

1 OFFICE OF THE GOVERNOR

2 Department of Veterans Affairs

3 Office of Kentucky Veterans Services

4 (New Administrative Regulation)

5 17 KAR 6:020. Kentucky Women Veterans Program and Coordinating Committee. Administrative
6 Procedures.

7 RELATES TO: KRS 40.310, KRS 40.560, KRS 40.600

8 STATUTORY AUTHORITY: KRS 40.600

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 40.540 requires the department to
10 promulgate administrative regulations required for the effective administration of KRS 40.310
11 through KRS 40.560. KRS 40.600 authorizes the Kentucky Department of Veterans Affairs to
12 accept and expend moneys that may be appropriated by the General Assembly; and other monies
13 received from any other source, including donations and grants and other contributions from a
14 government unit and authorizes the department to administer the funds through the use of agency
15 accounts. KRS 40.600 requires the Kentucky Department of Veterans Affairs to manage the funds
16 and authorize expenditures. This administrative regulation also establishes a coordinating
17 committee to make recommendations for fund expenditures and outlines the administrative
18 procedures of the coordinating committee.

19 Section 1: Definitions.

20 (1) "Commissioner" means the Commissioner of the Kentucky Department of Veterans Affairs.

21 (2) "Coordinating Committee" means the Women Veterans Program Coordinating Committee.

1 (3) “Fund” means the Kentucky Women Veterans Program Fund.

2 (4) “Woman Veteran” means a woman who served in the United States Armed Forces or in forces
3 incorporated as part of the United States Armed Forces, and who was discharged under other than
4 dishonorable conditions.

5 Section 2. Expenditures and Fundraising.

6 (1) In accordance with this subsection and subsection (2) of this section, money appropriated from
7 the fund shall be expended in support of the Women Veterans Program’s activities or events that
8 directly benefit women veterans, including the following activities or events:

9 (a) Educational sessions or training seminars focused on eligibility requirements for women
10 veterans seeking federal and state veterans’ benefits and services;

11 (b) Research projects focused on collecting and retaining demographic or service-connected
12 disability data for Kentucky’s women veterans;

13 (c) Dissemination of benefit information for women veterans through circulars, brochures,
14 social media, and other media outlets;

15 (d) Annual meetings or conferences focused on engagement of Kentucky’s women veterans
16 and discussions of issues specific to women veterans;

17 (e) Job fairs, job placement services, other similar programs, or a combination of these focused
18 on employing women veterans;

19 (f) Therapeutic opportunities focused on improving the mental and emotional wellbeing of
20 Kentucky’s women veterans;

21 (g) Entrepreneurial opportunities for women veterans seeking to establish or expand female
22 veteran-owned businesses;

1 (h) Programs, memorials, monuments, and other projects that bring public recognition and
2 awareness to the sacrifices, needs, and contributions of Kentucky's women veterans.

3 (i) Other services designed to make gaining access to federal and state benefits and services
4 more convenient, efficient, or feasible for Kentucky's women veterans.

5 (j) Costs associated with the above, such as transportation, meals, lodging, and salaries.

6 (2) Fundraising. If fundraising on behalf of the Women Veterans Program, the Kentucky
7 Department of Veterans Affairs may accept a gift, donation, or grant from an individual, a
8 corporation, or a government entity.

9 Section 3. Coordinating Committee for the Women Veterans Program.

10 (1) The committee shall consist of ten (10) members, including:

11 (a) The commissioner of the Kentucky Department of Veterans Affairs;

12 (b) The women veterans program coordinator of the Kentucky Department of Veterans
13 Affairs;

14 (c) Two members from state government:

15 1. A Senator appointed by the President of the Kentucky Senate;

16 2. A Representative appointed by the Speaker of the Kentucky House of Representatives.

17 (d) Two members from public agencies that provide grants, benefits, or services to women
18 veterans.

19 (e) Four members from private organizations that provide grants, benefits, or service to women
20 veterans.

21 (2) The commissioner of the Kentucky Department of Veterans Affairs shall appoint the public
22 agencies and private organizations represented on the committee.

1 (a) A public agency and private organization specified in subsection (1)(d) and (1)(e) of this
2 section shall recommend two (2) members of the agency or organization to serve on to the
3 committee.

4 (b) The commissioner of the Kentucky Department of Veterans Affairs shall appoint one (1)
5 member from each agency and each organization from the names submitted by the agencies
6 and organizations.

