

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

PROPOSED RULE 116

ARKANSAS FIREFIGHTER CANCER RELIEF TRUST FUND

- 1. AUTHORITY**
- 2. PURPOSE**
- 3. ARKANSAS FIREFIGHTER CANCER RELIEF FUND PROGRAM**
- 4. EFFECTIVE DATE**

SECTION 1. AUTHORITY

This Rule is issued pursuant to Ark. Code Ann. § 21-5-110(d) and Section Three (3) of Act 823 of 2019, “An Act To Create The Arkansas Firefighter Cancer Relief Network Trust Fund.” These provisions require the Arkansas Insurance Department (“Department”) to promulgate rules necessary to implement the Arkansas Firefighter Cancer Relief Network Trust Fund.

SECTION 2. PURPOSE

The purpose of this Rule is to implement the Arkansas Firefighter Cancer Relief Network Trust Fund Program (“Program”) and to establish procedures for providing funds donated under Ark. Code Ann. § 21-5-110 for relief of firefighters who are diagnosed with cancer and participating in a firefighter cancer relief network under Ark. Code Ann. § 21-5-110.

SECTION 3. ARKANSAS FIREFIGHTER CANCER RELIEF FUND PROGRAM

A. Arkansas Firefighter Cancer Relief Fund Advisory Board

The Arkansas Association of Fire Chiefs, Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association shall establish a board to set or establish eligibility and award amount requirements for funds received which are to be distributed in this Program. This board shall be named the “Arkansas Firefighter Cancer Relief Fund Advisory Board” (hereafter, the “Board.”). The Board shall consist of seven (7) persons appointed by the Governor from the three (3) Associations. Each member shall serve two (2) year terms. The Board shall meet biannually, at such times and dates, as determined by the Board. Board meetings shall be conducted at the Department. The Board shall elect a chairperson to preside over the Board for a two (2) year term. The Board shall hold its first meeting within thirty (30) days following the approval by the Governor of all of the nominated Board members.

B. Eligibility and Award Amount Requirements and Procedures

Within sixty (60) days following the first meeting of the Board, the Board shall establish, in writing, eligibility criteria and award standards for firefighters, who are diagnosed with cancer, that are eligible for funds under this Program. Within sixty (60) days following the first meeting of the Board, the Board shall also establish deposit and distribution process with the Department for donations received under Section 3 (C) of this Rule. Nothing in this Rule or Program hereby provides or vests any person with a legal or administrative right to any funds collected under this Program. This Program is discretionary and charitable in nature.

C. Donation Process To The Arkansas Firefighter Cancer Relief Trust Fund

Individuals or businesses may make donations to the Program by making donations payable to the “Arkansas Firefighter Cancer Relief Trust Fund” (“Fund”). The Board may consult with the Commissioner pertaining to the administration of this Fund, related to receipt of donated funds, deposit procedures, and distribution of funds to awarded firefighters. The Board shall designate and publish the requisite contact information and describe the donation process for individuals or companies donating to this Program. The Department may assist the Board in developing any necessary administrative forms for donation amount certifications, and public notice information about the process for making donations to this Program.

SECTION 4. EFFECTIVE DATE

This Rule shall be effective on August 3, 2020.

ALAN McCLAIN

ARKANSAS INSURANCE COMMISSIONER

DATE

**ECONOMIC IMPACT STATEMENT
OF PROPOSED RULES OR REGULATIONS
EO 05-04: Regulatory Flexibility**

Department: Arkansas Insurance Department
Contact Person: Booth Rand
Contact Phone: 501-371-2820

Division: Legal
Date: January 10, 2020
Contact Email: booth.rand@arkansas.gov

Title or Subject:

Proposed Rule 116: "Arkansas Firefighter Cancer Relief Trust Fund"

Benefits of the Proposed Rule or Regulation

1. Explain the need for the proposed change(s). Did any complaints motivate you to pursue regulatory action? If so, please explain the nature of such complaints.

This proposed regulation implements Act 823 of 2019 pertaining to the Arkansas Firefighter Cancer Relief Trust Fund Program.

2. What are the top three benefits of the proposed rule or regulation?
 - (1) Creates board to establish eligibility and participation criteria to award charitable funds to firefighters diagnosed with cancer to implement the Act 823 program;
 - (2) Establishes board mechanism for State firefighter associations to implement Act 823 of 2019;
 - (3) Allows firefighter Board to establish these policies itself.

See the Summary we attached to the BLR Questionnaire for more details.

3. What, in your estimation, would be the consequence of taking no action, thereby maintaining the status quo?

There would exist no standards or criteria for eligibility and participation in this fund by affected firefighters.

4. Describe market-based alternatives or voluntary standards that were considered in place of the proposed regulation and state the reason(s) for not selecting those alternatives.

This is a charitable, discretionary program and not an open market, commercial business or insurance regulation.

