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STATE OF KANSAS

*Office of the Attorney General*

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER  
Attorney General

July 29, 1974

Opinion No. 74-256

Mr. Roger W. Lovett  
Project Director  
Kansas Commission on Civil Rights  
Room 1155 W  
State Office Building  
Topeka, Kansas 66612

RE: Opinion concerning KCCR rules and regulations.

Dear Mr. Lovett:

In response to your opinion request letter dated July 25, 1974, regarding the above captioned matter, we are of the opinion that the KCCR rules and regulations adopted last year and approved by the Attorney General's office, but which were not filed with the Revisor of Statutes prior to October 1, 1974, and subsequently could be approved only as emergency rules and regulations, rather than permanent rules and regulations, cannot now become permanent without once again going through the formalities of the approval of our office as to form, legality, authority, notice, public hearing, and commission adoption, together with legislative approval as provided in K.S.A. 77-425 (1974 House Bill No. 1852).

As to your second question concerning whether or not said rules and regulations will have to be refiled with our office as emergency regulations for the period of January 1, 1975 through April 30, 1975, due to the change in K.S.A. 77-422 (1974 House Bill No. 1852), we are of the opinion that said rules and regulations will have to be resubmitted to our office for approval as emergency rules and regulations.

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At the time these rules and regulations were adopted, the law provided that as emergency regulations they would expire on December 31, 1974. The Legislature may, of course, change this date. The only question is whether it has in fact done so. There is nothing contained in 1974 House Bill No. 1852, K.S.A. 77-422 which indicates the Legislature desired to extend the expiration date of all previous enacted emergency regulations from December 31, 1974 to May 1, 1975. Therefore, the only alternative we can see in order for the KCCR to have their rules and regulations in effect between January 1, 1975 and April 30, 1975, is for said rules and regulations to be resubmitted to our office for approval as emergency rules and regulations, until such time as they become permanent.

Very truly yours,



VERN MILLER  
Attorney General

VM:JTM:bw

cc: John Weeks  
Revisor of Statutes  
State Capitol Building  
Topeka, Kansas 66612