

HOUSE BILL No. 4963

September 14, 2017, Introduced by Rep. Glenn 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 **COUNTY**
6 **ROAD COMMISSIONS**, counties, and municipalities when federal
7 assistance is not available. If the governor proclaims a state of
8 disaster or a state of emergency, the first recourse for disaster
9 related expenses shall be to funds of the **COUNTY ROAD COMMISSION**,
10 county, or municipality. If the demands placed upon the funds of a
11 **COUNTY ROAD COMMISSION**, county, or municipality in coping with a

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

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

23 (a) Demonstration of exhaustion of local effort.

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

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

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

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

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