Impact of Proposed Rule or Regulation

5. Estimate the cost to state government of collecting information, completing paperwork, filing, recordkeeping, auditing and inspecting associated with this new rule or regulation.

None.

6. What types of small businesses will be required to comply with the proposed rule or regulation? Please estimate the number of small businesses affected.

None.

7. Does the proposed regulation create barriers to entry? If so, please describe those barriers and why those barriers are necessary.

None.

8. Explain the additional requirements with which small business owners will have to comply and estimate the costs associated with compliance.

None.

9. State whether the proposed regulation contains different requirements for different sized entities, and explain why this is, or is not, necessary.

None.

10. Describe your understanding of the ability of small business owners to implement changes required by the proposed regulation.

The propose Rule does not require "small business owners" to implement provisions in the proposed Rule.

11. How does this rule or regulation compare to similar rules and regulations in other states or the federal government?

This proposed rule does not follow any other State or Federal law, rule or program, as far as we know.

12. Provide a summary of the input your agency has received from small business or small business advocates about the proposed rule or regulation.

We have received no comments from small businesses at this time.



Michael Preston
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

DATE: APRIL 30, 2020
TO: ALL INTERESTED PARTIES
FROM: ARKANSAS INSURANCE DEPARTMENT
SUBJECT: RULE 116: THE ARKANSAS FIREFIGHTER CANCER RELIEF NETWORK TRUST FUND

NOTICE OF PUBLIC HEARING

Please find attached or available by electronic publication by the Arkansas Insurance Department ("AID") Proposed Rule 116, THE ARKANSAS FIREFIGHTER CANCER RELIEF NETWORK TRUST FUND.


Pursuant to Arkansas Administrative Procedures Act, and other applicable laws or rules, NOTICE is hereby given that a PUBLIC HEARING will be held on June 30, 2020 at 10:00 a.m., in the Second Floor Hearing Room, at the Arkansas Department of Commerce, 1 Commerce Way, Little Rock, AR 72202.

The purpose of the Public Hearing will be to determine whether the Director should adopt the proposed Rule 116, " THE ARKANSAS FIREFIGHTER CANCER RELIEF NETWORK TRUST FUND."

All interested persons are encouraged to make comments, statements or opinions to the address below or attend the Public Hearing and present, orally or in writing, statements, arguments or opinions on the proposed Rule. All licensees and other interested persons are responsible for notifying all their personnel, agents, and employees about this Public Hearing.

Persons wishing to testify or make comments are requested to submit intended statements in writing in advance. Direct your inquiries to: Booth Rand, Managing Attorney, Arkansas Insurance Department, 501-371-2820, email: booth.rand@arkansas.gov. A copy of the proposed Rule may be obtained or viewed at <https://www.insurance.arkansas.gov/pages/industry-regulation/legal/proposed-rules/>.

Sincerely,


Booth Rand
Managing Attorney
Arkansas Insurance Department

Request for Governor's Approval of Proposed Rules and Regulations

Department/Agency: Arkansas Insurance Department

Short Title of Rule: Rule 116: Arkansas Firefighter Cancer Relief Trust Fund

New Rule: ☒ Yes ☐ No

Amendment to Existing Rule: ☐ Yes ☒ No

State Mandate: ☒ Yes ☐ No

Federal Mandate: ☐ Yes ☒ No

If yes, please provide the rule, regulation, and/or statute citation:

Authority to Promulgate the Rule: Ark. Code Ann. § 21-5-110(d) and Section Three (3) of Act 823 of 2019, "An Act To Create The Arkansas Firefighter Cancer Relief Network Trust Fund," which require the Arkansas Insurance Department ("Department") to promulgate rules necessary to implement the Arkansas Firefighter Cancer Relief Network Trust Fund.

Proposed Effective Date: March 31, 2020

Emergency Rule: ☐ Yes ☒ No

Expedited Rule Requested: ☒ Yes ☐ No

Summary of Proposed New Rule or Proposed Amendment to Existing Rule:

See attached Summary.

Financial Impact: ☐ Yes ☒ No ☐ Unknown; **If yes or unknown, please explain:**

Public Hearing: ☒ Yes ☐ No

Controversial: ☐ Yes ☒ No

Unknown at this time. AID will update Governor's office in the event of controversy or opposition to this Rule should such occur.

Documents Required for Approval Process

Please note that the Governor's office will not begin the approval process if any of the following applicable documents are not enclosed with the approval request.

