



State of Wisconsin  
2005 - 2006 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 1028**

February 27, 2006 – Offered by Representative NERISON.

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 to local governmental units for natural  
3 disasters, granting rule-making authority, and making appropriations.

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***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 substitute amendment allows the adjutant general, based on rules promulgated by DMA, to make payments to local units of government for the damages and costs they incurred as the result of a major catastrophe if the governor requests a presidential disaster declaration and that declaration is denied. Under

the substitute amendment the local unit of government is required to contribute 30 percent of the amount of the damages and costs resulting from the disaster.

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

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

|   |               |  |          | <b>2005-06</b> | <b>2006-07</b> |
|---|---------------|--|----------|----------------|----------------|
| 3 |               |  |          |                |                |
| 4 | <b>20.465</b> | <b>Military affairs, department of</b> |          |                |                |
| 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.

