable and strongly recommended.

- "Stowage" means storage of the area for the twenty-one (21) feet width which has been designated or devoted to the public for public use.

- "Wall" means a wall which supports any vertical load or element within the building or structure.

- "Cavity Wall" means a wall having a purpose or of one-third per cent of the floor area. The base area of a building or structure or any portion thereof for any purpose, including any addition, change or modification in composition, or improvement in composition, or improvement of equipment.

- "Specialized" means equipped with an approved automatic sprinkler system.

- "Story" means a part of building comprised between the floor or roof next above, and the foundation or above, and the foundation or under which it is supported, exclusive of storage, mechanical, or electrical equipment.

- "Street" means any public thoroughfare or space over twenty-one (21) feet wide which has been designated or devoted to the public.

- "This Office" means the State Fire Marshall's Office.

- "Noncombustible Construction" means conforming to the requirements of Section 707 of the Building Code.

- "Wall" means a wall which supports any vertical load or element within the building or structure.
remodeling of any building of the classes listed below, shall be constructed in accordance with the Standards of Safety, the Fire Marshal, the City, or the Board of Adjustments shall order its abandonment or demolition. Buildings which have not been extended by the authority of the Standards of Safety, the Fire Marshal, the City, or the Board of Adjustments shall be ordered to be abandoned or demolished. Sections 6, 7, 8, and 9, respectively, of this subsection shall be enforced in their entirety.

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fire-resistant and wall is carried up tightly against the underside of the roof slab.

6. "Fenestration Wall" means a wall below the first floor extending from wall to wall and serving as a support for a wall, pier, column, or beam and forming a wall or partition between buildings.

7. "Hollow Wall" means a wall built of masonry units so arranged as to provide an air space within the wall, the air space and the parts of the wall are bonded together with masonry unit.

8. "Nonbearing Wall" means a wall which supports no load and whose weight is supported by the floor or roof above it.

9. "Panel Wall" means a nonbearing wall built between columns or piers and wholly supported at each story.

10. "Fenestration" means the division of windows and doors between buildings.

11. "Wood Frame" means having a facings which is not attached and bonded to the backing as to form an integral part of the wall for purposes of load bearing and fire resistance.

12. "Good Frame Construction" shall mean construction conforming to the provisions of the Code of Rules and Regulations for the Construction of Buildings, Chapter 6, Article 2, Section 6. Buildings having exterior masonry veneer, metal, steel, brick, or other frame, consisting wholly or in part the structural parts of the building are considered "framed buildings."

Section 4. Administration, Enforcement, and Permits:

1. Jurisdiction:

(a) Any person, persons, firm, or corporation failing, refusing, or neglecting to comply with the Standards of Safety shall be punished as provided by REES 227.950.

(b) Permits:

(a) General: Permits required by this Subsection will be issued when the requirements of the Standards of Safety have been complied with. Permits may be issued, extended, or revoked if the requirements are violated. Applications for permits shall be made in writing. When submission of plans and specifications is required by the Standards of Safety, it is strongly recommended that the permit for plans and specifications be submitted for review in order to obtain advice as to the adequacy of the plans and specifications as required by the Standards of Safety, the application for a permit may be necessary in order to meet the minimum requirements. Any deviation from the plans and specifications shall have prior approval from the office of the State Fire Marshal.

(b) Application: Application for "State Permits" required by paragraph (a) shall be made to the State Fire Marshal, Division of Fire Prevention, Department of Insurance, Frankfort, Kentucky. Where submission of plans and specifications is required by the Standards of Safety, the application for a "State Permit" may be necessary, with at least one (1) complete set of plans and specifications shall be submitted with the application. The State Fire Marshal, Division of Fire Prevention, Department of Insurance, Frankfort, Kentucky, shall have the power to review any plans and specifications submitted in accordance with the requirements of the Standards of Safety, and shall issue permits accordingly.

(c) State Permits: A permit or license shall be obtained from the State Fire Marshal, for the following purposes:

1. The transportation, selling, storing for resale, or delivering of liquefied petroleum gas, not engaged in the business of installing or servicing liquefied petroleum gas equipment; for persons who actually perform such installations, except locations of buildings where the gas is an integral part of a device for its utilization, or for use as a motor fuel while in the fuel tank of the motor vehicle.

2. The construction, or substantial remodeling, of any plant or building of a class listed in Subsection 1, (b) (1) and (2), (a) following.

3. The construction of or substantial remodeling of any plant or building containing an occupancy for which a license is required under REES 224.120 relating to the storage and handling of liquefied petroleum gases.

4. Conditions where permits are required by Section 6, Flammable Liquids, Section 7, Dry Cleaning, Section 8, Airports, and Section 9, Electrical engineering.

5. Local Permits: Where the "State Permits" are required as, above, local permits shall also be obtained. In the event that the provisions of the Code have not been made by the municipality for the inspection or abatement of the municipal property, which has adopted the Standards of Safety, or has regulations at least as stringent as the Standards of Safety, no permits shall be required.

6. Certificate of Occupancy: The provisions on Certificate of Occupancy shall be enforced by the Board of Adjustments.

7. Design Responsibility, Plans and Specifications:

(a) Responsibility for the design, plans, and specifications, for the construction, and electrical covering the construction or substantial
its political subdivisions relating to matters within this State, and to the Police Officer of each city or town having a Police Officer.

(c) The duty of the Police Officer of each city or town shall be the duty of the Chief of Police of each city or town to have the Police Officers of its city or town to have the authority to investigate and require Police Officers to enter places of business or places of public assembly for such purpose.

Section 5. Constitutionality: If any part of the "Standards of Safety" should be invalid, the same shall not invalidate the remainder of the "Standards of Safety", but shall be confined to that part only, and to that part directly involved in the provision in which rendered.

Section 6. Storage, Handling and Transportation of Flammable Liquids: (a) Permit Requirements.

(a) State permits.
1. A permit subject to the provisions of Section 2-2, shall be obtained from the State Fire Marshal for the construction, substantial remodeling, or operation of any refinery, bulk storage plant, distributing station, or service station; and for the transportation of flammable liquids in tank vehicles and tank cars or otherwise, and shall be issued in accordance with the provisions of this Act.

(b) Local permits.
1. A permit subject to the provisions of Section 2-2, shall be obtained from the State Fire Marshal for the construction, substantial remodeling, or operation of any refinery, bulk storage plant, distributing station, or service station; and for the transportation of flammable liquids in tank vehicles and tank cars or otherwise, and shall be issued in accordance with the provisions of this Act.

(c) The annual permit shall be displayed at the tank truck or other vehicle in charge of the person in charge of the permit. Such permit shall be a sharply contrasting color and at a minimum of three (3) inches in height.

(d) No person shall store any flammable liquid in a tank vehicle for transportation in Kentucky until such vehicle has been inspected and approved by the Department of Public Safety, and a permit subject to the provisions of this Act has been issued.

Section 7. Dry Cleaning and Dyeing: (a) Definitions.