- ☒ BLR Questionnaire
- ☒ BLR Financial Impact Statement
- ☒ Proposed Rule – clean version
- ☐ Mark-Up of Rule, if amended from previous version
- ☒ Copy of Act or Regulation, if Rule is pursuant to State or Federal mandate

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Arkansas Insurance Department
DIVISION Legal Division
DIVISION DIRECTOR Jim Brader
CONTACT PERSON Booth Rand
ADDRESS 1200 West Third Street
PHONE NO. 501-371-2820 FAX NO. 501-371-2618 E-MAIL booth.rand@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Booth Rand, Managing Attorney
PRESENTER E-MAIL booth.rand@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Jessica Sutton, ESQ.
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

1. What is the short title of this rule? Rule 116: Arkansas Firefighter Cancer Relief Trust Fund
2. What is the subject of the proposed rule? This proposed regulation implements Act 823 of 2019 pertaining to the Arkansas Firefighter Cancer Relief Trust Fund Program
3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒
If yes, please provide the federal rule, regulation, and/or statute citation. _____
4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes ☐ No ☒
If yes, what is the effective date of the emergency rule? N/A
- When does the emergency rule N/A

expire?

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes ☐

No ☒

5. Is this a new rule? Yes ☒ No ☐

If yes, please provide a brief summary explaining the regulation. See Attached Summary

Does this repeal an existing rule? Yes ☐ No ☒

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does. _____

Is this an amendment to an existing rule? Yes ☐ No ☒

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."** See attached mark-up of proposed changes.

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation.

Ark. Code Ann. § 21-5-110(d) and Section Three (3) of Act 823 of 2019, "An Act To Create The Arkansas Firefighter Cancer Relief Network Trust Fund," which require the Arkansas Insurance Department ("Department") to promulgate rules necessary to implement the Arkansas Firefighter Cancer Relief Network Trust Fund.

7. What is the purpose of this proposed rule? Why is it necessary?

The purpose of this rule is to implement Act 823 of 2019 by creating a board to establish eligibility and program requirements and procedures for distribution of funds to affected and eligible firefighters diagnosed with cancer under Act 823 of 2019. See attached Summary for more explanation and background.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). <https://www.insurance.arkansas.gov/pages/industry-regulation/>

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐
If yes, please complete the following:

Date: June 30, 2020

Time: 10:00 A.M.

Place: Arkansas Department of Commerce,
Second Floor Hearing Room, 1
Commerce Way , Little Rock, AR

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)
 Upon close of public hearing, June 30, 2020 unless the Commissioner decides to extend the record during the public hearing.
11. What is the proposed effective date of this proposed rule? (Must provide a date.)
 August 3, 2020
12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. We will update this after we send out our NOPH ("Notice of Public Hearing") and receive newspaper documentation from the Arkansas Democrat-Gazette.
13. Please provide proof of filing the rule with the Secretary of State and the Arkansas State Library as required pursuant to Ark. Code Ann. § 25-15-204(e).
14. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.
- The Department does not know at this time but will update BLR and ALC in the public comments summary following the close of the comment period and public hearing.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Insurance Department

DIVISION Legal Division

PERSON COMPLETING THIS STATEMENT Booth Rand

TELEPHONE 501-371-2820 **FAX** 501-371-2618 **EMAIL:** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE RULE 116: Arkansas Firefighter Cancer Relief Trust Fund

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

(b) The reason for adoption of the more costly rule;

(c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

(d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

(a) What is the cost to implement the federal rule or regulation?

NONE or NOT APPLICABLE.

Current Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	_____

Next Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	_____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	_____

Next Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	_____

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

There should be no financial impact on small business. The program is a charitable, legislative program.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

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6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

NONE

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

NOT APPLICABLE

Yes ☐

No ☐

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and

- (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S3/28/19

A Bill

SENATE BILL 585

By: Senator J. Dismang

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS FIREFIGHTER CANCER
RELIEF NETWORK TRUST FUND; TO PROVIDE FOR THE USE OF
PROCEEDS TO FUND RELIEF FOR FIREFIGHTERS DIAGNOSED
WITH CANCER; TO PROVIDE A TAX CREDIT TO AN ENTITY
THAT DONATES TO THE ARKANSAS FIREFIGHTER CANCER
RELIEF NETWORK TRUST FUND; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS FIREFIGHTER CANCER
RELIEF NETWORK TRUST FUND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 11, is
amended to add an additional section to read as follows:

19-5-1149. Arkansas Firefighter Cancer Relief Network Trust Fund.

(a) There is created on the books of the Treasurer of State, the
Auditor of State, and the Chief Fiscal Officer of the State a trust fund to
be known as the "Arkansas Firefighter Cancer Relief Network Trust Fund".

(b)(1) The State Insurance Department shall deposit into the State
Treasury one hundred percent (100%) of the moneys collected under § 21-5-110
to the credit of the Arkansas Firefighter Cancer Relief Network Trust Fund.

(2) The Arkansas Firefighter Cancer Relief Network Trust Fund
shall consist of funds donated under § 21-5-110 and any other moneys as may
be provided by law.

