

SUBSTITUTE FOR
SENATE BILL NO. 330

A bill to amend 1976 PA 390, entitled
"Emergency management act,"
by amending section 19 (MCL 30.419), as amended by 1990 PA 50.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. (1) Under extraordinary circumstances, upon the
2 declaration of a state of disaster or a state of emergency by the
3 governor and subject to the requirements of this subsection, the
4 governor may authorize an expenditure from the disaster **AND**
5 **EMERGENCY** contingency fund to provide state assistance to counties
6 and municipalities when federal assistance is not available. If the
7 governor proclaims a state of disaster or a state of emergency, the
8 first recourse for disaster related expenses shall be to funds of
9 the county or municipality. If the demands placed upon the funds of
10 a county or municipality in coping with a particular disaster or

1 emergency are unreasonably great, the governing body of the county
2 or municipality may apply, by resolution of the local governing
3 body, for a grant from the disaster **AND EMERGENCY** contingency fund.
4 The resolution shall certify that the affected county or
5 municipality emergency operations plan was implemented in a timely
6 manner. The resolution shall set forth the purpose for which the
7 assistance is sought, the extent of damages sustained, and certify
8 an exhaustion of local efforts. Assistance grants under this
9 section shall not exceed ~~\$30,000.00~~ **\$100,000.00** or 10% of the total
10 annual operating budget for the preceding fiscal year of the county
11 or municipality, whichever is less. The assistance under this
12 subsection is to provide grants, excluding reimbursement for
13 capital outlay expenditures, in mitigation of the extraordinary
14 burden of a county or municipality in relation to its available
15 resources.

16 (2) The director shall promulgate rules governing the
17 application and eligibility for the use of the state disaster **AND**
18 **EMERGENCY** contingency fund. Rules that have been promulgated prior
19 to December 31, 1988 to implement this section shall remain in
20 effect until revised or replaced. The rules shall include, but not
21 be limited to, all of the following:

22 (a) Demonstration of exhaustion of local effort.

23 (b) Evidence that the applicant is a county that actively
24 maintains an emergency management program, reviewed by and
25 determined to be current and adequate by the emergency management
26 division of the department, before the disaster or emergency for
27 which assistance is being requested occurs. If the applicant is a

1 municipality with a population of 10,000 or more, evidence that the
2 municipality either maintains a separate emergency management
3 program, reviewed by and determined to be current and adequate by
4 the emergency management division of the department, before the
5 disaster or emergency for which assistance is being requested or
6 occurs, or the municipality is incorporated in the county emergency
7 management program.

8 (c) Evidence that the applicable county or municipal emergency
9 operations plan was implemented in a timely manner at the beginning
10 of the disaster or emergency.

11 (d) Reimbursement for expenditures shall be limited to public
12 damage and direct loss as a result of the disaster or emergency, or
13 expenses incurred by the applicant for reimbursing employees for
14 disaster or emergency related activities which were not performed
15 as a part of their normal duties, or for other needs required
16 specifically for the mitigation of the effects, or in response to
17 the disaster or emergency.

18 (e) A disaster assessment team established by the emergency
19 management division of the department has substantiated the damages
20 claimed by the applicant. Damage estimates submitted by the
21 applicant shall be based upon a disaster assessment carried out by
22 the applicant according to standard procedures recommended by the
23 emergency management division.