

1 AN ACT relating to emergency response plans for animals.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 39A.050 is amended to read as follows:

4 (1) The Division of Emergency Management shall coordinate for the Governor all
5 matters pertaining to the comprehensive emergency management program and
6 disaster and emergency response of the Commonwealth. The division shall be the
7 executive branch agency of state government having primary jurisdiction,
8 responsibility, and authority for the planning and execution of disaster and
9 emergency assessment, mitigation, preparedness, response, and recovery for the
10 Commonwealth; the coordination of all disaster and emergency response by and
11 between all state agencies, all agencies of city, county, and urban-county or charter
12 county government, all local entities, and all political subdivisions of the
13 Commonwealth for an emergency, declared emergency, disaster, or catastrophe as
14 contemplated in KRS 39A.010, 39A.020, or 39A.030; the coordination of, and
15 liaison with, related or concerned federal government agencies, elected officials of
16 other states, private organizations or private sector companies dealing with disaster
17 and emergency response; the coordination of all recovery operations and mitigation
18 initiatives subsequent to disasters or emergencies; and the coordination of all public
19 information activities regarding state government disaster and emergency response
20 operations.

21 (2) The Division of Emergency Management shall have and exercise the following
22 powers, authorities, and duties:

23 (a) To develop, administer, and maintain a statewide comprehensive emergency
24 management program for the Commonwealth, and through it an integrated
25 emergency management system for the disaster and emergency response of the
26 Commonwealth, which shall be coordinated with the emergency management
27 programs, and other related public safety, emergency response, mitigation, or

1 disaster recovery programs, of all appropriate federal government agencies
2 including the Federal Emergency Management Agency, the federal
3 Department of Homeland Security, the State Department, the Federal Aviation
4 Administration, the Centers for Disease Control and Prevention, the
5 Department of Transportation, the Environmental Protection Agency, the
6 Occupational Safety and Health Administration, the Department of Defense,
7 the National Oceanic and Atmospheric Administration, the Department of
8 Justice, the Bureau of Alcohol, Tobacco, and Firearms, the National
9 Transportation Safety Board, the Chemical Safety and Hazard Investigation
10 Board, the Army Corps of Engineers, the National Security Council, the
11 Department of Health and Human Services, the Federal Railroad
12 Administration, the United States Geological Survey, the Department of
13 Energy, the Nuclear Regulatory Commission, the Department of Agriculture,
14 the Department of Housing and Urban Development, the American Red
15 Cross, the other states, and other appropriate public or private agencies, to the
16 fullest appropriate extent;

17 (b) To coordinate the development, implementation, and maintenance of
18 comprehensive emergency management programs by local emergency
19 management agencies in the cities, counties, and urban-county or charter
20 county governments of the Commonwealth to ensure that all such programs,
21 agencies, and organizations are organized, administered, and operated as
22 functional components of the integrated emergency management system of the
23 Commonwealth;

24 (c) To develop and maintain a comprehensive, risk-based, all-hazards disaster and
25 emergency response plan entitled "Kentucky Emergency Operations Plan," the
26 provisions of which shall:

27 1. Establish the organizational structure to be utilized by state government

1 for managing disaster and emergency response;~~[-, and -]~~

2 2. Set forth the policies, procedures, and guidelines for the coordination
3 and execution of all disaster and emergency response for an emergency,
4 declared emergency, disaster, or catastrophe in the Commonwealth;~~[-~~
5 ~~The Kentucky Emergency Operations Plan shall -]~~

6 3. Establish and include a plan to assist and coordinate with local
7 government agencies, animal shelters, animal control officers, and
8 other entities in developing an emergency response plan for household
9 pets and assistance animals as defined in KRS 383.085 which shall
10 include:

11 a. Reasonable efforts to notify identified owners of lost household
12 pets and assistance animals in a timely manner;

13 b. Creation of direct return-to-owner protocols; and

14 c. Plans for minimizing euthanasia of owned household pets and
15 assistance animals;

16 4. Be submitted to the Governor for approval when the Governor assumes
17 office following each gubernatorial election, or at other times as the
18 director deems appropriate. The Governor shall provide written approval
19 of the Kentucky Emergency Operations Plan through issuance of an
20 executive order, and the division shall file a copy of the executive order
21 with the Legislative Research Commission;~~[- The Kentucky Emergency~~
22 ~~Operations Plan shall -]~~

23 5. Be the primary strategic disaster and emergency response planning
24 component of the integrated emergency management system of the
25 Commonwealth;~~[-, and shall -]~~

