

SENATE BILL No. 258

March 21, 2017, Introduced by Senator HILDENBRAND and referred to the Committee on Appropriations.

A bill to amend 1976 PA 390, entitled
"Emergency management act,"
by amending section 19 (MCL 30.419), as amended by 2013 PA 110.

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
11 emergency are unreasonably great, the governing body of the county

1 or municipality may apply, by resolution of the local governing
2 body, for a grant from the disaster and emergency contingency fund.
3 The resolution shall certify that the affected county or
4 municipality emergency operations plan was implemented in a timely
5 manner. The resolution shall set forth the purpose for which the
6 assistance is sought, the extent of damages sustained, and certify
7 an exhaustion of local efforts. Assistance grants under this
8 section shall not exceed ~~\$100,000.00~~ **\$500,000.00** or 10% of the
9 total annual operating budget for the preceding fiscal year of the
10 county or municipality, whichever is less. The assistance under
11 this subsection is to provide grants, excluding reimbursement for
12 capital outlay expenditures, in mitigation of the extraordinary
13 burden of a county or municipality in relation to its available
14 resources.

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

21 (a) Demonstration of exhaustion of local effort.

22 (b) Evidence that the applicant is a county that actively
23 maintains an emergency management program, reviewed by and
24 determined to be current and adequate by the emergency management
25 division of the department, before the disaster or emergency for
26 which assistance is being requested occurs. If the applicant is a
27 municipality with a population of 10,000 or more, evidence that the

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

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

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

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