

2019 DRAFTING REQUEST**Senate Amendment (SA-SB369)**

For: **Howard Marklein (608) 266-0703** Drafter: **mjohns**
 By: **Peter** Secondary Drafters:
 Date: **10/14/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Sen.Marklein@legis.wi.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Electronic communications, deadline to issue payments, add state requirements

Instructions:

Expand applicability for electronic communications from "county" to "local unit of government;" change timeline for payment on p. 4 line 5 from 14 days to 30 days, add criteria that local unit of government has fulfilled "all other state and federal" requirements.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mjohns 10/14/2019	csicilia 10/14/2019			
/P1	mjohns 10/14/2019	lparisi 10/14/2019	jmurphy 10/14/2019		
/P2	chanaman 10/17/2019	wjackson 10/17/2019	lparisi 10/14/2019		
/P3			dwalker 10/17/2019		
/1			dwalker	dwalker	

Vers. Drafted

Reviewed

Submitted
10/17/2019

Jacketed
10/17/2019

Required

FE Sent For:

<END>



State of Wisconsin
2019 - 2020 LEGISLATURE

DUE 8/14/19

LRBa0634?

MLJ:f..

O/A
gjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 369

bh ✓

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" and substitute "30".
- 6 **4.** Page 4, line 10: after "other" insert "state and".

7 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

DUE 8/14/19

LRBa0634/P1

MLJ:cjs

+Wlj

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INSERT

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7 (END)

INSERT
1-5

INSERT
1-7

within days

in accordance with sub. (2)

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0634/P2ins
MLJ:...

1 INSERT 1-5

2 **1.** Page 4, line 3: delete "(2) of the statutes is" and substitute "(2) and (3) of the
3 statutes are".

4 INSERT 1-67

5 **2.** Page 4, line 10: after that line insert:

6 **"(3)** Payment under sub. (1) shall be issued within the following time periods
7 after completion of the requirements under sub. (2):

8 (a) For a small project, as defined in 44 CFR 206.203 (c) (2), that is 100% ¹ ~~percent~~ ¹ percent
9 complete at the time of the federal emergency management agency inspection,
10 within 14 days.

11 (b) For a small project, as defined in 44 CFR 206.203 (c) (2), that is less than
12 100% ¹ ~~percent~~ ¹ percent complete at the time of the federal emergency management agency inspection,
13 within 21 days.

14 (b) For a large project, as defined in 44 CFR 206.203 (c) (1), that is 100% ¹ ~~percent~~ ¹ percent
15 complete at the time of the federal emergency management agency inspection,
16 within 21 days.

17 (b) For a large project, as defined in 44 CFR 206.203 (c) (1), that is less than
18 100% ¹ ~~percent~~ ¹ percent complete at the time of the federal emergency management agency inspection,
19 within 30 days. " 0

Johns, Melinda

From: Hienz, Peter
Sent: Monday, October 14, 2019 3:35 PM
To: Johns, Melinda
Subject: a0634 to SB 369

Melinda,

We are going to further refine Section 6 of SB 369 in the amendment. We are going to adjust the time limit for payment based on if it is a “small” or “large” project (See below). Definitions of “large” and “small” projects are found here: <https://www.law.cornell.edu/cfr/text/44/206.203>. I’ll take it as a P2 please.

Staci Duros found and sent me the reference: *“It looks like thresholds are adjusted annually or as needed to account for changes in the Consumer Price Index for All Urban Consumers (CPI). The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207, as amended by the Sandy Recovery Improvement Act, Public Law 113-2, provides that FEMA will annually adjust the threshold for assistance provided under section 422 (42 U.S.C. § 5189), Simplified Procedures, relating to the Public Assistance program, to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.*

Your cites are 42 U.S.C. § 5189 and 44 CFR § 206.203(c)(1) for large projects and (2) for small projects; FEMA updates the project thresholds by fiscal year [here](#).”