(a) For the purposes of the Standards of Safety, "dry cleaning" shall be considered the process of removing dirt, grease, paint, and stains from wearing apparel, household fabrics, furniture, etc., through the use of aqueous liquid solvents by one or more of the following methods:

1. Suspension and agitation in open vessels.
2. Suspension and agitation in enclosed vessels.
3. Dry cleaning, air brushing, dry cleaning with oil solvent, etc.

(b) "Dyeing" shall be considered the process of applying dye colors and non-gaseous liquid solvents to fabrics, leather, shoes, etc., by means of spraying, spraying in solution, or similar means, all processes associated with the production of color by the use of non-gaseous liquid solvents.

(c) "Dry cleaning" shall be defined as the process of cleaning by the use of non-gaseous liquid solvents applied by spraying, spraying in solution, or similar means.

(d) A permit shall be obtained from the State Fire Marshal, subject to the provisions of Section 2-2, for the construction, substantial remodeling, or operation of any dry cleaning plant, or for using any room or structure for any dry cleaning work, and for the storage of flammable or volatile substances for use in dry cleaning plants.

(e) Plans shall be drawn to an indicated scale and shall show the location of the dry cleaning plant, the type of equipment, and the equipment required for the proper storage of flammable or volatile substances for use in dry cleaning plants.
Section 2. Basic Requirements: (1) All public buildings and public accommodations at establishments or realigned after June 23, 1976, shall meet the American National Standard Institute Specifications for Accessibility of Buildings and Facilities by June 23, 1979; hereinafter referred to as specified by reference.

(2) Effective June 23, 1976, no building permit or other official authorization for construction or remodeling of a nonspecific building or public accommodation by any person is valid unless the plans and specifications are in compliance with these regulations.

Section 3. Minimum facilities for physically handicapped persons: (1) Toilet Rooms: (a) One call-bays of fixed or maneuverable chair handicapped shall be provided as indicated in accordance with ANSI A117.1-1961 (1979). 5.8.1, 5.8.2.


(3) Public telephones: Where "banks" of public telephones are located at least one public telephone shall be made usable by all physically handicapped, on the basis of accessibility described in ANSI A117.3-1971, 3.1.3.1.3.3.

(4) Hotel, Motel, Inns, and similar establishments providing lodging to transient guests: In hotel, motel, and similar establishments providing lodging to transient guests, other than those described in this section, which contain more than five (5) rooms for rent or hire and which is actually occupied by the Proprietor of such establishments as his residence, a minimum of five percent (5%) or a minimum of one, whichever is greater, of lodging rooms must comply with ANSI A117.1-1961 (1979). 5.8.2.

(5) Seating for assembly: (a) In public assembly with fixed type seating and a capacity greater than forty (40) seats, identified spaces for wheelchair handicapped shall be provided at a rate of one percent (1%) or a maximum of two, whichever is greater, of the total seating capacity for persons of other chair handicapped with crutches and/or walkers.

(b) Such spaces and seating shall be located at an integral part of the overall floor plan of said assembly area.

(6) Instructional facilities, dining halls, and other areas utilized need not be fixed wheelchair accessible: (a) Where fixed tables are used, a minimum of two percent (2%) or at least one (1), shall have twenty-three-inch clearances under the table top, and if aprons are greater than two (2) inches, they shall be removed. One (1) inch clearance in areas, and libraries, all fixed tables shall meet this requirement.

(b) Where fixed tables shall be a minimum of five (5) feet, five (5) inches.

(c) Where fixed tables shall be a maximum of thirty-four (34) inches.

(d) Aisles between fixed table slides and control railings in dining areas shall be a minimum of thirty-four (34) inches.

(e) In areas with twenty-four (24) or more fixed stations, lecture halls, libraries, dining areas, and other work or study areas, or two percent (2%), or at least one station or seat, shall have twenty-three-inch clearances under the table top, and if aprons are greater than two (2) inches, they shall be removed. One (1) inch clearance in areas and libraries, all fixed tables shall meet this requirement.

(f) In laboratories and other work or study areas using work benches, each "handicapped station" shall be designed to have a work bench with a clear minimum of twenty-two (22) inches, (floor to underside of upper shelf). One (1) inch clearance in areas and libraries, all fixed tables shall meet this requirement.

(g) Aisles between fixed work benches shall have a minimum width of two (2) feet.

(h) Aisles between fixed stacks in libraries shall have a minimum width of four (4) feet.

Section 4. Parking lot-sidewalk ramps: (1) In order to enable wheelchair handicapped persons to have independent access from parking lot to sidewalk, a ramp with nonslip surface shall be built into the curb so that the sidewalk and parking lot have level access to the curb.

(2) Where such ramps are required, they shall not have a slope greater than one (1) foot rise in twelve (12) feet, or 6.35, or 4 degrees 50 minutes.

(3) Where such ramps are required, they shall be at least thirty-two (32) inches wide.

(4) Curb shall be taken so that the curb cut is not itself a hazard to the blind.

Section 5. Parking spaces, minimum number: The minimum number of fixed parking spaces shall be as follows:

TOTAL IN PARKING LOT
ACCESSIBLE SPACES
1 to 25 1
26 to 50 2
51 to 75 3
76 to 100 4
101 to 150 5
151 to 200 6
201 to 300 7
301 to 400 8
401 to 500 9
501 to 1000 28 x Total-20 plus 1
over 1000 for each 200 over 1000

Section 6. Identification: (1) All buildings shall have sufficient markings to indicate the location of all facilities for the physically handicapped at least limited to parking spaces, access ramps, and toilet rooms.

(2) The international symbol of access shall be displayed on or near those buildings in which a person is a wheelchair can enter unassisted, conduct his business, use its facilities, and return to the main areas of pedestrian travel or a parked automobile without meeting physical impediments of design or construction.

(3) A small international symbol of access may be displayed in large public use buildings to identify certain facilities that have been made accessible and usable by the handicapped.

(4) Use of the international symbol shall conform to these specifications:

(a) Visibility requires that the symbol be no smaller than four (4) inches (ten (10) centimeters) on each side of long dimension. An eighteen (18) inch (forty-five (45) centimeters) square would normally be considered of sufficient size. Size for red or yellow large display should maintain the square proportion and not alter the abstract figure is the wheelchair.

(b) Colors should be blue or black for dark contrast, if made of metal, black on silver or gold in preferred, if necessary, coloring may be reversed.

HARREN SOHRHEDE, State Fire Marshal
HAROLD B. MCCOFFY, Commissioner
APPROVED: ELLICE E. BODGE, Secretary
RECEIVED BY LBC: September 17, 1974 at 2:17 P.M.

PUBLIC HEARING: A public hearing will be held on November 1, 1974, at 10:00 a.m. in Room 6-2, Capital Plaza Tower, Frankfort, Kentucky. Persons having an interest in the subject matter of the proposed regulations are invited to attend and present testimony or submit their comments in writing to: State Fire Marshal's Office, Capital Plaza Tower, Frankfort, Kentucky 40601.