7 (c) Where possible, at least seven (7) members of the coordinating committee shall be women
8 veterans.

9 (3) Terms of members.

10 (a) Except in cases of retirement, resignation, or other inability or unwillingness to serve, the
11 initial appointments to the committee shall be as established in subparagraphs 1. and 2. of this
12 paragraph.

13 1. A member appointed pursuant to subsection (1)(c) of this section shall serve for a period
14 of two (2) years.

15 2. A member appointed pursuant to subsection (1)(d) and (1)(e) of this section shall serve
16 for a period of three (3) years.

17 (4) The committee shall:

18 (a) Meet at the call of the commissioner of Kentucky Department of Veterans Affairs, at least
19 once per quarter.

20 (b) Make recommendations for fiscally responsible uses of funds donated, gifted, or designated
21 to the Women Veterans Program, including:

- 22 1. Propose, investigate, and approve activities that support Kentucky's women veterans;
- 23 2. Establish guidelines for approved activities, including funding parameters.

1 (c) Prepare meeting minutes that summarize each meeting, including recommendations made
2 by the committee;

3 (d) Prepare an annual report that summarizes recommendations made by the committee and
4 financial activities undertaken on behalf of Kentucky's women veterans;

5 (e) Submit an annual report by July 20th of each year to be included in the Kentucky
6 Department of Veterans Affairs Annual Report.

7 (5) The commissioner shall assign duties as appropriate to the Kentucky Department of Veterans
8 Affairs' staff or members of the coordinating committee to assist with administration of the
9 committee.

10 Section 4. Coordinating Committee Procedures.

11 (1) Coordinating committee procedures shall be in accordance with the approved By-Laws of the
12 Women Veterans Coordinating Committee.

This is to certify that the Executive Director of the Office of Kentucky Veteran Services and the Commissioner of the Kentucky Department of Veterans Affairs have reviewed and recommended this administrative regulation prior to its adoption, as required by KRS 156.070(4).

Silas Session

Silas Session, Executive Director
Office of Kentucky Veteran Services
Kentucky Department of Veterans Affairs
General Government Cabinet

September 8, 2023

Date

Whitney P. Allen, Jr

Whitney Allen, Commissioner
Kentucky Department of Veterans Affairs
General Government Cabinet

11 September 2023

Date

T. Reid-McIntosh, Esq.

Tamara Reid-McIntosh, Esq., Executive Director & Counsel
Office of Veteran Legal Services
Kentucky Department of Veterans Affairs
General Government Cabinet

07 September 2023

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on Tuesday, November 28, 2023, at 11:00 a.m. Eastern Time at KDVA Headquarters Office, 1111 Louisville Rd., Suite B, 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 cancelled. 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 Thursday, November 30, 2023, at 11:59 p.m. 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: Juan Renaud, Deputy Commissioner, Office of the Commissioner, 1111 Louisville Rd., Suite B, Frankfort, Kentucky 40601; phone (502) 782.5721; fax (502) 564.9240; email: juan.renaud@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

17 KAR 06:020

CONTACT PERSON: Juan Renaud, Deputy Commissioner

PHONE: (502) 782.5721

EMAIL: juan.renaud@ky.gov

(1) Provide a brief summary of:

- (a) What this administrative regulation does: KRS 40.600 charges the Kentucky Department of Veterans Affairs with administering a program to service the approximately seven percent (7%) or 24,000 women veterans in the Commonwealth. Specifically, KRS 40.600 mandates that KDVA conduct outreach, advocacy, and education for Kentucky's women veterans.
- (b) The necessity of this administrative regulation: KRS 40.600 authorizes the Women Veterans Program to receive funding from not only the General Assembly, but also other sources such as grants and donations. Proposed regulation 17 KAR 06:020 will afford the Women Veterans Program the administrative bandwidth to carry out the mandates outlined in KRS 40.600.
- (c) How this administrative regulation conforms to the content of the authorizing statutes: Proposed regulation 17 KAR 06:020 conforms to the content of KRS 40.600 by focusing on conducting outreach, advocacy, and education for Kentucky's women veterans.
- (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: Proposed regulation 17 KAR 06:020 will assist in the effective administration of KRS 40.600 by outlining the Coordinating Committee's administrative functions; detailing the means in which funds can be expended; and affording a mechanism to determine how many of Kentucky's women veterans are reached by the initiatives of the Women Veterans Program.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of: This is a new regulation.

