

**2019 Senate Bill 369 (LRB -2809)**

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

**2019**

08-28.	S.	Introduced by Senators <b>Marklein, Cowles, Jacque, L. Taylor</b> and <b>Testin</b> ; cosponsored by Representatives <b>Kurtz, Krug, Felzkowski, Kulp, Milroy, Petryk, Skowronski, Spiros, Wittke, Ramthun</b> and <b>Thiesfeldt</b> .	348
08-28.	S.	Read first time and referred to Committee on Transportation, Veterans and Military Affairs	348
09-19.	S.	Representative Oldenburg added as a cosponsor	387
10-01.	S.	Senate Amendment 1 offered by Senator Marklein ( <b>LRB a0572</b> )	409
10-02.	S.	Public hearing held	
10-15.	S.	Fiscal estimate received	
10-18.	S.	Senate Amendment 2 offered by Senator Marklein ( <b>LRB a0634</b> )	446
10-22.	S.	Executive action taken	
10-23.	S.	Report adoption of Senate Amendment 2 recommended by Committee on Transportation, Veterans and Military Affairs, Ayes 5, Noes 0	454
10-23.	S.	Report passage as amended recommended by Committee on Transportation, Veterans and Military Affairs, Ayes 5, Noes 0	454
10-23.	S.	Available for scheduling	
11-01.	S.	Referred to joint committee on Finance by Committee on Senate Organization pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 2	472
11-01.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 2	472
11-01.	S.	Placed on calendar 11-5-2019 pursuant to Senate Rule 18(1)	473
11-05.	S.	Read a second time	486
11-05.	S.	Senate Amendment 2 <b>adopted</b>	486
11-05.	S.	Ordered to a third reading	486
11-05.	S.	Rules suspended	486
11-05.	S.	Read a third time and <b>passed</b> , Ayes 33, Noes 0	486
11-05.	S.	Ordered immediately messaged	486
11-06.	A.	Received from Senate	362

**2020**

02-18.	A.	Read first time and referred to committee on Rules	606
02-18.	A.	Made a special order of business at 11:38 AM on 2-20-2020 pursuant to Assembly Resolution 21	625
02-20.	A.	Read a second time	
02-20.	A.	Ordered to a third reading	
02-20.	A.	Rules suspended	
02-20.	A.	Read a third time and <b>concurred in</b>	
02-20.	A.	Ordered immediately messaged	
02-21.	S.	Received from Assembly concurred in	



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**ENROLLED BILL**

**Adopted Documents**

Original

Engrossed

Substitute Amdt

19 2809, 1

Amendments:  None or  Listed below.

SA 2

Corrections:  None or  Listed by date below.

Topic:  Same as relating clause or  Indicated below.

2/21/20

Date

Enrolling Drafter



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2809/1  
MLJ:ahc

## 2019 SENATE BILL 369

August 28, 2019 - Introduced by Senators MARKLEIN, COWLES, JACQUE, L. TAYLOR and TESTIN, cosponsored by Representatives KURTZ, KRUG, FELZKOWSKI, KULP, MILROY, PETRYK, SKOWRONSKI, SPIROS, WITKE, RAMTHUN and THIESFELDT. Referred to Committee on Transportation, Veterans and Military Affairs.

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.**

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### *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

**SENATE BILL 369**

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.

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*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:

SENATE BILL 369

*local unit of government*

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

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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.

*2*

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2.*

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

**SENATE BILL 369**

**SECTION 5**

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 <sup>30</sup>14 days after the completion of all of the following:

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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 <sup>state and</sup> federal requirements.

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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)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRBa0634/1  
MLJ:cjs&wlj

**SENATE AMENDMENT 2,  
TO SENATE BILL 369**

October 18, 2019 - Offered by Senator MARKLEIN.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 3, line 2: delete "county" and substitute "local unit of government".

3           **2.** Page 3, line 4: delete the material beginning with "If" and ending with  
4 "mail." on line 8.

5           **3.** Page 4, line 5: delete "14 days" and substitute "30 days".

6           **4.** Page 4, line 10: after "other" insert "state and".

7

(END)