PUBLIC PROJECTION AND REGULATION CABINET
Office of the State Fire Marshal
(806 KRS 50:550)

RELATES TO: KRS 234.140 and 13.082
MUST FILE: KRS 234.140 requires the Commissioner to promulgate rules for safe storage, transportation, and use of LP Gas. This proposed regulation will assure the LP Gas dealers are responsible persons before issuing a license or after granting a license.

Section 1. LP Gas License, Denial, Revocation, or Suspension: All licenses required under KRS 234.120 may be denied, suspended or revoked after hearing thereon for:

(1) Evidence of financial irresponsibility;

(2) Failure to pay the required fees;

(3) Failure to keep records or other violations of the applicable regulations;

(4) Failure to have and maintain proof of ability to respond to in emergencies.

HARREN SOHRHEDE, State Fire Marshal
APPROVED BY: A. J. R. McCOFFY, Commissioner
ADOPTED: July 15, 1974
RECEIVED BY LBC: September 17, 1974 at 2:13 P.M.

PUBLIC HEARING: A public hearing will be held on November 1, 1974, at 10:00 a.m. in Room 6-2, Capital Plaza Tower, Frankfort, Kentucky. 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: State Fire Marshal's Office, Capital Plaza Tower, Frankfort, Kentucky 40601.
administrative register

Public Protection and Regulation Cabinet
Department of Insurance
Office of the State Fire Marshal

Relevant to: KRS 234.120

Pursuant to: KRS 234.120 and 13.082

Necessity and Function: KRS 234.120 requires the Commission to provide regulations requiring proof of financial responsibility. This proposed regulation is made to conform to the requirements by other states. These states have some assets against which to recoup some of their losses.

Section 1. Proof of financial responsibility, amount.

(a) Selling, to the ultimate consumer or user, of liquefied petroleum gas, of liquefied petroleum gas containers, or of liquefied petroleum gas regulating equipment for use with liquefied petroleum gas; Gas shall be stored under the following conditions: (b) Assembling, repairing, installing or connecting of liquefied petroleum gas container, or regulating equipment, or liquefied petroleum gas appliance; or any liquefied Petroleum Gas utilization equipment, or any Liquefied Petroleum Gas containers of less than one hundred (100) pounds capacity;

(b) Subject to the exceptions provided in KRS 234.120 subsection (2), no person shall obtain a license to the business set out below without a bond of ability to respond in damages for personal injury or property damages in the sum of twenty-five thousand dollars.

Section 2. Proof of ability to respond in damages.

(a) From the 1976 publication of the Federal Register, the Secretary of the department has said that the bond shall be in the amount of $25,000.

(b) The subject matter of the proposed regulation is invited to attend and testify at or before the hearing on the proposed regulations being held by the Secretary of the department.

Public Hearing: A public hearing will be held on November 1, 1976 at 10:00 a.m. in Room 2-2, Capital Plaza Tower, Frankfort, Kentucky. Persons having an interest in the proposed regulations are invited to attend the hearing.

Warren Southworth, State Fire Marshal

Public Protection and Regulation Cabinet
Department of Insurance
Office of the State Fire Marshal

RELATES TO: KRS 234.120; 234.160

Pursuant to: KRS 234.120 and 13.082

Necessity and Function: The Commission has been given the authority to establish measures required for safe storage, handling, and use of liquefied Petroleum Gas. This proposed regulation will help ensure the proper procedures in handling and use of liquefied Petroleum Gas.

Section 1. Propane Gas, Storage for standby usage: Before any plant may be constructed for the storage of liquefied petroleum gas for the industrial or commercial standby usage, a copy of the plans and specifications must be submitted in duplicate to the Administrator of the Environmental Protection Cabinet and the State Fire Marshal and shall be approved by said cabinet before construction of the facility or installation is begun. The sub-mitted shall show the following information as a minimum:

(a) The name and address of the owner;
(b) A plan showing the location of the plant and the nearest property lines and locations and dimensions of any buildings which may affect the distance required under the regulations adopted by the Commission;
(c) Construction drawings showing the arrangement and construction of all tanks, tanks supports, piping, accessories, buildings, and appurtenant items of construction. These drawings shall be in sufficient detail to allow a contractor to compare with and pipe installation but not necessarily with the physical construction of the liquefied Petroleum gas.

(d) A copy of the original boiler inspector’s report of inspection of the tank or tanks to be used or a reference to manufacturer’s name and serial number of the tank so that such report may be obtained directly;
(e) A copy of the plan, the dates of any subsequent revisions and the signature of the person assuming responsibility for the correctness of the plans.

PUBLIC PROTECTION AND REGULATION Cabinet
Department of Insurance
Office of the State Fire Marshal

RELATES TO: KRS 234.300

Pursuant to: KRS 13.082

Necessity and Function: KRS 234.300 requires the Commission to promulgate rules to provide for the safe storage, and transfer and handling of all flammable liquids. This proposed regulation supplements the National Fire Protection Association pamphlet 30, 1973 edition, in the area of self-service stations for Class I flammable liquids.

Section 1. Driver Control Required: In all self-service stations for flammable liquids there shall be a control room in which a remote control device is located. Said device must be located within arms reach of the attendant while he is maintaining the appropriate and adequate observation and control of dispensing activities.

Section 2. Attendant Required, Duties: (1) There shall be no less than two attendants on (9) inches. The driver of the station is open to the public and the self-service remotely controlled dispensing equipment is in use.

(2) The attendant shall supervise the dispensing of Class I liquids from within the confines of the control room or stand while the remote controlled stations is located.

(3) The attendant shall refuse service to any customer who is not from or who appears for any reason to be unable or incompetent to participate in the dispensing of a Class I liquid.

Section 3. Communication System: A two-way communication system between the control room or stand and each pump is required.

Section 4. New for Spillage: (1) An operable water hose shall be connected and available for each pump. Upon spillage at all times the station is open for business.

(2) The event of a Class I spillage, an attendant shall activate the warning system and spillage, unless in doing so a greater hazard would result.

Section 5. Locking Dispensing Units: Each dispensing device for Class I liquids at motor vehicle refueling stations shall be kept locked or otherwise maintained inoperable at all times that the station is not attended.

Public Hearing: A public hearing shall be held on November 1, 1976 at 10:00 a.m. in Room 2-2, Capital Plaza Tower, Frankfort, Kentucky. Persons having an interest in the subject matter of the proposed regulations are invited to attend and testify at or before the hearing.
PUBLICATION PROTECTION AND REGULATION CABINET
Office of the State Fire Marshal
(806 EAB 50:100)

RELATES TO: KRS 17.210
Effective September 30, 1974
PREPARED BY: J. GOGG, Commissioneer
ADOPTED: September 15, 1974
RECEIVED BY: G. M. ROGGE, Secretary
PUBLISHED IN: The Louisville Times

Section 1. Standards and Procedure: (1) To qualify to receive aid under the Fire Protection Aid Law, fire departments in cities of all classes, fire prevention districts organized pursuant to KRS Chapter 75, county districts established under authority of KRS 67.320 and all other organized fire departments operated and maintained on a non-profit basis are required to prove the need for financial aid. (2) Fire Protection Aid Committee shall determine the amount and the extent that such financial aid shall be provided, and what are the requirements for financial aid. (3) The Commission or Fire Protection Personnel Standards and Education promulgated by the Commission of Insurance and shall be based on the funds available and the needs of the applicants.