Section 6: 323.30 (2)

323.30 (2) For small projects, as defined in 44 CFR 206.203 (c) (2), 100% complete at the time of FEMA inspection, payment under sub. 1 shall be issued to a local unit of government within **14** days after the completion of all of the following

- (a) FEMA has approved a project and distributed federal emergency assistance funding to the state
- (b) The adjutant general has received all appropriate state and federal forms from the local unit of government
- (c) The local unit of government has fulfilled all other state and federal requirements.

323.30 (3) For small projects, as defined in 44 CFR 206.203 (c) (2), not 100% complete at the time of FEMA inspection, payment under sub. 1 shall be issued to a local unit of government within **21** days after the completion of all of the following

- (a) FEMA has approved a project and distributed federal emergency assistance funding to the state
- (b) The adjutant general has received all appropriate state and federal forms from the local unit of government
- (c) The local unit of government has fulfilled all other state and federal requirements.

323.30 (4) For large projects, as defined in 44 CFR 206.203 (c) (1), 100% complete at the time of FEMA inspection, payment under sub. 1 shall be issued to a local unit of government within **21** days after the completion of all of the following

- (a) FEMA has approved a project and distributed federal emergency assistance funding to the state
- (b) The adjutant general has received all appropriate state and federal forms from the local unit of government
- (c) The local unit of government has fulfilled all other state and federal requirements.

323.30 (5) For large projects, as defined in 44 CFR 206.203 (c) (1), not 100% complete at the time of FEMA inspection, payment under sub. 1 shall be issued to a local unit of government within **30** days after the completion of all of the following

- (a) FEMA has approved a project and distributed federal emergency assistance funding to the state
- (b) The adjutant general has received all appropriate state and federal forms from the local unit of government
- (c) The local unit of government has fulfilled all other state and federal requirements.

Thanks!

Peter Hienz
Legislative Aide
Office of State Senator Howard Marklein
17th Senate District
PO Box 7882
Madison, WI 53707-7882
www.legis.wisconsin.gov
(608) 266-0703 or (800) 978-8008



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE BILL 369

11 Page 4, line 10: after "other" insert "state and"

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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 3: delete "(2) of the statutes is" and substitute "(2) and (3) of the
6 statutes are".

7 **4.** Page 4, line 5: delete "~~within~~ 14 days" and substitute "in accordance with
8 sub. (3)". 30 days

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

10 **6.** Page 4, line 10: after that line insert:

1 “(3) Payment under sub. (1) shall be issued within the following periods after
2 completion of the requirements under sub. (2):

3 (a) For a small project, as defined in 44 CFR 206.203 (c) (2), that is 100 percent
4 complete at the time of the federal emergency management agency inspection,
5 within 14 days.

6 (b) For a small project, as defined in 44 CFR 206.203 (c) (2), that is less than
7 100 percent complete at the time of the federal emergency management agency
8 inspection, within 21 days.

9 **C** (b) For a large project, as defined in 44 CFR 206.203 (c) (1), that is 100 percent
10 complete at the time of the federal emergency management agency inspection,
11 within 21 days.

12 **d** (b) For a large project, as defined in 44 CFR 206.203 (c) (1), that is less than 100
13 percent complete at the time of the federal emergency management agency
14 inspection, within 30 days.”

15 (END)

Walker, Dan

From: Hanaman, Cathlene
Sent: Thursday, October 17, 2019 3:32 PM
To: Parisi, Lori; Barman, Mike; Murphy, Janice; Rose, Stefanie; Walker, Dan
Subject: FW: Draft review: LRB a0634/P3
Attachments: 19a0634/P3.pdf

I rolled it to a /1. Could you jacket please?

From: Hienz, Peter <Peter.Hienz@legis.wisconsin.gov>
Sent: Thursday, October 17, 2019 3:29 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Subject: FW: Draft review: LRB a0634/P3

I'll take the /1 on the amendment.

Thanks!

Peter Hienz
Legislative Aide
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From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Thursday, October 17, 2019 2:42 PM
To: Sen.Marklein <Sen.Marklein@legis.wisconsin.gov>
Subject: Draft review: LRB a0634/P3

Following is the PDF version of draft LRB a0634/P3.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0634/P3
MLJ:cjs&wlj

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