(c) The Arkansas Firefighter Cancer Relief Network Trust Fund shall be
used for providing funds for relief for firefighters who are diagnosed with



1 cancer and participating in a firefighter cancer relief network under § 21-5-
2 110.

3
4 SECTION 2. Arkansas Code Title 21, Chapter 5, Subchapter 1, is amended
5 to add an additional section to read as follows:

6 21-5-110. State Insurance Department – Arkansas Firefighter Cancer
7 Relief Network Trust Fund – Proceeds.

8 (a)(1) The State Insurance Department shall maintain the Arkansas
9 Firefighter Cancer Relief Network Trust Fund.

10 (2)(A) The purpose of the trust fund is to fund relief for
11 firefighters who are diagnosed with cancer and participating in a firefighter
12 cancer relief network created and governed by the Arkansas Association of
13 Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the
14 Arkansas State Firefighters Association Inc. from funds donated under this
15 section.

16 (B) The department shall deposit any donated funds
17 received under subdivision (a)(2)(A) of this section into the fund.

18 (b) The Arkansas Association of Fire Chiefs, the Arkansas Professional
19 Fire Fighters Association, and the Arkansas State Firefighters Association
20 Inc. shall determine eligibility and award amounts under the rules
21 promulgated by the department.

22 (c) The entities named in subsection (b) of this section shall return
23 to the department any excess funding which has been donated to the fund for
24 the purpose of funding a firefighter cancer relief network.

25 (d) The department shall promulgate rules necessary to implement this
26 section.

27
28 SECTION 3. DO NOT CODIFY. Rules.

29 (a) The State Insurance Department shall promulgate rules necessary to
30 implement this act.

31 (b)(1) When adopting the initial rules to implement this act, the
32 final rule shall be filed with the Secretary of State for adoption under §
33 25-15-204(f):

34 (A) On or before January 1, 2020; or

35 (B) If approval under § 10-3-309 has not occurred by
36 January 1, 2020, as soon as practicable after approval under § 10-3-309.

1 (2) The department shall file the proposed rule with the
2 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,
3 2020, so that the Legislative Council may consider the rule for approval
4 before January 1, 2020.

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7 */s/J. Dismang*
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10 **APPROVED: 4/9/19**
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SUMMARY

ARKANSAS INSURANCE DEPARTMENT PROPOSED RULE 116

ARKANSAS FIREFIGHTER CANCER RELIEF TRUST FUND

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To: Arkansas Legislative Council & Arkansas Bureau of Legislative Research

From: Booth Rand, Managing Attorney, Arkansas Insurance Department

CC: Allen Kerr, Arkansas Insurance Commissioner; Steve Porch, General Counsel, Arkansas Department of Commerce; Russ Galbraith, Deputy Insurance Commissioner; Suzanne Tipton, General Counsel; Ryan James, Public and Legislative Affairs Director

Date: January 7, 2020

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LEGISLATIVE AUTHORITY FOR RULE

The proposed Rule implements Ark. Code Ann. § 21-5-110(d) and Section Three (3) of Act 823 of 2019, "An Act To Create The Arkansas Firefighter Cancer Relief Network Trust Fund." Section Three (3) of the Act is not codified; however, this Section requires the Insurance Department to issue a rule to implement the program on or before January 1, 2020.

BACKGROUND AND PURPOSE OF RULE

The purpose of this Rule is to simply set up a mechanism to implement the Arkansas Firefighter Cancer Relief Fund Program ("Program") in Act 823. The program envisions that charitable contributions are to be made to this Program by individuals or businesses. The donated funds are proposed to be awarded to firefighters diagnosed with cancer after such funds are transmitted to AID and to State Treasury. The exact mechanism or process of this Program is not explained in the legislation but is deferred to rule-making by AID. AID was not directly involved in creating this legislation or program. It has no insurance regulatory component and is not tied to any insurance product, activity, or insurance premium tax credits. The legislation however vests responsibility with the Department to establish rules pertaining to this Program. The legislation requires the Department to issue a rule implementing this Program on or before January 1, 2020. The Program however has no appropriation Act at this time to distribute funds, and therefore, in our opinion, no funds can be distributed by AID or State Treasury until such appropriation is made. The purpose of this Rule is to set up a mechanism to receive and distribute the funds when the appropriation is made next legislative or fiscal session.

EXPLANATION OF THE PROPOSED RULE

The proposed Rule implements the Program by creating a seven (7) member advisory board from the three (3) firefighter associations which are to establish eligibility and award requirements. Because these associations are more informed about this program and issue or the needs of the affected firefighters than AID, we believe the best approach to this is to establish a board of firefighter members to create these eligibility and award requirements. Following promulgation of this Rule, the proposed Rule will require this Board to meet and establish eligibility requirements, contribution

procedures, award standards, and deposit of fund. It is proposed that this Board will meet biannually. The Rule is proposed to go into effect on August 3, 2020.