Section 2. Application for Aid: (1) Application for financial aid shall be made by the Fire Department in the form prescribed by the Commission of Insurance and shall be based on the funds available and the needs of the applicants. (2) An application shall be submitted to the State Fire Marshal, and the original shall be forwarded to the State Fire Marshal.

Section 3. Verification and Inspection: (1) The application for financial aid shall be reviewed by the Fire Department in the form prescribed by the Commission of Insurance and shall be based on the funds available and the needs of the applicants. (2) An application shall be submitted to the State Fire Marshal, and the original shall be forwarded to the State Fire Marshal.

Section 4. Processing Applications for and Expenditure of Aid: (1) The application for financial aid shall be reviewed by the Fire Department in the form prescribed by the Commission of Insurance and shall be based on the funds available and the needs of the applicants. (2) An application shall be submitted to the State Fire Marshal, and the original shall be forwarded to the State Fire Marshal.

Section 5. Definitions: In addition to the definitions contained herein, the definitions of KFP 501 (B) and WPA (C) in the Fire Protection Code shall be incorporated into this regulation.


(a) Essentially a public policy to: (a) Promote the health, safety, and welfare of the public in the use of mobile homes and recreational vehicles, and (b) To protect the public from fraud, deception, or other unfair methods in trade in mobile homes and recreational vehicles.

(b) The purpose of this section is to: (a) Provide for the regulation of mobile homes and recreational vehicles, and (b) To protect the public from fraud, deception, or other unfair methods in trade in mobile homes and recreational vehicles.

(c) The carrying out of this act is to: (a) Establish a system of inspection, testing, and certification of mobile homes and recreational vehicles, and (b) To protect the public from fraud, deception, or other unfair methods in trade in mobile homes and recreational vehicles.
(d) Makes available a published report in which specific information is included stating that the equipment meets the standards and has been tested and found safe for use in a specific manner; and

(e) Has the ability to offer, manufacture, import, or sell mobile homes or recreational vehicles without a license.

2. Class "B" Seal: A device or insignia issued by the office to indicate compliance with the standards, established by the Board for new mobile homes and recreational vehicles manufactured prior to the effective date of the Act.

3. Class "C" Seal: A device or insignia issued by the office to indicate compliance with the standards, established by the Board for new mobile homes or recreational vehicles manufactured on or after the effective date of the Act.

4. Established Place of Business: A fixed and permanent place of business which includes a hard and hard surface lot of suitable character and adequate facilities and qualified personnel, for the purpose of permanent occupancy for mobile homes or recreational vehicles, which is not more than two miles from the place of manufacture or sale of mobile homes or recreational vehicles.

5. Certificate of Acceptability: A certificate of compliance issued by the office to indicate that the mobile home or recreational vehicle offered for sale or for use meets the requirements of the Act.

9. Section 5: Standards for Vehicles in Manufacturers' or Dealers' Possession. The office shall enforce such standard requirements to ensure that mobile homes and recreational vehicles are manufactured, sold, or offered for sale in accordance with the standards and regulations established by the office to protect the health and safety of the occupants and the public.

10. Section 7: Certificate of Acceptability: No manufacturer or manufacturer's agent, or seller, or mobile home or recreational vehicle manufacturer's agent or mobile home or recreational vehicles manufacturer's agent or mobile home or recreational vehicle manufacturer's agent shall sell or rent or lease any mobile home or recreational vehicle unless such mobile home or recreational vehicle has been manufactured or recycled into compliance with the standards and regulations specified in the Act.

11. Section 8: Requirements for Certification: The manufacturer or manufacturer's agent shall submit an application for certification of the mobile home or recreational vehicle to the office under this Act.
7. Test equipment.
   8. Test methods.
   9. Test procedures.
10. Record-keeping procedures.
    (a) A Certificate of Acceptability has been issued shall modify in any way its manufacturing specifications or the use specified in the Act.
    (b) Certificates of Acceptability shall be issued by the Administrator, or his agents.
    (c) A Certificate of Acceptability shall be issued by the Administrator, or his agents.
12. If the manufacturer or a dealer, he must also comply with the following provisions:
    (a) Violations of any law relating to the sale or financing of mobile homes or recreational vehicles shall be subject to the Act.
    (b) Any provision of this Act or any regulation or order promulgated by the Administrator or any person shall be subject to the Act.
13. No manufacturer shall be considered to be in violation of the Act.
   14. Everyone shall be considered to be in violation of the Act.
   15. The Act shall not apply to the sale or financing of mobile homes or recreational vehicles.
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   18. The Act shall not apply to the sale or financing of mobile homes or recreational vehicles.

Section 5. Dealer Licenses.

(a) No dealer shall sell or lease mobile homes or recreational vehicles in this State without a license issued by the office for the following:
   (b) The Act shall be effective in the State of California from and after the date of this Act.
   (c) The Act shall be effective in the State of California from and after the date of this Act.

Section 6. Certificate of Acceptability.

(a) A Certificate of Acceptability shall be issued by the Administrator, or his agents.
   (b) A Certificate of Acceptability shall be issued by the Administrator, or his agents.
   (c) A Certificate of Acceptability shall be issued by the Administrator, or his agents.
   (d) A Certificate of Acceptability shall be issued by the Administrator, or his agents.

Section 7. Record-keeping Requirements.

(a) Every manufacturer, dealer, or consumer shall keep and maintain adequate records of all transactions relating to the sale, lease, or financing of mobile homes or recreational vehicles.
   (b) Every manufacturer, dealer, or consumer shall keep and maintain adequate records of all transactions relating to the sale, lease, or financing of mobile homes or recreational vehicles.

Section 8. Testing Requirements.

(a) Every manufacturer, dealer, or consumer shall test all mobile homes or recreational vehicles before delivery to the consumer.
   (b) Every manufacturer, dealer, or consumer shall test all mobile homes or recreational vehicles before delivery to the consumer.

Section 9. Enforcement.

(a) The Act shall be enforced by the Administrator, or his agents.
   (b) The Act shall be enforced by the Administrator, or his agents.

Section 10. Penalties.

(a) Any violation of this Act or any regulation or order promulgated by the Administrator shall be subject to the Act.
   (b) Any violation of this Act or any regulation or order promulgated by the Administrator shall be subject to the Act.
   (c) Any violation of this Act or any regulation or order promulgated by the Administrator shall be subject to the Act.

