

**106 KAR 1:101. Kentucky Emergency Response Commission fee account grant requirements for state agencies.**

RELATES TO: KRS 39.800-39.990

STATUTORY AUTHORITY: KRS 39.817

NECESSITY, FUNCTION, AND CONFORMITY: This regulation establishes criteria and procedures to be met by state agencies requesting funds generated by KRS 39.817.

Section 1. Eligibility of State Agencies. State agencies that perform functions to assist the Kentucky Emergency Response Commission in the administration of its programs and activities at the state level are eligible to apply for funding.

Section 2. State Agency Procedures. (1) State agencies may apply for financial assistance by completing Grant Request Form DES/SARA-303 as set out in 106 KAR 1:091 and shall include a detailed budget identifying how the requested funds are to be spent.

(2) State agencies may request funding for staff to support the commission in the administration of its programs and activities at the state level. If a request for staff is included in the grant request, the state agencies shall attach a position description detailing job duties and an organization chart defining that position within the agency.

(3) The grant request form shall be submitted directly to the Chairman of the Kentucky Emergency Response Commission, or designee, no later than May 1.

(4) The Chairman of the Kentucky Emergency Response Commission, or designee, shall review the grant request form for completeness and conformance to administrative regulations and statutes, note any recommendations and forward it to the Grant Review Committee no later than July 1.

(5) The Grant Review Committee, with a quorum present, shall review all grant requests from state agencies and forward their recommendations no later than August 15 to the Kentucky Emergency Response Commission for final approval.

(6) The Kentucky Emergency Response Commission shall make the grant awards no later than September 15.

(7) The Chairman of the Kentucky Emergency Response Commission, or designee, or the Grant Review Committee may request additional information which shall be provided by the state agency. Failure to provide the requested information shall invalidate the state agency's request for funding.

Section 3. Requests for Modifications. (1) A request for modification of a grant award is required if there is a change in the grant request or if a state agency is unable to expend the funds for which the grant was awarded. A request for modification must be submitted by the state agency for approval by the commission. Unexpended monies shall be returned to the fund.

(2) Requests for modifications of grant awards shall be submitted on Grant Request Form DES/SARA-303 as set out in 106 KAR 1:091 and, except for due dates, shall be processed in accordance with Sections 2 and 4 of this administrative regulation. Requests for modifications may be submitted throughout the grant period.

Section 4. Requirements for Funding Accountability. (1) Funds provided by the Kentucky Emergency Response Commission shall be subject to fiscal accountability prescribed by the state auditor of public accounts. A memorandum of agreement between the state agency making application and the Chairman of the Kentucky Emergency Response Commission shall be executed. All funds shall be subject to audit by the Kentucky Emergency Response Commission and the state auditor of public accounts.

(2) Grant awards approved by the Kentucky Emergency Response Commission may be withheld for noncompliance with KRS 39.800 to 39.990 and administrative regulations issued thereunder and for failure to provide required documentation.

(3) All funding allocation decisions shall be made by the Kentucky Emergency Response Commission and shall be dependent upon availability of fees collected. (18 Ky.R. 1717; eff. 1-27-92.)