



2005 ASSEMBLY BILL 1028

February 16, 2006 - Introduced by Representatives NERISON, HEBL, RICHARDS, LEHMAN, SEIDEL, SHERIDAN, PARISI, POCAN, MOLEPSKE, GRONEMUS, POPE-ROBERTS, SINICKI, WASSERMAN, SHERMAN, ZEPNICK, KESSLER, BLACK, CULLEN, STASKUNAS, NELSON, FIELDS, BENEDICT, BERCEAU, SCHNEIDER, TRAVIS, TOLES, TURNER, FREESE, MONTGOMERY, MUSSER, HAHN, WOOD, WARD, MCCORMICK, GUNDERSON, DAVIS, ALBERS, BOYLE and VAN AKKEREN, cosponsored by Senators KAPANKE, MILLER, JAUCH, BROWN, ROESSLER, HANSEN, RISSER and ERPENBACH. Referred to Committee on Military Affairs.

1 **AN ACT** *to create* 20.465 (3) (b) and (s), 166.02 (6u) and 166.03 (2) (b) 9. of the
2 statutes; **relating to:** payments for natural disasters, granting rule-making
3 authority, and making appropriations.

Analysis by the Legislative Reference Bureau

Currently, the Division of Emergency Management in the Department of Military Affairs (DMA) provides grants to counties for emergency management programs, including programs related to hazardous substance releases and planning and responding to natural disasters. Funding for these programs comes from federal, state, and county funds and from fees paid by private businesses. The adjutant general of DMA provides the state share of grants to individuals and contributions to local governments for major disaster recovery assistance in the event of a presidential disaster declaration.

This bill allows the adjutant general, based on rules promulgated by DMA, to make payments to individuals and local units of government for the losses or costs they incurred as the result of a major catastrophe if the governor requests a presidential disaster declaration and that declaration is denied.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 1028

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

				2005-06	2006-07
3					
4	20.465	Military affairs, department of			
5	(3)	EMERGENCY MANAGEMENT SERVICES			
6	(b)	Major disaster assistance	GPR A	-0-	-0-
7	(s)	Major disaster assistance; petro-			
8		leum inspection fund	SEG A	3,000,000	3,000,000

9 **SECTION 2.** 20.465 (3) (b) and (s) of the statutes are created to read:

10 20.465 **(3)** (b) *Major disaster assistance.* The amounts in the schedule to
11 provide payments under s. 166.03 (2) (b) 9. for damages and costs incurred as the
12 result of a major disaster.

13 (s) *Major disaster assistance; petroleum inspection fund.* From the petroleum
14 inspection fund, the amounts in the schedule to provide payments for damages and
15 costs incurred as the result of a major disaster.

16 **SECTION 3.** 166.02 (6u) of the statutes is created to read:

17 166.02 **(6u)** “Major catastrophe” means a disaster, including a drought,
18 earthquake, flood, high water, high wind, hurricane, landslide, mudslide,
19 snowstorm, or tornado, that results in the governor requesting a presidential
20 declaration of a major disaster under 42 USC 5170.

21 **SECTION 4.** 166.03 (2) (b) 9. of the statutes is created to read:

22 166.03 **(2)** (b) 9. From the appropriations under s. 20.465 (3) (b) and (s), make
23 payments to individuals and local units of government for the losses and costs
24 incurred as the result of a major catastrophe if federal disaster assistance is not

ASSEMBLY BILL 1028

1 available for that catastrophe because the governor's request that the president
2 declare the catastrophe a major disaster under 42 USC 5170 has been denied. The
3 department of military affairs shall promulgate rules establishing the application
4 process and the criteria for determining eligibility for payments under this
5 subdivision.

6

(END)