Section 11. Amendments.

(a) The Act may be amended from time to time.
   (b) The Act may be amended from time to time.
   (c) The Act may be amended from time to time.

Section 12. Repeal.

(a) The Act is repealed.
   (b) The Act is repealed.
   (c) The Act is repealed.

Section 13. Effective Date.

(a) The Act shall take effect on the date of its adoption.
   (b) The Act shall take effect on the date of its adoption.
   (c) The Act shall take effect on the date of its adoption.
(f) Failure to have or to maintain an established place of business.

(g) Failure to furnish or maintain the required bond.

(h) Making a fraudulent sale, transaction or representation.

(i) Employment of fraudulent devices, methods, or practices in connection with the requirements under the statute of this Act, and the conditions of the sale of goods under retail installment contracts and the redemption and resale of such goods.

(j) Failure of a seller to provide a mobile home or recreational vehicle in his name after said dealer has warranted the mobile home or recreational vehicle by trade or otherwise.

(k) Violation of any law relating to the sale or financing of mobile homes or recreational vehicles.

(1) If a licensee is a firm or corporation, it shall be sufficient cause for the denial, suspension or revocation of a license that any officer, director or trustee of the firm or corporation, or any other person in any capacity, has been guilty of any act or omission which would be cause for refusing, suspending, or revoking a license to such party as an individual. Each licensee shall be responsible for any act or omission of his salesmen while acting as his agent.

(11) Upon proceedings for the suspension of a license for any of the violations enumerated in the Act, the licensee may have the alternate, subject to the approval of the Board, to present in person all of the days of any suspension the sum of fifty ($50) dollars per day.

(12) Procedure for Denial, Revocation, or Suspension:

(a) The office may deny the application for a license within fifteen (15) days of receipt thereof by written notice to the applicant, stating the grounds for such denial.

(b) No license shall be suspended or revoked by the office except after a hearing thereon. The office shall serve notice of such hearing on the applicant thirty (30) days in advance of the time of the hearing.

(c) Any dealer who has violated any provision of the Act or any regulation or order lawfully made pursuant thereto as well as any other facts described in this section, shall be subject to such suspension or revocation.

(d) Any dealer who fails to comply with any rule or regulations promulgated thereunder shall be subject to such suspension or revocation.

(e) Any person aggrieved by any denial, suspension or revocation of a license, within fifteen (15) days after such denial, suspension or revocation, may appeal such denial, suspension, or revocation to the Board, in accordance with the provisions of the Act, within twenty (20) days after such denial, suspension, or revocation.

(f) Any person aggrieved by any denial, suspension, or revocation of a license, may appeal such denial, suspension, or revocation to the Board, in accordance with the provisions of the Act, within twenty (20) days after such denial, suspension, or revocation.

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### DEPARTMENT FOR HUMAN RESOURCES

**Kentucky Drug Formulary Council**

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(2) **Ampicillin 500mg Capsule Form**

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**Section 2.** **Ampicillin Oral Suspension Pharmaceutical Products.** The following ampicillin oral suspension pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) **Ampicillin 125mg per 5ml Oral Suspension**

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<td>Supen</td>
<td>Reid-Provident Laboratories, Inc.</td>
</tr>
<tr>
<td>Tocatillin</td>
<td>Beecham-Massengill</td>
</tr>
<tr>
<td>Vampen</td>
<td>Vangard Laboratories</td>
</tr>
<tr>
<td>Drug Name</td>
<td>Company/Manufacturer</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Amoxicillin Trihydrate</td>
<td>Wyeth Laboratories</td>
</tr>
<tr>
<td>Cefaclor</td>
<td>Pfizer</td>
</tr>
<tr>
<td>Penbritin</td>
<td>Ayervet</td>
</tr>
<tr>
<td>Peflax</td>
<td>Upjohn</td>
</tr>
<tr>
<td>Polyclin</td>
<td>Bristol</td>
</tr>
<tr>
<td>Prinicipen</td>
<td>Squibb</td>
</tr>
<tr>
<td>QDamp</td>
<td>Mallinckrodt Chemical Works</td>
</tr>
<tr>
<td>SK-Ampicillin</td>
<td>Smith, Kline &amp; French</td>
</tr>
<tr>
<td>Sarpex</td>
<td>Vel-Provent Laboratories, Inc.</td>
</tr>
<tr>
<td>Tazacillin</td>
<td>Beecham-Dennengill</td>
</tr>
<tr>
<td>Vapen</td>
<td>Vangard Laboratories</td>
</tr>
</tbody>
</table>

**DEPARTMENT FOR HUMAN RESOURCES**

**Kentucky Drug Formulary Council**

**RELATES TO:** KGS 217.616 to 217.626 and 217.990 (9) (10)

**REVIEWER:** KGS 13.082

**LEVEL 4 APPROVAL:** GVP-4

**NecesSITY AND FUNCTION:** KGS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the Council to be therapeutically equivalent. This regulation lists erythromycin pharmaceutical products with their generic or chemical names as determined by the Council to be therapeutically equivalent. This regulation relates to four (4) separate entities of erythromycin: viz., erythromycin base; erythromycin stearate; erythromycin ethyl succinate; and erythromycin estolate.

**Section 1. Erythromycin Estolate Pharmaceutical Product.**

The following erythromycin estolate pharmaceutical product is not interchangeable with any other erythromycin product:

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>Company/Manufacturer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ilosone</td>
<td>Eli Lilly &amp; Company</td>
</tr>
</tbody>
</table>

**Note:** No other current product is considered therapeutically equivalent.

**Section 2. Erythromycin Base Pharmaceutical Products.**

The following erythromycin base pharmaceutical products, 250mg., solid oral dosage form, are considered to be therapeutically equivalent:

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>Company/Manufacturer</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-Mycin</td>
<td>Upjohn</td>
</tr>
<tr>
<td>ERYthromycin Base</td>
<td>Abbott Laboratories</td>
</tr>
<tr>
<td>ERYthromycin Base</td>
<td>Nocaan Drug Company</td>
</tr>
<tr>
<td>ERYthromycin Base</td>
<td>I.I. Atlanta</td>
</tr>
<tr>
<td>Ilotycin</td>
<td>Eli Lilly &amp; Company</td>
</tr>
<tr>
<td>Keno-Eycin</td>
<td>McKesson Laboratories</td>
</tr>
<tr>
<td>Kobamycin</td>
<td>A. H. Robins Co., Inc.</td>
</tr>
<tr>
<td>RE-Mycin</td>
<td>Reid-Provent Laboratories, Inc.</td>
</tr>
</tbody>
</table>

**Section 3. Erythromycin Stearate Pharmaceutical Products.**

The following erythromycin stearate pharmaceutical products; 250mg., 250mg., and 500mg., solid oral dosage form, are considered to be therapeutically equivalent in each respective dosage:

