

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1676

By: Stanley

AS INTRODUCED

An Act relating to public health and safety; creating the Governor's Disaster Recovery Fund; stating purpose; providing for deposits to and expenditures from such fund; authorizing the Department of Civil Emergency Management to utilize the Governor's Disaster Recovery Fund; specifying qualifications for applicants for certain assistance; authorizing the promulgation of certain rules and procedures for certain purposes; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.6a of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created within the Office of the Governor a Governor's Disaster Recovery Fund which shall be separate and apart from the Governor's standard emergency fund. The initial amount of said fund shall be in the amount of Three Million Dollars (\$3,000,000.00) with the sum of One Million Dollars (\$1,000,000.00) solely for use in individual assistance, One Million Dollars

(\$1,000,000.00) for use in public assistance and One Million Dollars (\$1,000,000.00) for use in hazard mitigation.

Expenditures from said fund may only be made in the event of a natural or manmade disaster and only upon proclamation by the Governor with agreement of the Contingency Review Board.

The fund shall be a continuing fund, subject to a cap of Three Million Dollars (\$3,000,000.00), and shall consist of monies appropriated from the Constitutional Reserve Fund, pursuant to Section 23 of Article X of the Constitution of the State of Oklahoma. All monies accruing to the credit of said fund may, by agreement of the Contingency Review Board, be allocated to and expended by the Department of Civil Emergency Management for the purpose of providing state financial assistance to individuals and public entities who are victims of a natural or manmade disaster, where the extent of damages does not meet the criterion necessary for a federal disaster declaration. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 683.6b of Title 63, unless there is created a duplication in numbering, reads as follows:

The Department of Civil Emergency Management is hereby authorized to utilize the Governor's Disaster Recovery Fund for the purpose of providing financial assistance to applicants pursuant to Section 1 of this act, under the following conditions:

1. Every such applicant shall demonstrate to the satisfaction of the Department of Civil Emergency Management that the individual or public entity is a worthy applicant for such assistance and that the individual or public entity is unable to obtain funds from any applicable Disaster Assistance Program of the Federal Emergency Management Agency or any other reasonable source, necessary to cover

losses resulting from natural or manmade disaster in order to return the homestead or property to its condition prior to the disaster occurrence;

2. The Department of Civil Emergency Management is further authorized and empowered to promulgate such rules, regulations and procedures with respect to applicant eligibility, terms of assistance, and other matters it may consider appropriate, as will facilitate the program authorized by this act, and will not conflict with the terms of this act; and

3. Financial assistance to victims of disasters shall be limited to the following parameters:

- a. individual families must have a minimum of Five Hundred Dollars (\$500.00) uninsured loss to qualify for a state assistance grant and may not receive a state grant exceeding a maximum amount of Three Thousand Dollars (\$3,000.00),
- b. public entities requesting assistance for public property damage may apply for and receive monies not to exceed fifty percent (50%) of the actual assessed loss per project. Assessed value of each project will be agreed upon by the public entity, the Department of Civil Emergency Management and the Oklahoma Department of Transportation, if applicable. Each project must also be exempt from any other federal funding program, and
- c. public entities requesting assistance for hazard mitigation measures which will lessen the effects of future disasters may apply for and receive monies not to exceed fifty percent (50%) of the actual project cost. Projects submitted for hazard mitigation assistance must first be approved by the State Hazard Mitigation Team, which consists of representatives

from the Department of Civil Emergency Management, the Oklahoma Water Resources Board, the State Department of Health, the Department of Commerce, the Wildlife Conservation Commission, the Department of Environmental Quality and the Oklahoma Department of Transportation. Monies for approved hazard mitigation projects will be distributed on a reimbursement basis.

SECTION 3. This act shall become effective January 1, 1994.

44-1-5900

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