



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2005 Assembly Bill 1028

**Assembly Substitute
Amendment 1 and Assembly
Amendment 1 to the Substitute
Amendment**

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Assembly Bill 1028 permits the Adjutant General, based on rules promulgated by the Department of Military Affairs (DMA), to make payments to individuals and local units of government for damages and costs incurred as a result of a major catastrophe, if the Governor requests a presidential disaster declaration and the declaration is denied. The bill provides \$3,000,000 in each year of the current biennium from the petroleum inspection fund to provide payments for damages and costs incurred. The bill directs DMA to promulgate rules establishing the application process and the criteria for determining eligibility for payments.

Assembly Substitute Amendment 1 makes the following changes in the bill:

1. Inserts a cross-reference to the definition of "local governmental units" in s. 19.42 (7u), Stats.
2. Provides payments only to local governmental units and not to individuals.
3. Requires local governmental units to contribute 30% of the amount of the damages and costs resulting from the disaster.
4. Provides that the bill takes effect retroactively to January 1, 2005.

Assembly Amendment 1 to Assembly Substitute Amendment 1 provides that payments may be made to local governments not only where the Governor's request for a presidential disaster declaration has been denied but also where the Governor has not requested a federal disaster declaration because the disaster does not meet the statewide or countywide criteria issued by the Federal Emergency Management Agency.

Legislative History

In executive session on February 28, 2006, the Assembly Committee on Military Affairs adopted Assembly Substitute Amendment 1 and recommended passage of the bill, as amended, on votes of Ayes, 7; Noes, 0. In floor session on March 7, 2006, Representative Lee Nerison offered Assembly Amendment 1 to Assembly Substitute Amendment 1. The Assembly adopted Assembly Amendment 1 to Assembly Substitute Amendment 1 and Assembly Substitute Amendment 1, as amended, on voice votes. The Assembly then passed the bill, as amended, also on a voice vote.

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