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>Company/Manufacturer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erystar</td>
<td>Parke-Davis &amp; Company</td>
</tr>
<tr>
<td>Erythromycin Stearate</td>
<td>Abbott Laboratories</td>
</tr>
<tr>
<td>ERYthromycin Stearate</td>
<td>Alliance Laboratories, Inc.</td>
</tr>
<tr>
<td>ERYthromycin Stearate</td>
<td>Columbia Medical Company</td>
</tr>
<tr>
<td>ERYthromycin Stearate</td>
<td>Bell Pharmaceutical Corporation</td>
</tr>
<tr>
<td>ERYthromycin Stearate</td>
<td>Puripec Pharmaceuticals</td>
</tr>
</tbody>
</table>

**Section 4. Erythromycin Ethyl Succinate Pharmaceutical Products.**

The following erythromycin ethyl succinate pharmaceutical products; oral suspension, chewable tablets; drops 100mg., per 2.5ml.; and granules 200mg. per 5ml. are considered to be therapeutically equivalent within the respective dosage form:

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>Company/Manufacturer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erythromycin Ethyl Succinate</td>
<td>Abbott Laboratories</td>
</tr>
<tr>
<td>Erythromycin Ethyl Succinate</td>
<td>Ross Laboratories</td>
</tr>
<tr>
<td>Erythromycin Ethyl Succinate</td>
<td>Ross Laboratories</td>
</tr>
<tr>
<td>Erythromycin Ethyl Succinate</td>
<td>Ross Laboratories</td>
</tr>
</tbody>
</table>

**DEPARTMENT FOR HUMAN RESOURCES**

**Kentucky Drug Formulary Council**

**RELATES TO:** KGS 217.616 to 217.626 and 217.990 (9) (10)

**REVIEWER:** KGS 13.082

**LEVEL 4 APPROVAL:** GVP-4

**NecesSITY AND FUNCTION:** KGS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names as are determined by the Council to be therapeutically equivalent. This regulation lists penicillin-6 pharmaceutical products with their generic or chemical names that have been determined by the Council to be therapeutically equivalent.

**Section 1. Penicillin-6 Tablet Pharmaceutical Products.**

The following Penicillin-6 tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

<table>
<thead>
<tr>
<th>Drug Name</th>
<th>Company/Manufacturer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penillin-6 Tablets 100,000 BPD Units</td>
<td>Columbia Medical Company</td>
</tr>
<tr>
<td>Penillin-6 Tablets 200,000 BPD Units</td>
<td>Eli Lilly &amp; Company</td>
</tr>
<tr>
<td>Penillin-6 Tablets 250,000 BPD Units</td>
<td>Ross Laboratories</td>
</tr>
</tbody>
</table>
NECESSITY AND PREFERENCE: KRS 217.819 directs the Kentucky
Drug Formulary Council to prepare a formulary of drugs and
pharmaceuticals with their generic or chemical names that are
determined by the Council to be therapeutically equivalent
to specified brand name drugs and pharmaceuticals. This regulation lists Phenoxycetidyl Penicillin (Penicillin V)
pharmaceutical products by their generic and brand names
that have been determined by the Council to be therapeutically
equivalent.

Section 1. Phenoxycetidyl Penicillin (Penicillin V) Tablet
Pharmaceutical Products. The following Phenoxycetidyl Penicillin V tablet
pharmaceutical products are determined to be therapeutically
equivalent, in each respective dosage:

(1) Penicillin V Tablets 125mg

- Coapocillin VK
- Abbott Laboratories
- Phenoxycetidyl Penicillin
- Columbia Medical Company
- Pen Vee K
- Wyeth Laboratories
- Phenoxycetidyl Penicillin
- Phenoxycetidyl Penicillin
- Cooper Pharmaceuticals
- V-Cillin-K
- Eli Lilly & Company

(2) Penicillin V Tablets 250mg

- Coapocillin VK
- Abbott Laboratories
- Phenoxycetidyl Penicillin
- Dow Pharmaceuticals
- Pen Vee-FK
- McKesson Laboratories
- Penapar VK
- Parke-Davis & Company
- Penapar VK
- Penicillin V
- Parke-Davis & Company
- Penapar VK
- V-Cillin-K
- Eli Lilly & Company
- Pen Vee K
- Wyeth Laboratories, Inc.
- Phenoxycetidyl Penicillin
- Pyrissor Laboratories
- Phenoxycetidyl Penicillin
- Phenoxycetidyl Penicillin
- V-Cillin-K
- Eli Lilly & Company
- V-Cillin-K
- E. R. Squibb & Sons, Inc.

(3) Penicillin V Tablets 500mg

- Coapocillin VK
- Abbott Laboratories
- Phenoxycetidyl Penicillin
- Dow Pharmaceuticals
- Pen Vee-FK
- McKesson Laboratories
- Penapar VK
- Parke-Davis & Company
- Penapar VK
- Penicillin V
- Parke-Davis & Company
- Penapar VK
- V-Cillin-K
- Eli Lilly & Company
- Pen Vee K
- Wyeth Laboratories, Inc.
- Phenoxycetidyl Penicillin
- Pyrissor Laboratories
- Phenoxycetidyl Penicillin
- Phenoxycetidyl Penicillin
- V-Cillin-K
- Eli Lilly & Company
Section 2. Phenacyllyl Penicillins (Penicillins V) Oral Liquid Pharmaceutical Products. The following Penicillins V pharmaceutical products for oral liquids are considered to be therapeutically equivalent, in each respective dosage:

(1) Penicillin V Powders or Granules for Oral Liquid Dosage 125mg

- Compricillin VK Abbott Laboratories
- Keso-Pen-VK McKesson Laboratories
- Penapir VK Parke-Davis & Company
- Penicillin V Columbia Medical Company
- Penicillin VK Richie Pharmaceutical Co., Inc.
- Pen Vee K Wyeth Laboratories, Inc.
- Pfizerpen VK Pfizer Laboratories

- Phenacyllyl Penicillin Gylan Laboratories
- Qidpen VK Mallinkrodt Chemical Works
- Robicillin VK A. H. Robins Co.
- SK-Penicillin-WK Smith, Kline & French
- Utilcillin VK Upjohn Company
- Vanpen VK Vangard Laboratories
- V-Cillin K Eli Lilly & Company
- Vestid E. R. Squibb & Sons, Inc.

(2) Penicillin V Powders or Granules for Oral Liquid Dosage 250mg

- Compricillin VK Abbott Laboratories
- Keso-Pen-VK McKesson Laboratories
- Penapir VK Parke-Davis & Company
- Penicillin V Columbia Medical Company
- Penicillin VK Richie Pharmaceutical Co., Inc.
- Pen Vee K Wyeth Laboratories, Inc.
- Pfizerpen VK Pfizer Laboratories

- Phenacyllyl Penicillin Gylan Laboratories
- Qidpen VK Mallinkrodt Chemical Works
- Robicillin VK A. H. Robins Co.
- SK-Penicillin-WK Smith, Kline & French
- Utilcillin VK Upjohn Company
- Vanpen VK Vangard Laboratories
- V-Cillin K Eli Lilly & Company
- Vestid E. R. Squibb & Sons, Inc.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council
(902 KAR 1:09)

Benzathine Sodium
- Abbott Laboratories
- Penbar
- Vangard Laboratories
- Kansas Laboratories
- Sodion Pentobartabul
- Vangard Laboratories
- Purepac Pharmaceutical Co.
- Wondex Laboratories, Inc.
- Sodion Pentobartabul
- Yeth Laboratories, Inc.

