

2007 DRAFTING REQUEST

Bill

Received: **01/02/2007**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-0371**

By/Representing: **Palchik**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Military Affairs - emerg govt**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Palchik, BB0267 -

Topic:

Disaster assistance appropriation change

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rnelson2 01/02/2007	jdyer 01/03/2007	nmatzke 01/03/2007	_____	sbasford 01/03/2007		State
/2	rnelson2 01/04/2007	jdyer 01/05/2007	jfrantze 01/05/2007	_____	mbarman 01/05/2007		

FE Sent For:

<END>

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FE Sent For:

12/5 jld
 1/5 jld
 JPN
 <END>
 1/5

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/?	rnelson2	1/3 jca	nwn 1/3	nwn 1/3			

FE Sent For:

<END>

RPN

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Major Disaster Assistance
- Tracking Code: BB0267
- SBO team: State Government Operations
- SBO analyst: Laurie Palchik
 - Phone: 608-267-0371
 - Email: laurie.palchik@doa.state.wi.us
- Agency acronym: 465
- Agency number: Priority (Low, Medium, High): High

Change appropriation from SEG annual to SEG continuing. See attached.

Can you use draft 0345/1 → BB0046
previously amended for other changes?

LP - 1/2 - make a separate draft.

2005 Assembly Bill 1028

Date of enactment: April 5, 2006
Date of publication*: April 19, 2006

2005 WISCONSIN ACT 269

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

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

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

		2005-06	2006-07
20.465	Military affairs, department of		
(3)	EMERGENCY MANAGEMENT SERVICES		
(b)	Major disaster assistance	GPR A -0-	-0-
(s)	Major disaster assistance; petroleum inspection fund	SEG A 3,000,000	3,000,000

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

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

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

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

166.02 (6u) "Major catastrophe" means a disaster, including a drought, earthquake, flood, high water, high wind, hurricane, landslide, mudslide, snowstorm, or tor-

nado, that results in the governor requesting a presidential declaration of a major disaster under 42 USC 5170.

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

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

Fund 272
ay pr. 363
line 6
S&S
local aids

* Section 991.11, WISCONSIN STATUTES 2003-04: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

2005 Wisconsin Act 269

- 2 -

2005 Assembly Bill 1028


gible for a payment under this subdivision, the local governmental unit shall pay 30 percent of the amount of the damages and costs resulting from the natural disaster. The department of military affairs shall promulgate rules establishing the application process and the criteria for

determining eligibility for payments under this subdivision.

SECTION 5. Effective date.

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


AB1028
LRB-4419/2
RPN::jld&wlj::pg

2005 - 2006 LEGISLATURE
2005 ASSEMBLY BILL 1028 
[Link to Bill History](#)


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.

Pg1Ln1 **An Act to create 20.465 (3) (b) and (s), 166.02 (6u) and 166.03 (2) (b) 9. of the**
Pg1Ln2 **statutes; relating to: payments for natural disasters, granting rule-making**
Pg1Ln3 **authority, and making appropriations.**

Analysis by the Legislative Reference Bureau

AB1028 

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.

AB1028 

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.

Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05-4419/2	Introduction Number AB-1028
Description Payments for natural disasters, granting rule-making authority, and making appropriations	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS	Affected Ch. 20 Appropriations
Agency/Prepared By	Authorized Signature
DMA/ Brett Coomber (608) 242-3155	Brett Coomber (608) 242-3155
	Date
	2/16/2006

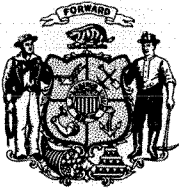
Fiscal Estimate Narratives
DMA 2/16/2006

LRB Number 05-4419/2	Introduction Number AB-1028	Estimate Type Original
Description Payments for natural disasters, granting rule-making authority, and making appropriations		

Assumptions Used in Arriving at Fiscal Estimate

Because of the unknowns related to disasters and the inability to predict where and how many disasters will occur in a given year. There is no ability to gauge the fiscal effect that this bill will have on the state. If the state has a tough year and there are numerous disasters the cost could be high. If the state does not have a disaster then there will be no cost.

