GENERAL GOVERNMENT CABINET

Department of Military Affairs

Division of Emergency Management

(New Administrative Regulation)

106 KAR 1:261. Supplementary state fund expense reimbursement eligibility list.

RELATES TO: KRS 39C.050(9)(a), (b)

STATUTORY AUTHORITY: KRS 39A.050(2)(m), 39A.070(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39C.050(9)(a) requires the Division of Emergency Management promulgate an administrative regulation specifying officials who may be reimbursed for expenses associated with attendance at emergency management training. This administrative regulation establishes the list of officials eligible to receive expense reimbursement through the supplementary state fund established in KRS 39C.010 and 39C.020.

Section 1. Definitions. “Emergency management training” means a seminar, workshop, course, class, module, or instruction that is conducted, sponsored, specified, offered through, or approved by the Division of Emergency Management.

Section 2. Eligible Officials. In addition to those officials specified in KRS 39C.050(8), the following officials, or their designee, may have the expenses specified in KRS 39C.050(9)(b) reimbursed through the supplementary state fund for attendance at emergency management training subject to the availability of funds:

(1) A local emergency management agency secretary or administrative support staff;
(2) A chief of a local fire department;

(3) A chief of a local law enforcement agency;

(4) A director of a local ambulance service;

(5) A director of a local emergency medical service;

(6) A local public works director;

(7) A local emergency management agency operations officer;

(8) A local emergency management communications officer;

(9) A local emergency management agency public information officer;

(10) A local emergency management agency hazard mitigation officer;

(11) A chief of a local rescue squad;

(12) A local search and rescue coordinator;

(13) A local twenty-four (24) hour warning point supervisor;

(14) A local public safety officer; and

(15) A chairperson of a local emergency planning committee.
This is to certify that The Adjutant General (TAG) has reviewed and approved this administrative regulation prior to its adoption, as required by KRS 39A.070(3).

Haldane B. Lamberton  
Major General, KYNG  
The Adjutant General

Jeremy C. Shiner  
Director  
Division of Emergency Management  
Kentucky Department of Military Affairs

Charles T. Jones  
Brigadier General US Army (Ret)  
Executive Director  
Office of Management & Administration  
Kentucky Department of Military Affairs

Date: 7 June 2022

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, August 24, 2022, at 11:30 a.m. Eastern Time at 100 Minuteman Parkway, Bldg. 100, Room 202 (EOC 2nd Floor Conference Room) Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Corey Ann Howard Jackson, Legislative Liaison and Policy Specialist, Department of Military Affairs, 100 Minuteman Parkway, Frankfort, KY 40601, phone (502) 330-3323, fax (502) 607-1240, email corey.a.jackson23.nfg@army.mil.
106 KAR 1:261. Supplementary state fund expense reimbursement eligibility list.
Contact Person: Corey Ann Howard Jackson
Phone: (502) 330-3323
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(1) Provide a brief summary of:
   (a) What this administrative regulation does: This administrative regulation establishes the list of officials eligible to receive expense reimbursement for training through the supplementary state fund established in KRS 39C.010 and 39C.020.
   (b) The necessity of this administrative regulation: KRS 39C.050(9)(a) requires the Division of Emergency Management promulgate an administrative regulation specifying officials who may be reimbursed for expenses associated with attendance at emergency management training.
   (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 39A.050 authorizes the Division of Emergency Management to coordinate the development, implementation, and maintenance of comprehensive emergency management programs by local emergency management agencies in a city, county, charter county or urban-county government. KRS 39A.050(2)(m) and 39A. 070(3) allow the Division of Emergency Management to promulgate administrative regulations to carry out the provisions of KRS Chapter 39 A to 39F. Statute requires local emergency management agency personnel to complete required training. KRS 39C.050(9)(a) requires the Division of Emergency Management promulgate an administrative regulation specifying officials who may be reimbursed for expenses associated with attendance at emergency management training. This regulation sets forth individuals that may be eligible for reimbursement for that training.
   (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation establishes the list of officials eligible to receive expense reimbursement for training through the supplementary state fund.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
   (a) How the amendment will change this existing administrative regulation: N/A
   (b) The necessity of the amendment to this administrative regulation: N/A
   (c) How the amendment conforms to the content of the authorizing statutes: N/A
   (d) How the amendment will assist in the effective administration of the statutes: N/A

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect the Department of Military Affairs, Division of Emergency Management, and the eligible officials set forth in 106 KAR 1:261.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
   (a) List the actions that each of the regulated entities identified in question (3) will have to
take to comply with this administrative regulation or amendment: The local personnel will have
meet the definition of "eligible official" and there must be funds available in the supplementary
state fund.

(b) In complying with this administrative regulation or amendment, how much will it cost
each of the entities identified in question (3): There is no cost to the local personnel.

(c) As a result of compliance, what benefits will accrue to the entities identified in question
(3): Compliance is required. In addition, compliance will allow for fewer costs to local emergency
personnel.

(5) Provide an estimate of how much it will cost the administrative body to implement this
administrative regulation:
(a) Initially: N/A
(b) On a continuing basis: N/A

(6) What is the source of the funding to be used for the implementation and enforcement
of this administrative regulation: The Supplementary State Fund established in KRS 39C.010 and
39C.020.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to
implement this administrative regulation, if new, or by the change if it is an amendment: An
increase in fees or funding will not be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or
indirectly increased any fees: This administrative regulation does not establish or relate to fees.

(9) TIERING: Is tiering applied? Tiering was not used. The regulation will not reduce or
modify substantive regulatory requirements, eliminate some requirements entirely, simplify and
reduce reporting and recordkeeping requirements, reduce the frequency of inspections, provide
exemptions from inspections and other compliance activities, or delay compliance timetables.
FISCAL NOTE

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Email: corey.a.jackson23.nfg@army.mil

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Cities, Counties, urban-counties, or charter county governments

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 39A.050(2)(m), (9), 39A.070(3)

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.
   (a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No additional revenue will be generated.
   (b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No additional revenue will be generated.
   (c) How much will it cost to administer this program for the first year? No additional cost will be incurred.
   (d) How much will it cost to administer this program for subsequent years? No additional cost will be incurred.

   Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

   Revenues (+/-): No additional revenue will be generated by the regulations.
   Expenditures (+/-): No additional expenditures will be incurred.
   Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.
   (a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? No additional cost savings.
   (b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? No additional cost savings.
   (c) How much will it cost the regulated entities for the first year? No additional cost will be incurred.
   (d) How much will it cost the regulated entities for subsequent years? No additional cost will be incurred.

   Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

   Cost Savings (+/-): No additional cost savings will be realized.
Expenditures (+/-): No additional costs will be incurred
Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. "Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars ($500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]
The administrative regulation will have no economic impact.