ROBERT L. BARNETT, JR., Chairperson
APPROVED: September 19, 1974
RECEIVED BY LRC: September 20, 1974 at 4:11 p.m.

SUMMIT COMMENT OR REQUEST FOR HEARING TO: Al Austin, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council
(902 KAR 1:09)

Benzathine Sodium
- Abbott Laboratories
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How To Cite

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

Cite portions of the 1975 KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE by Title, Chapter and Regulatien 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.
KAR Codification

(Following is an outline of the codification system which has been developed for the KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE. The entries for regulations received to date 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 Text of administrative regulations; Administrative Register; Codification

TITLE 11 KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY

Ch. 1 State Student Incentive Grants 010 Criteria for selection; amounts 010E (same as above, filed on emergency basis)

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 100 SECRETARY OF CABINET

TITLE 102 TEACHERS’ RETIREMENT SYSTEM

Ch. 1 General Rules 020 Supplemental payments

TITLE 200 EXECUTIVE DEPARTMENT FOR FINANCE & ADMINISTRATION

Ch. 1 Public Records 010 Inspecting and copying 010E (same as above, filed on emergency basis)

Ch. 2 Travel Expense and Reimbursement 030 Official work assignment 030E (same as above, filed on emergency basis)

Ch. 3 Subsistence expenses 050 Subsistence expenses 060 (same as above, filed on emergency basis)

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Ch. 1 Board of Accountancy 010 Board of Accountancy 020 Examinations; subjects, grading, reexamination

Ch. 2 Board of Pharmacy 010 Board approved by the Board 020 Examinations 030 (Reserved for "Reciprocity")

Ch. 3 Board of Auctioneers 010 Apprenticeship requirements for principal examination 020 Residence requirements for apprentices 030 Reciprocity with Indiana residents

Ch. 4 Board of Optometric Examiners 030 Annual courses of study required

Ch. 5 Board of Licensure for Nursing Home Administrators 010 Licensure

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Ch. 1 Fish 010 Boating and concession stands 020 Snagging

Ch. 2 Game 010 Use of steel traps 020 Use of devices for taking and pursuing wildlife

Ch. 3 Hunting and Fishing 010 Acts of depredation prohibited 020 License fees

Ch. 4 Wildlife 010 Distric! 020 Ballard Refuge restrictions

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Ch. 2 (Reserved for Division of Solid Waste)

Ch. 3 (Reserved for Division of Air Pollution)

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Ch. 2 Division of Conservation 010 Direct aid eligibility of districts 020 Allowable district expenditures

Ch. 3 (Reserved for Division of Forestry)

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Ch. 2 Driver Improvement 010 Medical Review Board - basis for examination, evaluation, test

Ch. 3 Driver Improvement 010 Medical Review Board - basis for examination, evaluation, test

Ch. 14 (Reserved for Driver Training Schools)

TITLE 602 DIVISION OF AERONAUTICS AND AIRPORT ZONING

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Ch. 2 Rules and procedures for hearings on certificates

Ch. 3 Operation of aircraft in interstate air commerce

Ch. 4 (Reserved for Right of Way)

Ch. 5 Traffic 010 Types of limited access; permits for other access

Ch. 6 Truckway Classifications 010 KY 15 Classifications 011 KY 36 Classifications 012 KY 116 Classifications 013 KY 116 Classifications

Ch. 7 Classifications 014 KY 797 Classifications 015 KY 209 Classifications 016 KY 1232 Classifications 017 KY 1232 Classifications

Ch. 8 Classifications 018 KY 1 Classifications 019 KY 7 Classifications 020 US 31-W Classifications

Ch. 9 Classifications 021 I-24 Classifications

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<thead>
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<th>TITLE 702</th>
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</thead>
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<td></td>
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<td></td>
<td>040 Donor requirements on use and disposal of Federal surplus personal property donated for public health or educational purposes</td>
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<td></td>
<td>050 Donor requirements on use and disposal of Federal excess property</td>
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<td>060 Nonfinancial excess, surplus or purchased property; requirements on use and disposal</td>
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</tr>
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</tr>
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<td></td>
<td>100 Property not covered by, PL 152; authority for acquisition</td>
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<tr>
<td></td>
<td>010 Guidelines for use of foundation program capital outlay funds approved</td>
</tr>
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<td></td>
<td>040 Check issuing policy</td>
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<td>045 Withholding funds</td>
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<td>050 Budget not to be exceeded</td>
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<td>060 Teachers' salaries payment plan</td>
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<td>070 Teachers' salary scheduling</td>
</tr>
<tr>
<td></td>
<td>075 Substitute teachers' salary scheduling</td>
</tr>
<tr>
<td></td>
<td>080 Treasurer's bond, penal sum</td>
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<td></td>
<td>090 Depository bond, penal sum</td>
</tr>
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<td></td>
<td>100 Data form, professional staff</td>
</tr>
<tr>
<td></td>
<td>110 Document filing dates</td>
</tr>
<tr>
<td></td>
<td>120 Uniform school financial accounting system</td>
</tr>
<tr>
<td></td>
<td>130 Internal accounting</td>
</tr>
<tr>
<td></td>
<td>140 Bidirectional guidelines</td>
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<tr>
<td></td>
<td>150 Audit exceptions and corrections</td>
</tr>
<tr>
<td></td>
<td>160 Classroom units on basis of an area larger than a district</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TITLE 703</th>
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</tr>
</thead>
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<td>Ch. 1</td>
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<td></td>
<td>010 Local responsibilities</td>
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<td></td>
<td>020 District director</td>
</tr>
<tr>
<td></td>
<td>030 Principal's responsibilities</td>
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<tr>
<td></td>
<td>040 Personnel; policies and procedures</td>
</tr>
<tr>
<td></td>
<td>050 Lunch and breakfast requirements</td>
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<tr>
<td></td>
<td>060 Time minimum for meals</td>
</tr>
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<td>070 Funds and reports</td>
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<td>020 Calendar</td>
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<td></td>
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<td></td>
<td>040 Experimental schools</td>
</tr>
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<tr>
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<td>030 Counselor; specials</td>
</tr>
<tr>
<td></td>
<td>040 Federal funds</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TITLE 704</th>
<th>EDUCATION — BUREAU OF INSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
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<td></td>
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<td></td>
<td>020 Reduction of clock hours</td>
</tr>
<tr>
<td></td>
<td>030 Special instructional service units</td>
</tr>
<tr>
<td></td>
<td>040 Criteria for the unit of superintendent or assistant superintendent</td>
</tr>
<tr>
<td></td>
<td>050 Criteria for the unit of principal or assistant principal</td>
</tr>
<tr>
<td></td>
<td>060 Criteria for the unit of visiting teacher</td>
</tr>
<tr>
<td></td>
<td>070 Criteria for the unit of school social worker</td>
</tr>
<tr>
<td></td>
<td>080 Criteria for the unit of school health coordinating</td>
</tr>
<tr>
<td></td>
<td>090 Criteria for the unit of physical education teacher</td>
</tr>
<tr>
<td></td>
<td>100 Criteria for the unit of health and physical education program consultant</td>
</tr>
<tr>
<td></td>
<td>110 Criteria for the unit of music education teacher</td>
</tr>
<tr>
<td></td>
<td>120 Criteria for the unit of music program consultant</td>
</tr>
</tbody>
</table>

