

A bill for an act

relating to disasters; establishing local disaster assistance program and local disaster fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[12.222] MINNESOTA DISASTER LOCAL ASSISTANCE PROGRAM.**

Subdivision 1. Local disaster assistance program. A program is established to assist state and local governments to respond in a consistent, timely, and adequate manner when disasters occur that are ineligible for a presidential disaster declaration. The state director of the Division of Homeland Security and Emergency Management shall provide assistance and grants to local governments to respond to local disasters.

Subd. 2. Eligibility; requirements. To be eligible for assistance under this section, a political subdivision must make a local declaration of emergency in accordance with section 12.29 and apply to the state director for assistance on the forms and according to the procedures and timelines established by the commissioner of public safety. At a minimum, the application for grants must include an assessment of the damage caused by the disaster. Within the limits of the funds available under this section, the state director may award grants to assist a local government in paying for costs directly related to the disaster, including but not limited to emergency response, clean up, repair, replacement or restoration of public infrastructure, remediation to ensure public health, and other costs attributable to the disaster. A grant under this section must not duplicate or replace assistance that is available from other state or federal government agencies or insurance

coverage. Each grant awarded under this section must be matched by at least ten percent from local funds.

Subd. 3. Local disaster assistance account. A local disaster assistance account is created in the special revenue fund. Money in the account is appropriated to the commissioner of public safety for grants and assistance to local units of government under this section. This account must be used for the purposes of assisting local governments to respond to and recover from disasters that do not qualify for a presidential disaster declaration. Money in the account does not cancel but is available until expended. An amount necessary to maintain the account at \$6,000,000 is annually appropriated on July 1 from the general fund to the local disaster assistance account.

Sec. 2. LOCAL DISASTER ASSISTANCE ACCOUNT.

\$6,000,000 is appropriated from the general fund in fiscal year 2010 to the local disaster assistance account in the special revenue fund under section 1. This appropriation is to assist local governments to respond to disasters that do not qualify for assistance as a presidentially declared disaster.

Sec. 3. APPROPRIATION; EMERGENCY MANAGEMENT STATE MATCH.

\$5,600,000 each year for fiscal years 2010 and 2011 is appropriated from the general fund to the commissioner of public safety to provide a match for Federal Emergency Management Agency (FEMA) disaster assistance payments under Minnesota Statutes, section 12.221. If the appropriation for either year is insufficient to cover the match requirements, the amount necessary to cover the costs during the biennium is appropriated from the general fund. Beginning in fiscal year 2012, the base appropriation for the FEMA match is 75 percent of the average annual expenditures for the state FEMA match for the preceding five years.