GENERAL GOVERNMENT CABINET

Department of Military Affairs
Division of Emergency Management

(New Administrative Regulation)


RELATES TO: KRS 39F.140(1)

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39F.140(1) requires a rescue squad to document expenditure of rescue aid funds. This administrative regulation establishes a procedure for documenting expenditures of rescue aid funds by a rescue squad.

Section 1. To document expenditure of rescue aid funds, a rescue squad shall submit the documentation specified in KRS 39F.140(1) to a local director.

Section 2. A local director, within ten (10) working days of receipt of the materials specified in Section 1. of this administrative regulation, shall submit to an area manager:


(2) The documentation received from a rescue squad pursuant to Section 1. of this administrative regulation.

Section 3. Incorporation by reference

(1) KYEM Form 160 “Local Emergency Management Assistance Claim Form,” is Incorporated by referenced
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
PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Wednesday, August 24, 2022, at 12:15 p.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 1:3/1 Rescue Aid Fund allocation.
Contact Person: corey.a.jackson23.nfg@army.mil
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 procedure for documenting the expenditure of rescue aid funds.
   (b) The necessity of this administrative regulation: This administrative regulation establishes the procedure for documenting the expenditure of rescue aid funds required by KRS 39F.140(1).
   (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 39F.020(5) requires the Division of Emergency Management administer funds to local rescue squads. KRS 39F.140(1) requires a rescue squad document expenditures of rescue aid funds. This administrative regulation establishes the procedure for documenting the expenditure of rescue aid funds which allows compliance with those statutes.
   (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in compliance with statutory direction.

(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 local rescue squads that have expended funding under the rescue squad aid fund.

(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: Local rescue squads that have expended rescue aid funds must submit KYEM Form 160 and documentation required in 106 KAR 1:371.
   (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 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? 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.
(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.
SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The "Local Emergency Management Assistance Claim Form", KYEM Form 160, is the form that local emergency management director must file to obtain reimbursement for an approved project funded through the Rescue Aid Fund. KRS 39F.140(1) directs the Division of Emergency Management to require local emergency management directors to submit documentation to request assistance from the fund. 106 KAR 1:371 establishes a form and process to request financial reimbursement from the fund when a project has been approved.
Kentucky Division of Emergency Management
Local Emergency Management Assistance Claim Form

Claim Month:  
EM Agency Name:  
Address:  

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<th>COMMODITIES OR SERVICES</th>
<th>Personnel Compensation &amp; Benefits</th>
<th>All Other</th>
<th>Total</th>
<th>DATE OF WARRANT / EFT</th>
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GROSS TOTAL AMOUNTS EXPENDED: $ - $ - $ - 

50% $ - $ - $ - 

REIMBURSABLE TOTAL $ - $ - $ -

I, the undersigned, declare under penalty of perjury that I have examined this document, including all supporting documents, and certify the commodities or services specified above to conform to the Master Agreement and to support emergency preparedness activities. All expenses listed were incurred by the county, duly authorized for payment by the fiscal court, payments were made by the county treasurer (warrant/EFT numbers listed), and to the best of my knowledge are true, correct, and complete.

Local Emergency Management Director  
Date  

County Treasurer or County Judge/Executive  
Date  

KyEM: Form 160 Revised: 08/2016