

**Emergency Letter Example**

**Notification - Cancelled Public Hearing** {[KRS 13A.270\(7\)\(a\)](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

**Commonwealth of Kentucky**  
**Amphibian Protection Cabinet**  
**Department of Frogs**  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

April 17, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

There were no requests to attend the public hearing scheduled for 312 KAR 89:720E that was scheduled for April 23, 2024; therefore, the hearing was cancelled.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTE: If there are no requests to hold a public hearing, a hearing may be cancelled. Hearing requests are due 5 workdays prior to the hearing. Determining 5 workdays prior to late-month holidays like Memorial Day or Thanksgiving can be tricky.*

Notification - Hearing Held {[KRS 13A.270\(8\)\(a\)](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

April 17, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

The public hearing on 312 KAR 89:720E, scheduled for April 23, 2024, was held and comments were received at the hearing; therefore, a Statement of Consideration will be filed with the Regulations Compiler on or before noon, May 15, 2024.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTES: If the filing deadline falls on a weekend or holiday, the noon deadline is moved to the workday immediately preceding the 15<sup>th</sup>.*

*KRS Chapter 13A only allows for ordinary regulations to receive an extension for filing an SOC. If an emergency is simultaneously filed with a companion ordinary and the ordinary receives an SOC extension, the emergency's expiration date is also extended for approximately one month.*

Notification - No Comments Received {[KRS 13A.270\(7\)\(b\)](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 2, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

No comments were received for 312 KAR 89:720E during the public comment period ending April 30, 2024. The public hearing was also cancelled; therefore, a Statement of Consideration will not be filed.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTE: This notice is due by close-of-business on the second workday of the month. If this notice is not received by that deadline, the regulation will automatically be deferred from the upcoming agenda.*

**Emergency Letter Example**

**Notification - Comments Received** {[KRS 13A.270\(8\)\(b\)](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

**Commonwealth of Kentucky**  
**Amphibian Protection Cabinet**  
**Department of Frogs**  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 2, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

Written comments were received during the public comment period for 312 KAR 89:720E; therefore, a Statement of Consideration will be filed on or before noon, May 15, 2024.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

**NOTES:**

- *KRS Chapter 13A does not allow SOC extensions for emergency regulations.*
- *If the filing deadline falls on a weekend or holiday, the noon deadline is moved to the workday immediately preceding the 15<sup>th</sup>.*
- *If comments are received early in the comment period, this notice can be sent to the Regulations Compiler before the comment period ends.*

Deferral Request {[KRS 13A.300](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 6, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

The Division of Bullfrogs has received requests from stakeholders to meet and discuss 312 KAR 89:720E before it is considered by the {committee name}; therefore, the division respectfully requests that the co-chairs approve this regulation's deferral from the May 2024 meeting of the ARRS.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTE: Pursuant to KRS 13A.300(2)(b) & (4), deferral requests for emergency regulations must be approved by the co-chairs of the applicable legislative committee. LRC Staff will notify the co-chairs of the deferral request and will inform the agency of the co-chairs' decision. Please leave enough time before the meeting for the co-chairs to be able to consider the request.*

## Withdrawal

- The letter shall contain the reasons for withdrawal. {[KRS 13A.310\(6\)](#) and [13A.190\(12\)\(b\) & \(13\)\(c\)](#)}
- If an emergency regulation is withdrawn, the ordinary filed with it does not expire unless the promulgating body specifies that in the letter. {[KRS 13A.190\(13\)\(b\)](#)}
- If an ordinary regulation is withdrawn, the emergency regulation filed with it shall expire on the date the ordinary regulation is withdrawn. {[KRS 13A.190\(12\)\(a\)](#)}

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 7, 2024

Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

The Division of Bullfrogs has received requests for substantive changes to 312 KAR 89:720E; therefore, the division respectfully requests the withdrawal of the emergency amendment to 312 KAR 89:720E in order to properly address these changes in a future amendment.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

**Emergency Letter Example**

**Cover Letter - Suggested Amendment or Suggested Substitute** {[KRS 13A.320\(3\)](#)}

The suggested amendment or suggested substitute shall have a cover letter addressed to the legislative committee's chair or co-chairs. If preparing the letter, please select either "suggested amendment" or "suggested substitute" as applicable. **(Example of a Suggested Amendment is on the next page.)**