26 6. Be utilized and followed by all state agencies, all local government
27 agencies, all local public agencies or entities, and all other political

1 subdivisions of the Commonwealth which may be involved in disaster
2 and emergency response in the Commonwealth; and ~~The Kentucky~~
3 ~~Emergency Operations Plan shall~~

4 Z. Be updated by the division not less than annually;

5 (d) To maintain and operate the State Emergency Operations Center facility,
6 which shall be the official and primary state government twenty-four (24)
7 hour warning point, communications, and command center, from which the
8 Governor, cabinet secretaries, department heads, and other state agency
9 officials can, at any time, rapidly, adequately, and effectively manage the
10 disaster and emergency response of the Commonwealth. The State Emergency
11 Operations Center facility shall be the primary state direction and control
12 component of the integrated emergency management system of the
13 Commonwealth for the coordination of all disaster and emergency response in
14 the Commonwealth;

15 (e) To develop, monitor, and operate, on a twenty-four (24) hour per day basis,
16 the appropriate alerting or warning systems, public safety telecommunications
17 systems, or radio networks; any state trunked, fiber, or interactive
18 communication systems; computer, fax, other telecommunications or
19 information networks; and systems needed for communication and
20 coordination with all necessary or appropriate federal, state, or local public
21 safety, law enforcement, emergency management, or other disaster and
22 emergency response agencies, and state or local dispatch centers in the
23 Commonwealth, and other appropriate interests, and through these agencies
24 and systems to receive or disseminate emergency information, or to receive
25 timely notification of, and continual assessment of, all threatened or actual
26 emergency incidents or disaster situations occurring anywhere in or near the
27 Commonwealth;

- 1 (f) To immediately notify the Governor, the adjutant general, and the executive
2 director of the Kentucky Office of Homeland Security, or his or her designee,
3 in the event of any major emergency incidents or disaster occurrences, or the
4 threatened or impending occurrence of any of these events, and to keep the
5 Governor, the adjutant general, and the executive director of the Kentucky
6 Office of Homeland Security, or his or her designee, informed of all actions
7 being taken in response to these events;
- 8 (g) To respond to the scenes of emergencies or disasters, or their threatened or
9 impending occurrence and to directly and immediately investigate, analyze,
10 and assess the nature and seriousness of these situations; to convene meetings,
11 gather information, conduct briefings, and evaluate ongoing emergency
12 response activities; take actions to execute the appropriate provisions of the
13 Kentucky Emergency Operations Plan; coordinate the establishment and
14 operation of a state incident management system; establish or manage sub-
15 state or area emergency operations centers, or on-scene command posts; and
16 fully expedite and coordinate the disaster and emergency response of the
17 Commonwealth;
- 18 (h) To establish and operate area field offices of the division, each office to be
19 headed by an area manager, responsible for administering the policies, plans,
20 programs, and duties of the division in specific geographic areas of the
21 Commonwealth, including the coordination of comprehensive emergency
22 management programs developed by the cities, counties, urban-county, or
23 charter county governments in the areas;
- 24 (i) To provide funds to the cities, counties, and urban-county or charter county
25 governments of the Commonwealth to support the development,
26 administration, operation, and maintenance of local emergency management
27 agencies created pursuant to KRS Chapters 39A to 39F;

- 1 (j) To require the regular submission of program administration data, records,
2 materials, reports, or documents from local emergency management agencies
3 as may be necessary and sufficient to conduct performance reviews and
4 assessments to ensure compliance with all state or federal funding and
5 program requirements, and to ensure local program compatibility and
6 consistency with the mission, goals, and objectives of the comprehensive
7 emergency management program and integrated emergency management
8 system of the Commonwealth;
- 9 (k) To ascertain the requirements of the Commonwealth and its cities and
10 counties for emergency resources and the necessities of life in the event of
11 disaster or emergency; institute an emergency resource management plan and
12 procure emergency supplies, materials, and equipment; and use or employ in
13 time of emergency any of the property, services, and resources of state or local
14 government in the Commonwealth for the purposes set forth in KRS Chapters
15 39A to 39F;
- 16 (l) To institute public information and education programs, emergency
17 management training programs, and exercise programs to test and evaluate
18 emergency operations plans and disaster and emergency response and
19 recovery capabilities; and
- 20 (m) To promulgate administrative regulations to carry out the provisions of KRS
21 Chapters 39A to 39F.