Long-Range Fiscal Implications



jld

DOA:.....Palchik, BB0267 - Disaster assistance appropriation change
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

VETERANS AND MILITARY AFFAIRS ✓

This bill changes the annual appropriation from the petroleum inspection fund for major disaster assistance to a continuing appropriation. ✓

FE-S

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

2 SECTION 1. 20.465 (3) (s) of the statutes is amended to read: ✓

3 20.465 (3) (s) Major disaster assistance; petroleum inspection fund. From All

4 moneys received from the petroleum inspection fund, the amounts in the schedule

5 to provide payments for damages and costs incurred as the result of a major disaster.

History: 1971 c. 125; 1975 c. 39, 224; 1977 c. 29; 1977 c. 418 s. 929 (55); 1981 c. 20, 207; 1983 a. 27; 1983 a. 333 s. 6; 1987 a. 27; 1987 a. 63 s. 13; 1989 a. 31 ss. 486 to 491i, 504 to 514, 521, 522; 1989 a. 115; 1991 a. 39, 104; 1993 a. 16, 253, 490; 1995 a. 13, 27, 247; 1997 a. 237; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33, 186; 2005 a. 25, 269.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

u

Nelson, Robert P.

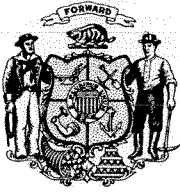
From: Palchik, Laurie A - DOA
Sent: Wednesday, January 03, 2007 3:49 PM
To: Nelson, Robert P.
Cc: Caucutt, Dan - DOA
Subject: Question re: LRB Draft 07-1309/1

Hi Bob,

Thank you for drafting the changes today for the Major Disaster Assistance Appropriation from annual to continuing. The intent of the draft language change is to allow the agency to carry forward the unexpended balances from FY07 in the new continuing appropriation. Do we need further changes to accomplish this?

Laurie A. Palchik
Executive Policy and Budget Analyst
Division of Executive Budget and Finance
608-267-0371 (office)
608-267-0372 (fax)

Daan C. - wants only the
unencumbered balance as of
June 30 to be put into this
approp. and no other money ever.
Make it continuing - to be
spent until this amt. gone.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1309/1
RPN:jld:nwn

DOA:.....Palchik, BB0267 - Disaster assistance appropriation change
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

as a continuing appropriation

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VETERANS AND MILITARY AFFAIRS

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

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6

(END)

insert 1-6 ✓

plain
From All
plain

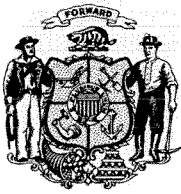
2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1309/2ins
RPN:jld:nwn

1 insert 1-6

2 **SECTION 9234. Fiscal changes; Military Affairs.**

3 (1) MAJOR DISASTER ASSISTANCE. In addition to the amounts in the schedule, in
4 the schedule under section 20.005 (3) of the statutes for the appropriation to the
5 department of military affairs under section 20.465 (3) (s) of the statutes, as affected
6 by the acts of 2007, the dollar amount is increased by an amount equal to the
7 unencumbered balance in the appropriation under section 20.465 (3) (s), 2005 stats.,
8 immediately before the lapse of any money remaining in that appropriation on June
9 30, 2007.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1309/2
RPN:jld:jf

DOA:.....Palchik, BB0267 - Disaster assistance appropriation change
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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2 SECTION 1. 20.465 (3) (s) of the statutes is amended to read:

3 20.465 (3) (s) *Major disaster assistance; petroleum inspection fund.* From the
4 petroleum inspection fund, as a continuing appropriation, the amounts in the
5 schedule to provide payments for damages and costs incurred as the result of a major
6 disaster.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

