GENERAL GOVERNMENT CABINET

Department of Military Affairs
Division of Emergency Management

(New Administrative Regulation)

106 KAR 1:291. Specialized rescue squad alternative affiliation agreement process.

RELATES TO: KRS 39F.030

STATUTORY AUTHORITY: KRS 39A.050(2)(m), 39A.070(3), 39F.020(5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39F.030(1) authorizes a rescue squad which proposes to provide regional or statewide specialized rescue services to apply to the Director of the Division of Emergency Management for an alternative affiliation agreement and alternative vehicle and equipment requirements.

This administrative regulation establishes the process for submitting alternative affiliation requests.

Section 1. Definitions.

(1) “Chief rescue officer” means the chief executive officer of a rescue squad.

Section 2. Alternative request.

(1) A chief rescue officer shall submit a written request for alternative affiliation and alternative vehicle and equipment requirements, including all supporting documentation, to a division area manager; and

(2) A request shall include a geographical service area as either statewide or regional. Regional service areas shall list each county in a region.
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. Slinker  
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  

7 June 2022  
Date  

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Date  

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Date
PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, August 24, 2022, at 11:45 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.
REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

106 KAR 1:291 Specialized rescue squad alternative affiliation agreement process.
Contact Person: Corey Ann Howard Jackson
Phone: (502) 330-3323
Email: corey.a.jackson23.nfg@army.mil

(1) Provide a brief summary of:
(a) What this administrative regulation does: This administrative regulation establishes the process for submitting a request to the director for an alternative affiliation request.
(b) The necessity of this administrative regulation: KRS 39F.030(1) authorizes a local rescue squad to apply to the director for an alternative affiliation agreement and alternative vehicle and equipment requirements. The administrative regulation is necessary to carry out that statute.
(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 39F.030 (1) authorizes a rescue squad which proposes to provide regional or statewide specialized rescue services to apply to the Director of the Division of Emergency Management for an alternative affiliation agreement and alternative vehicle and equipment requirements. This administrative regulation establishes the process for submitting alternative affiliation requests which allows compliance with the statute.
(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation details the process for submitting an affiliation request to the director.

(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 chief rescue officer set forth in 106 KAR 1:291.

(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 chief rescue officer must submit a written request for alternative affiliation and alternative vehicle, and equipment requirements and provide the geographical service area.
(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 chief or rescue squad.
(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 rescue squads.
(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 rescue aid fund established in KRS 39F.100(2)

(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), 39A.070(3), 39F.020(5)

(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.