- (a) How the amendment will change this existing administrative regulation: Not Applicable.
- (b) The necessity of the amendment to this administrative regulation: Not Applicable.
- (c) How the amendment conforms to the content of the authorizing statutes: Not Applicable.
- (d) How the amendment will assist in the effective administration of the statutes: Not Applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: There are approximately 275,000 veterans in the Commonwealth. Women veterans account for approximately seven percent (7%) or 24,000 of Kentucky's veterans. Women veterans affected by the proposed administrative change include:

- (a) those (including their legal representatives) who are seeking compensation and benefits from the U.S. Department of Veterans Affairs or from the Commonwealth of Kentucky.
- (b) any individual or other organization (such as a veteran service organization (VSO)) inquiring about benefits and services to Kentucky's women veterans.

- (c) public and private organizations seeking to provide benefits or services to Kentucky's women veterans.
- (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: The entities listed above will not be required to perform compliance actions for this regulation.
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): Donors will be required to ensure their donations are properly addressed for deposit in the Women Veterans Fund. There will be no costs to the benefiting entities derived from compliance with this regulation.
 - (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Kentucky's women veterans will benefit from proposed regulation 17 KAR 06:020 by receiving more opportunities for education, advocacy, and outreach as it relates to claims, benefits, and services available to Kentucky's women veterans.
- (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
- (a) Initially: There will be no costs to the administrative body either initially or on a continuing basis.
 - (b) On a continuing basis: There will be no costs to the administrative body either initially or on a continuing basis.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Implementation and enforcement funding is contained as part of the Women Veterans Program KDVA budget.
- (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: There will be no impact on fees or funding.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This regulation will not establish or increase any fees.
- (9) TIERING: Is tiering applied? (Explain why or why not)
Pursuant to KRS 13A.210, tiering is used by administrative bodies to reduce disproportionate impacts on certain classes of regulated entities, including government or small business, or both, and to avoid regulating entities that do not contribute significantly to the problem the administrative regulation was designed to address. In this instance, the new regulation is not expected to result in disproportionate impacts on certain classes of regulated entities. Therefore, tiering has not been applied.

FISCAL NOTE

17 KAR 06:020

CONTACT PERSON: Juan Renaud, Deputy Commissioner

PHONE: (502) 782.5721

EMAIL: juan.renaud@ky.gov

- (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? Kentucky Department of Veterans Affairs (KDVA).
- (2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 40.540 and KRS 40.600.
- (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? Approximately \$5,000.
 - (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? Not Applicable.
 - (c) How much will it cost to administer this program for the first year? The only costs for the first year are the costs of salaries to fill the positions necessary to run the Program.
 - (d) How much will it cost to administer this program for subsequent years? The only costs for subsequent years are the costs of salaries to fill the positions necessary to run the Program.

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

Revenues (+/-): Specific dollar estimates cannot be determined.

Expenditures (+/-): Approximately \$5,000.

Other Explanation: Although the Program's employee's salaries are funded by General Funds, KRS 40.600 (6)(a) and (6)(b) authorize the Program to "receive and expend moneys that may be appropriated by the General Assembly," as well as "other moneys received from any other source, including donations and grants." Authorization to receive other moneys results is speculative and makes it difficult to provide specific dollar amounts. The Program will promote women veterans activities, as the funds are received from General and Other Funds.

- (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? Specific dollar estimates cannot be determined.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? Specific dollar estimates cannot be determined.

(c) How much will it cost the regulated entities for the first year? Not Applicable.

(d) How much will it cost the regulated entities for subsequent years? Not Applicable.

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

Cost Savings (+/-): Specific dollar estimates cannot be determined.

Expenditures (+/-): Specific dollar estimates cannot be determined.

Other Explanation: Although the Program's employees' salaries are funded by General Funds, KRS 40.600 (6)(a) and (6)(b) authorize the Program to "receive and expend moneys that may be appropriated by the General Assembly," as well as "other moneys received from any other source, including donations and grants." Authorization to receive other moneys results is speculative and makes it difficult to provide specific dollar amounts. The Program will promote women veterans activities, as the funds are received from General and Other Funds.

(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. [KRS13A.010(13)] Not Applicable.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

17 KAR 06:020

CONTACT PERSON: Juan Renaud, Deputy Commissioner

PHONE: (502) 782.5721

EMAIL: juan.renaud@ky.gov

The “By-Laws of the Kentucky Women Veterans Coordinating Committee” is the 3-page committee handout that summarizes the requirements of KRS 40.600 and 17 KAR 6:020, while also establishing the Rules of Order for meetings efficiency and the responsibilities of KDVA staff members who support the administration of the coordinating committee.

