

1 CABINET

2 Department, Board, Commission

3 Division

4 (Type of Administrative Regulation) *{See [KRS 13A.220\(4\)\(c\)](#)}*

5 ### KAR #:###. Title of administrative regulation. *{[KRS 13A.220\(4\)\(d\)](#)}*

6 RELATES TO: (Insert KRS, C.F.R., U.S.C., etc., to which administrative regulation relates)

7 *{[KRS 13A.220\(4\)\(e\)](#)}*

8 STATUTORY AUTHORITY: (Insert KRS, C.F.R., U.S.C., etc., which gives administrative

9 body authority to promulgate this administrative regulation) *{[KRS 13A.220\(4\)\(e\)](#)}*

10 NECESSITY, FUNCTION, AND CONFORMITY: This paragraph shall contain a brief

11 statement setting forth the necessity for promulgating the administrative regulation and a summary

12 of the functions intended to be implemented by the administrative regulation. If the administrative

13 regulation is more stringent or otherwise differs from a federal law or regulation governing the

14 subject matter, this paragraph shall also include a detailed statement that sets out the manner in

15 which, and the reasons, the administrative regulation is more stringent than or otherwise differs

16 from the federal law or regulation. *{[KRS 13A.220\(4\)\(f\)](#), [13A.245\(2\)\(b\)](#)}*

17 Section 1. Definitions.

18 (1) “Administrative regulation” is defined by KRS 13A.010(2).

Note: Italics are used to show instructional language. Do not apply italics to an administrative regulation. Also, hyperlinks are not used in administrative regulations; however, they have been included here for quick-reference purposes.

1 (2) "Definition" means a one (1) sentence statement regarding the meaning of a word that
2 complies with KRS 13A.222(4)(d) and (e).

3 Section 2. Format. There shall always be a Section 1 to an administrative regulation.
4 Additional sections shall be numbered as Section 2, Section 3, etc.

5 (1) This is a subsection. If the section has one (1) subsection, there shall also be a second
6 subsection.

7 (2) An administrative regulation may be subdivided as established in this subsection.

8 (a) This is a paragraph.

9 (b) If the subsection has one (1) paragraph, there shall also be a second paragraph.

10 1. This is a subparagraph.

11 2. If the paragraph has one (1) subparagraph, there shall also be a second subparagraph.

12 a. This is a clause.

13 b. If the subparagraph has one (1) clause, there shall also be a second clause.

14 (i) This is a subclause (and is the lowest subdivision level in an administrative regulation).

15 (ii) If the clause has one (1) subclause, there shall also be a second subclause.

16 (3)(a) The administrative regulation shall be printed on white, single-sided paper measuring eight
17 and one-half (8 ½) by eleven (11) inches.

18 (b) The administrative regulation shall have a two (2) inch top margin on the first page for
19 the Regulations Compiler's stamp. Additional margin settings of one (1) inch are recommended.

20 (c) The body of the administrative regulation shall be double-spaced. A form attached to the
21 administrative regulation may be single-spaced.

22 (d) The pages of an administrative regulation shall be numbered.

1 (e) The lines of each page shall be numbered and each page shall begin with the number one
2 (1).

3 Section 3. (1) A new administrative regulation shall not include any underlining, brackets,
4 or strike-throughs.

5 (2) A proposed amended administrative regulation shall:

6 (a) Underline proposed new material; and

7 (b) Bracket and strike through material to be deleted.

8 Section 4. This is an example of new language to be inserted.

NOTE: Insertions need to
come before deletions.

9 Section 5. This is an example~~[a sample]~~ of an existing administrative regulation that is
10 amended.

11 Section 6~~[5]~~. Incorporation by Reference. (1) The following material is incorporated by
12 reference:

13 (a) “The Title of the First Item Incorporated”, its edition date; and

14 (b) “The Title of the Second Item Incorporated”, its edition date.

15 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,
16 at *{name of agency, full address}*, Monday through Friday, *{8 a.m. to 4:30 p.m.}*

NOTE: Insert agency's regular office hours.
For example: "8 a.m. to 5 p.m." or "8:30
a.m. to 4 p.m."

This is to certify that the chief amphibian officer has reviewed and recommended this administrative regulation prior to its adoption, as required by KRS 156.070(4).

Note: This type of statement is only necessary if a statute requires a prior review or approval. **This is not common.**

Keith Hobermann
Keith Hobermann, Chief Amphibian Officer

8/9/17
Date

Note: [KRS 13A.220\(7\)](#) requires that the name and title of the person signing shall be typed immediately beneath the signature line.

James O'Brian
James O'Brian, Deputy Secretary for
David R. Johnson, Secretary
Amphibian Protection Cabinet

8/9/17
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 24, 2017, at 10:30 a.m. Eastern Time at the Amphibian Research Complex, 200 Lizard Lane, 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 July 31, 2017. 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: John Smith, General Counsel, Department of Frogs, 200 Lizard Lane, Frankfort, Kentucky 40601, phone (502) 555-1234, fax (502) 555-2345, email john.smith@frogs.ky.gov.

See [KRS 13A.270\(1\)](#)

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

KAR #:###

Contact Person: _____, phone _____, email _____

(1) Provide a brief summary of:

(a) What this administrative regulation does:

(b) The necessity of this administrative regulation:

(c) How this administrative regulation conforms to the content of the authorizing statutes:

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

(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:

(b) The necessity of the amendment to this administrative regulation:

(c) How the amendment conforms to the content of the authorizing statutes:

(d) How the amendment will assist in the effective administration of the statutes:

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

(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:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

(b) On a continuing basis:

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

(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:

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

(9) TIERING: Is tiering applied?

Explain why or why not

Impact Analysis - See [KRS 13A.240](#)

Tiering - See [KRS 13A.210](#)

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

KAR #:###

Contact Person: _____, phone _____, email _____

(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?

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

(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?

(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?

(c) How much will it cost to administer this program for the first year?

(d) How much will it cost to administer this program for subsequent years?

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

Remember that the promulgating agency will be included in the answer to question (1). See [KRS 13A.250](#)

FEDERAL MANDATE ANALYSIS COMPARISON

KAR #:###

Contact Person: _____, phone _____, email _____

- (1) Federal statute or regulation constituting the federal mandate.
- (2) State compliance standards.
- (3) Minimum or uniform standards contained in the federal mandate.
- (4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?
- (5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.


Include this form only if applicable
under [KRS 13A.245](#)

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The "Bullfrog Hunting Permit", Form 100-Z, is the 4-page permit application form that hunters are required to file before engaging in bullfrog hunting. KRS 150.802 requires hunters to complete a permit application form prescribed by the cabinet.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

The "Bullfrog Hunting Permit", Form 100-Z, is the 4-page permit application form that hunters are required to file before engaging in bullfrog hunting. Page 4 was amended to include a space for the hunter to provide his or her credit or debit card number and expiration date to allow payments by MasterCard, Visa, or American Express for the application fee. Hunters may still submit payment with cash or personal check payable to the Kentucky State Treasurer.



NOTE: If material previously incorporated by reference is changed, the agency needs to include a detailed summary of the changes to the material incorporated by reference in sufficient detail that a person reading the summary will know the differences between the previously incorporated material and the new material. Also, if the material being amended was developed by the agency, [KRS 13A.2255\(1\)\(d\)](#) requires that the agency also file a copy of each changed page with the changes marked as required by [KRS 13A.222\(2\)](#) with the inserted language underlined and the deleted language struck through and surrounded by brackets.