



2019 ASSEMBLY BILL 380

August 28, 2019 - Introduced by Representatives KURTZ, KRUG, EDMING, FELZKOWSKI, KULP, MILROY, PETRYK, SKOWRONSKI, SPIROS, WITTKE, RAMTHUN and THIESFELDT, cosponsored by Senators MARKLEIN, COWLES, JACQUE, L. TAYLOR and TESTIN. Referred to Committee on Federalism and Interstate Relations.

1 **AN ACT** *to renumber and amend* 323.30; *to amend* 323.13 (1) (c) and 323.13
2 (2) (h); and *to create* 323.26, 323.27 and 323.30 (2) of the statutes; **relating to:**
3 federal emergency management assistance payments to municipalities.

Analysis by the Legislative Reference Bureau

Under current law, as part of his or her emergency management responsibilities, the adjutant general must conduct statewide training programs and exercises to develop emergency management proficiency, disseminate information, and coordinate emergency management programs. Under this bill, the adjutant general must also provide training on how to apply for federal emergency management assistance using SAM.gov, the federal System for Award Management website, and must attempt, in due diligence, to ensure that all local units of government have created an account with the website by June 30, 2021.

Under current law, the adjutant general must issue payments to local units of government through a federal emergency assistance process where the federal government issues payments to the state and the adjutant general then issues payments to local units of government. This bill requires that the adjutant general issue those payments within 14 days after the Federal Emergency Management Agency (FEMA) has approved a project and distributed federal emergency assistance funding to the state, the adjutant general has received all state and federal forms from the local unit of government, and the local unit of government has fulfilled all other federal requirements.

The bill also provides that the adjutant general must provide an option for local units of government to conduct all emergency management correspondence via

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e-mail and to receive payments from the Division of Emergency Management via electronic funds transfer or direct deposit.

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:

1 **SECTION 1.** 323.13 (1) (c) of the statutes is amended to read:

2 323.13 (1) (c) Prescribe and carry out statewide training programs and
3 exercises to develop emergency management proficiency, disseminate information,
4 and coordinate emergency management programs. The training programs shall
5 include training in managing emergency operations utilizing the incident command
6 system for local unit of government officials, officers, and employees whose duties
7 include responding to a disaster or the imminent threat of a disaster, including
8 officers and employees of local health departments, and shall include training on how
9 to create an account with and use the federal System for Award Management
10 Internet site to apply for federal emergency management assistance. The adjutant
11 general shall consult with the administrator, with the department of health services
12 regarding the provision of incident command system training to local health
13 department personnel, and with the department of administration regarding the
14 provision of incident command system training for emergencies related to computer
15 or telecommunication systems. To the extent possible, the adjutant general shall
16 utilize federal funding to provide incident command system training.

17 **SECTION 2.** 323.13 (2) (h) of the statutes is amended to read:

18 323.13 (2) (h) Make payments for disaster assistance under ss. 323.30 (1) and
19 323.31.

20 **SECTION 3.** 323.26 of the statutes is created to read:

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1 **323.26 Electronic communications.** The adjutant general shall provide an
2 option for the head of emergency management for each county to elect to receive all
3 emergency management correspondence via electronic mail, including project
4 worksheets and other administrative documents. If the head of emergency
5 management for a county elects to receive electronic mail correspondence, the
6 adjutant general shall, to the extent practicable, conduct all correspondence with
7 that head of emergency management and the local units of government within that
8 county via electronic mail.

9 **SECTION 4.** 323.27 of the statutes is created to read:

10 **323.27 Electronic payments.** The adjutant general shall notify each local
11 unit of government that it may receive payment from the division of emergency
12 management via electronic means. At the request of a local unit of government, the
13 adjutant general shall authorize the issuing of payment to the local unit of
14 government through the use of money transfer techniques including, without
15 limitation because of enumeration, direct deposit, electronic funds transfer, and
16 automated clearinghouse procedures.

17 **SECTION 5.** 323.30 of the statutes is renumbered 323.30 (1) and amended to
18 read:

19 **323.30 (1)** The adjutant general shall make payments from the appropriation
20 under s. 20.465 (3) (e) to pay this state's share of grants to individuals and to provide
21 a share of any required state share of contributions to local governments, as defined
22 in 42 USC 5122 ~~(6)~~ (8), for major disaster recovery assistance. Payment of this state's
23 share of any contribution to a local government under this ~~section~~ subsection is
24 contingent upon copayment of that share by the local government, but not to exceed

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1 12.5 percent of the total eligible cost of assistance. No payment may be made under
2 this ~~section~~ subsection without the prior approval of the secretary of administration.

3 **SECTION 6.** 323.30 (2) of the statutes is created to read:

4 323.30 (2) Payment under sub. (1) shall be issued to a local unit of government
5 within 14 days after the completion of all of the following:

6 (a) The federal emergency management agency has approved a project and
7 distributed federal emergency assistance funding to the state.

8 (b) The adjutant general has received all appropriate state and federal forms
9 from the local unit of government.

10 (c) The local unit of government has fulfilled all other federal requirements.

11 **SECTION 7. Nonstatutory provisions.**

12 (1) DIVISION OF EMERGENCY MANAGEMENT FEDERAL SYSTEM FOR AWARD
13 MANAGEMENT INTERNET SITE TRAINING. The division of emergency management shall,
14 by June 30, 2021, provide the training under s. 323.13 (1) (c) on how to create an
15 account with and use the federal System for Award Management Internet site to
16 apply for federal emergency management assistance and shall attempt in due
17 diligence to ensure that all local units of government have created an account with
18 the Internet site.

19 (END)