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 5, 2024

Senator *{insert name}*  
Representative *{insert name}*  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Co-Chairs:

After consideration of the issues raised by 312 KAR 89:720E, the Division of Bullfrogs proposes the attached *{suggested amendment or suggested substitute}* to this regulation.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTE: If the emergency and ordinary are being heard at the same meeting, the letter needs to clearly specify if the changes are being made to the emergency only, ordinary only, or to BOTH the emergency and ordinary.*

**Suggested Amendment**  
(ARRS - May 2024)

**Amphibian Protection Cabinet**  
**Department of Frogs**  
**Division of Bullfrogs**

**312 KAR 89:720E. Protection of endangered or threatened bullfrogs.**

**Page 1**

**RELATES TO**

**Line 6**

After "KRS", insert "Subchapters".

**Page 1**

**STATUTORY AUTHORITY**

**Line 7**

After "224.46-520", delete ", 40 C.F.R. 270.17".

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Lines 8 - 9**

After "CONFORMITY:", insert the following:

KRS 224.46-520 requires the Amphibian Protection Cabinet to promulgate administrative regulations for the protection of species of bullfrogs that are endangered or threatened.

Delete the following:

This administrative regulation implements provisions of KRS 224.46-520.

**Line 10**

After "facilities that treat, store", insert a comma.

**Page 1**

**Section 1(1)**

**Lines 13 - 14**

After "(1)", insert the following:

Specific Part B requirements for the protection of bullfrogs

Delete "The subject matter".

**Page 1**

**Section 1(2)**

**Line 15**

After "report required", insert "by".

Delete "under".

**Line 16**

After "compliance with", delete "401 KAR 38:500 and".

After "KRS 224.40-310", insert "and 401 KAR 38:500".



**Cover Letter - Agency Amendment** {[KRS 13A.320\(2\)](#)}

The agency amendment shall have a cover letter addressed to the legislative committee's chair or co-chairs. Regarding the amendment itself, the only drafting difference between an agency amendment and a suggested amendment is the heading on an agency amendment will specify "Agency Amendment" instead of "Suggested Amendment". **(Example of an Agency Amendment is on the next page.)**

John J. Michaels  
Governor



David R. Johnson  
Secretary

Commonwealth of Kentucky  
Amphibian Protection Cabinet  
Department of Frogs  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

May 8, 2024

Senator {insert name}  
Representative {insert name}  
Legislative Research Commission  
083, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601

Dear Ms. Caudill:

After consideration of the issues raised by 312 KAR 89:720E, the Division of Bullfrogs proposes the attached agency amendment to this {emergency} regulation.

Sincerely,

A handwritten signature in blue ink that reads "Luke Montgomery".

Luke Montgomery, Frog Tech III  
Division of Bullfrogs  
200 Lizard Lane  
Frankfort, Kentucky 40601

*NOTES: IF the emergency and ordinary are being heard at the same meeting, the letter AND agency amendment need to clearly specify if the changes are being made to the emergency only, ordinary only, or to BOTH the emergency and ordinary.*

*Agency amendments are due before COB, three workdays before the committee meeting.*

**Agency Amendment**  
(ARRS - May 2024)

**Amphibian Protection Cabinet**  
**Department of Frogs**  
**Division of Bullfrogs**

**312 KAR 89:720E. Protection of endangered or threatened bullfrogs.**

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Lines 8 - 9**

After "CONFORMITY:", insert the following:

KRS 224.46-520 requires the Amphibian Protection Cabinet to promulgate administrative regulations for the protection of species of bullfrogs that are endangered or threatened.

Delete the following:

This administrative regulation implements provisions of KRS 224.46-520.

**Line 10**

After "facilities that treat, store", insert a comma.

**Page 1**

**Section 1(1)**

**Lines 13 - 14**

After "(1)", insert the following:

Specific Part B requirements for the protection of bullfrogs

Delete "The subject matter".

**Page 1**

**Section 1(2)**

**Line 15**

After "report required", insert "by".

Delete "under".

**Line 16**

After "compliance with", delete "401 KAR 38:500 and".

After "KRS 224.40-310", insert "and 401 KAR 38:500".