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<td></td>
<td>010 State plan</td>
</tr>
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<td>Ch. 5</td>
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<tr>
<td></td>
<td>010 Student enrollment quotas, local school districts</td>
</tr>
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<td></td>
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<td>040 Five year projects, selection of courses</td>
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<td>Adult Education</td>
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<td>040 Eighth grade equivalency certificate</td>
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Administrative Regulations Review Subcommittee Minutes

September 21, 1974.

The Administrative Regulations Review Subcommittee held its third meeting on Wednesday, September 11, 1974, at 10:00 a.m. in Room 327 of the State Capitol.

Present were:...

The meeting was called to order by Chairman Moloney.

Chairman Moloney moved to file Regulation No. 1 KAR 1:070, Legislative Research Commission, (Form of Regulations), in light of the fact that the word "Regulation", as referred to in the text of 1 KAR 1:010 referred to the actual material submitted to the Legislative Research Commission rather than the material incorporated by reference. In addition the Subcommittee felt that the provision of KRS 13.090 permitted the LRC to prescribe the manner and form for regulations.

Regulation No. 31 KAR 1:010, State Board of Elections, (notice when changed by crime), was filed.

Regulation No. 49 KAR 1:010 and 40 KAR 1:020, Attorney General (Official Opinions), were returned for clarification to the Attorney General.

Regulation No. 201 KAR 1:120, Accountancy (Examinations), was returned on the grounds that it was adopted prior to July 1, 1974, and would not have permanent effect as it was adopted prior to the 1974 amendment to Chapter 13.084 which requires that all regulations be adopted subsequent to July 1, 1974.

Regulation No. 201 KAR 2:010, Pharmacy (Schools), was filed.

Regulation No. 201 KAR 2:020, Pharmacy (Examinations), was filed.

Regulation No. 201 KAR 2:040, Pharmacy (Interstate), was filed.

Regulation No. 201 KAR 2:050, Pharmacy (Licensees and permits), was filed.

Regulation No. 201 KAR 2:060, Pharmacy (Pocket certificates), was filed.

Regulation No. 201 KAR 2:070, Pharmacy (Restricted services), was filed.

Regulation No. 201 KAR 1:020, Plumbing (Permits), was filed.

Regulations No. 420 KAR 2:010, Conservation (aid to districts), and 402 KAR 2:020, Conservation (District Expenditures), were returned to Conservation for resubmission under the provisions of KRS 13.084 which provides that all regulations be adopted after July 1, 1974, in order to have permanent effect.

Regulation No. 201 KAR 1:010, Vehicle Regulation (Truck length), was filed.

Regulation No. 201 KAR 1:020, Vehicle Regulation (Industrial material permits), was filed.

Regulation No. 602 KAR 2:010, Aeronautics (Certificate of convenience, etc.), was filed.

Regulation No. 602 KAR 2:020, Aeronautics (Hearing Procedures), was filed.

Regulations No. 801 KAR 1:100, Registry of Election Finance (Executive Comm. Report), 801 KAR 1:020, Registry of Election Finance (Campaign Committees), and 801 KAR 1:030, Registry of Election Finance (Campaign Treasurer), were returned on the grounds that the 1974 amendments to KRS 13.084 require that when the net proceeds of a fund raising event exceed the sum of $1,500 the sales relating to the fund raising event must be reported to the Registry by name, address, and occupation of the purchaser as well as the amount purchased by each purchaser.

Regulation No. 801 KAR 1:040, Registry of Election Finance (Notice of organization), was filed.

Because of scheduling conflicts the Subcommittee will hold its next meeting on Wednesday, October 2, 1974 instead of its regular meeting date.

The meeting was adjourned at 12:15 p.m.
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KENTUCKY REVISED STATUTES

Chapter 13

ADMINISTRATIVE REGULATIONS


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,

(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 concurrence in omitted reasons for not adopting suggestions or recommendations regarding a regulation.

(5) Compliance with the provisions of KRS 13.080 to 13.125 does not discharge the requirements of any other law necessary to make the regulation effective. (Ena3. Acts 1962, ch. 63, sec. 1, 1979, 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 it by the 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. (Ena3. Acts 1974, ch. 73, sec. 5, eff. July 1, 1974.)

13.084 Refiling of regulations. — Rescinding of regulations not rescinded. — (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 have 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. (Ena3. Acts 1974, ch. 73, sec. 6, eff. July 1, 1974.)

13.086 Publication, hearing, and review of proposed administrative regulations. — Requirements 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 13.066; and

(b) such copies have been 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 no public hearing is requested within thirty (30) days of publication the regulation shall be submitted to the Administrative Regulation Review Subcommittee.

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

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

(4) 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 approval 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.

(5) 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 file comments on the proposal.

(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 not expand their review beyond determining whether the regulation is confined to the statutory authority under which it was promulgated. The administrative body shall not expand their review beyond determining whether the regulation conforms to the statutory authority under which it was promulgated.

(5) Each proposed regulation shall be filed in duplicate and 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 at the place of business of the administrative body.

(6) 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, more than one (1) member 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(3).

(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 the legislative intent of the statutory authority under which it was promulgated.

(5) The promulgating administrative body may revise a regulation to comply with the subcommittee's objections, and may return the revised proposal to the subcommittee, the subcommittee may request 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 legislative body to the House of Representatives and Senate or to the Interim Committee with appropriate jurisdiction as determined by the Rules of the House and Senate in effect at the time of referral. The standing committees of the House and Senate of 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 1962, 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. 570, 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 1962, 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, including any part of them, in a booklet or binder or on the internet or any other medium if the words "Informational Copy" are clearly stamped or printed. (Enact. Acts 1966, Ch. 47, sec. 1; repealed and reen. Acts 1969, Ch. 295, sec. 5; 1972, Ch. 180, sec. 5.)

13.103 Judicial notice.—The courts shall take judicial notice of any regulation duly filed under the provisions of KRS Chapter 13, after the regulations has become effective. (Enact. Acts 1962, 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.)

13.120 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 15, 1953.)