

ASSEMBLY BILL 1028 (LRB -4419)

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

2006

03-07.	A.	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 .	
02-16.	A.	Read first time and referred to committee on Military Affairs	813
02-22.	A.	Fiscal estimate received.	
02-27.	A.	Assembly substitute amendment 1 offered by Representative Nerison (LRB s0572)	847
02-28.	A.	Public hearing held.	
02-28.	A.	Executive action taken.	
03-02.	A.	Report Assembly Substitute Amendment 1 adoption recommended by committee on Military Affairs, Ayes 7, Noes 0	877
03-02.	A.	Report passage as amended recommended by committee on Military Affairs, Ayes 7, Noes 0	877
03-02.	A.	Referred to committee on Rules	877
03-02.	A.	Placed on calendar 3-7-2006 by committee on Rules.	
03-02.	A.	Made a special order of business at 11:31 A.M. on 3-7-2006 pursuant to Assembly Resolution 50	899
03-07.	A.	Read a second time	921
03-07.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Nerison (LRB a2665)	921
03-07.	A.	Assembly amendment 1 to Assembly substitute amendment 1 adopted	921
03-07.	A.	Assembly substitute amendment 1 adopted	921
03-07.	A.	Referred to joint committee on Finance	921
03-07.	A.	Withdrawn from joint committee on Finance and taken up	921
03-07.	A.	Ordered to a third reading	921
03-07.	A.	Rules suspended	921
03-07.	A.	Read a third time and passed	921
03-07.	A.	Ordered immediately messaged	921
03-07.	S.	Received from Assembly.	
03-07.	S.	Read first time and referred to committee on Senate Organization.	
03-07.	S.	Available for scheduling.	
03-08.	S.	Placed on calendar 3-9-2006 by committee on Senate Organization.	
03-09.	S.	Senator Taylor added as a cosponsor.	
03-09.	S.	Read a second time.	
03-09.	S.	Ordered to a third reading.	
03-09.	S.	Rules suspended.	
03-09.	S.	Read a third time and concurred in , Ayes 32, Noes 1.	
03-09.	S.	Ordered immediately messaged.	
03-14.	A.	Received from Senate concurred in.	

JN

**2005
ENROLLED BILL**

05en AB-1028

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 1

05 S 05721 1

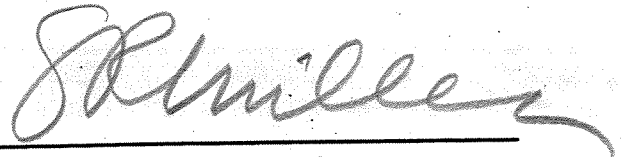
Amendments to above (if none, write "NONE"): AA1 — a 2665/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-15-06

Date



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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.

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.

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:

				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.

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

2 166.03 (2) (b) 9. From the appropriations under s. 20.465 (3) (b) and (s), make
3 payments to local governmental units, as defined in s. 19.42 (7u), for the damages
4 and costs incurred as the result of a major catastrophe if federal disaster assistance
5 is not available for that catastrophe because the governor's request that the
6 president declare the catastrophe a major disaster under 42 USC 5170 has been
7 denied. To be eligible for a payment under this subdivision, the local governmental
8 unit shall pay 30 percent of the amount of the damages and costs resulting from the
9 natural disaster. The department of military affairs shall promulgate rules
10 establishing the application process and the criteria for determining eligibility for
11 payments under this subdivision.

12 **SECTION 5. Effective date.**

13 (1) This act takes effect retroactively to January 1, 2005.

14 **(END)**

INS. 1

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

March 7, 2006 - Offered by Representative NERISON.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 7: after "denied" insert "or because the disaster does not meet
3 the statewide or countywide per capita impact indicator under the public assistance
4 program that is issued by the federal emergency management agency".

5 (END)