By-Laws of the Kentucky Women Veterans Coordinating Committee

Pursuant to 40.600 and 17 KAR 6:020, the Kentucky Women Veterans Coordinating Committee shall operate under the following guidelines:

Modified Robert’s Rules of Order:

In order to expedite the business of this Committee the following rules are established:

1. All meetings shall be convened at the call of the Chairperson.
2. A simple majority of 4 voting members shall constitute a quorum.
3. The first order of business shall be approval of the prior meeting’s notes, agenda, or minutes.
4. Formal notes, agenda, and minutes shall be established by the Chairperson upon the promulgation of an administrative regulation. Until this regulation is promulgated, an abbreviated summary of each meeting shall be recorded.
5. Treasurer’s report: The next order of business shall be a treasurer’s report.
6. Any vote taken on any issue shall be preceded by a motion for action on that issue.
7. Any motion for action on an issue must receive a second on the motion to open discussion on the issue.
8. Once discussion on an issue is completed, motions will be recognized by the Chairperson to favor the motion, reject the motion, or table the motion for the next meeting.
9. Should any point of order require either the suspension of the rules or a supplement using the formal Robert’s Rules of Order, the Chairperson may so suspend or supplement.

Officers of the Kentucky Women Veterans Coordinating Committee:

The following officers are established to operate and manage the meetings of this Committee:

1. Chairperson: The chairperson shall be any of three voting members designated by the Commissioner of the Kentucky Department of Veterans Affairs.
2. Treasurer: The position of Treasurer will be held by KDVA Financial manager.

3. Secretary: The secretary shall be elected from the voting members and shall be responsible for taking notes to provide a summary of the meeting and record the summary in the Committee's records.

Goals of the Kentucky Women Veterans Coordinating Committee:

1. Each meeting shall foster free and open discussion on issues focusing on the women veterans of Kentucky.
2. Each meeting shall explore the following statutory goals of the Kentucky Women Veterans Program:
 - a. Equitable access of Kentucky women veterans to federal and state services and benefits.
 - b. Maximizing awareness in the Kentucky women veteran population about their services and benefits.
 - c. Assessing the needs of Kentucky women veterans regarding services and benefits.
 - d. Creating programs to facilitate a., b., and c. above.

Program and Event Planning by the Kentucky Women Veterans Coordination Committee:

Each meeting of this Committee shall consider ways to further the stated goals through:

1. Programs that advocate for Kentucky women veterans.
2. Programs that collaborate with federal, state, local, and private agencies on behalf of women veterans.
3. Programs that provide past and current statistics related to women veterans.
4. Programs, conferences, seminars, and training workshops sponsored by or in conjunction with federal, state, local, and private agencies which provide guidance to women veterans in accessing their services and benefits.
5. Programs of honor and recognition for Kentucky women veterans.

Expenditure of Funds:

1. The Committee will recommend to the Commissioner, via the Director, State Programs, and in consultation with the Treasurer, and in accordance with this subsection, expenditure of funds for programs or requests that directly promote the Mission of the Women Veteran's Program.

Fundraising:

1. In addition to appropriated funds, fundraising is permitted. The Committee may accept a gift, donation, or grant from an individual, a corporation, or government entity for deposit into the Kentucky Women Veterans Program Fund.
2. All monies received, regardless of source, shall be deposited into the Kentucky Women Veterans Program Fund.

Membership and Designation:

1. By KRS 40.600, the Committee's membership shall be composed of representatives of government, public, and private agencies that provide grants, benefits, or services to women veterans.
 - a. The Commissioner of the Kentucky Department of Veterans Affairs shall designate the private and public agencies represented on the Committee.
 - b. Where possible, at least seventy percent (70%) of the Committee must be women veterans.
 - c. The President of the KY Senate shall appoint a Senator to the committee.
 - d. The Speaker of the Kentucky House of Representatives shall appoint a Representative.

Terms of Members:

1. Except in cases of retirement from the board, resignation, or other inability or unwillingness to serve, the initial appointments to the Committee shall be as established in subparagraph a. of this paragraph.
2. Commissioner appointments serve for 3 years. Senate and House appointments serve for 2 years.
3. Members may be reappointed every 3 years; Maximum continuous tenure is 6 years.

APPROVED:

Commissioner, KDVA

Date

Adopted in Committee: