

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

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

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

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

6 **2005-06 2006-07**

7 **20.465 Military affairs, department of**

8 (3) EMERGENCY MANAGEMENT SERVICES

2005–06 2006–07

1	(b) Major disaster assistance	GPR	A	–0–	–0–
2	(s) Major disaster assistance; petro-				
3	leum inspection fund	SEG	A	3,000,000	3,000,000

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

5 20.465 **(3)** (b) *Major disaster assistance.* The amounts in the schedule to
6 provide payments under s. 166.03 (2) (b) 9. for damages and costs incurred as the
7 result of a major disaster.

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

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

12 166.02 **(6u)** “Major catastrophe” means a disaster, including a drought,
13 earthquake, flood, high water, high wind, hurricane, landslide, mudslide,
14 snowstorm, or tornado, that results in the governor requesting a presidential
15 declaration of a major disaster under 42 USC 5170.

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

17 166.03 **(2)** (b) 9. From the appropriations under s. 20.465 (3) (b) and (s), make
18 payments to local governmental units, as defined in s. 19.42 (7u), for the damages
19 and costs incurred as the result of a major catastrophe if federal disaster assistance
20 is not available for that catastrophe because the governor’s request that the
21 president declare the catastrophe a major disaster under 42 USC 5170 has been
22 denied or because the disaster does not meet the statewide or countywide per capita
23 impact indicator under the public assistance program that is issued by the federal

1 emergency management agency. To be eligible for a payment under this subdivision,
2 the local governmental unit shall pay 30 percent of the amount of the damages and
3 costs resulting from the natural disaster. The department of military affairs shall
4 promulgate rules establishing the application process and the criteria for
5 determining eligibility for payments under this subdivision.

6 **SECTION 5. Effective date.**

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

8 (END)