

DEPARTMENT OF MILITARY AFFAIRS
Division of Emergency Management
(Amended at ARRS Committee)

106 KAR 1:241. Local emergency management director appointment process.

RELATES TO: KRS Chapters 39A – 39F

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39B.020 requires the chief executive officer of a local government entity to appoint a local emergency management director. This administrative regulation establishes the process to be followed for the chief executive officer of a local government entity to appoint or reappoint a local emergency management director.

Section 1. Definitions.

- (1) "Candidate" means the individual proposed to be appointed pursuant to KRS 39B.020.
- (2) "Local appointing authority" means a county judge/executive, mayor, or chief executive officer of a local government entity.

Section 2. Appointment Process.

- (1) To appoint a local emergency management director, a local appointing authority shall submit:
 - (a) A completed Commonwealth of Kentucky Application for Employment;
 - (b) A completed Appointment of Local Emergency Management Director, KyEM Form 15; and
 - (c) Written authorization consistent with KRS 39B.020(3)(d)1., 2., 3., or 4.
- (2) If a fiscal court, city commission, or other local governing body has adopted administrative procedures that formally establish a personnel merit system, a local appointing authority shall submit a local employment application in lieu of the document established in subsection (1)(a) of this section. A local employment application shall not be submitted for review by the Personnel Cabinet.
- (3) A local appointing authority shall submit the documents, established in subsections (1) and (2) of this section, to the area manager for transmittal through the Division of Kentucky Emergency Management, Emergency Management Performance Grant (EMPG) Section Chief, to the Director of the Division of Emergency Management, within the time established in KRS 39B.020(1).

Section 3. Approval Process.

- (1) Within thirty (30) calendar days of receiving materials established in Section 2 of this administrative regulation, the Director of the Division of Emergency Management shall:
 - (a) Request the human resources officer of the Department of Military Affairs evaluate the candidate's qualifications established in KRS 39B.020 for the position of local director; and
 - (b) Determine the jurisdiction's eligibility for supplementary state funds, as established in KRS Chapters 39A through 39F, to support the operations and activities of a local emergency management agency.
- (2) Funding shall be suspended if it is determined that a candidate does not meet the qualification required for the position of a local director.

Section 4. Reappointment Process. To reappoint a local director pursuant to KRS 39B.020(3), a local appointing authority shall execute the actions established in Section 2(1)(b) and (c) of this administrative regulation.

Section 5. Incorporation by Reference.

(1) The following materials are incorporated by reference:

(a) "Commonwealth of Kentucky Application for Employment", PC/DHRA, February 7, 2019; and

(b) "Appointment of local Emergency Management Director", KyEM Form 15, 2009.

(2) This material may be inspected, copied, or obtained subject to applicable copyright law, at the Division of Emergency Management, Emergency Operations Center, 100 Minuteman Parkway, Frankfort, Kentucky 40601-6168, Monday through Friday, 8 a.m. to 4:30 p.m.

(49 Ky.R. 177, 1038; eff. 11-16-2022.)

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