

MINUTES OF THE HOUSE TAXATION COMMITTEE

The meeting was called to order by Vice-Chairman Richard Carlson at 9:00 A.M. on January 24, 2008 in Room 519-S of the Capitol.

All members were present except: Representative Davis - Excused

Committee staff present:

Chris Courtwright, Legislative Research Department  
Gordon Self, Office of Revisor of Statutes  
Ryan Hoffman, Legislative Research Department  
Scott Wells, Office of Revisor of Statutes  
Rose Marie Glatt, Committee Secretary

Conferees appearing before the committee:

Angee Morgan - The Adjutant General's Department Division of Emergency Management

Others attending:

See attached list.

Angee Morgan, on behalf of the Adjutant General, presented an overview of county/state/federal declarations and responsibilities during a local disaster (Attachment 1). She said that all disasters are local and local resources must be committed first. State resources are available, however, funding is not. Approximately only 10% of disasters that occur are federally declared.

Key points of the presentation include: Local, State and Federal Declarations, Functions, and Responsibilities of Government entities:

LOCAL GOVERNMENT

- Local Declaration: Implements the County Emergency Operations plan; First step in accessing other resources; Activates mutual aid agreements; Protects jurisdiction for legal liability and Temporary suspends regulations regarding purchasing and contracts.
- Major functions of local government: Direction and control; Communications; Warning; Emergency public information; Evacuation; Mass Care; Health & Medical and Resource Management

STATE GOVERNMENT

- State Disaster Declaration: Implements Kansas Response Plan to provide coordinated responses; Governor has powers to make, amend, and rescind orders and regulations and does not provide any funds for local government or victims. A list of agency participants was included in the presentation.
- State Government Responsibilities: Gather damage information; Augment local resources; Coordinate activities among state and volunteer agencies.
- Governor's responsibilities: Declares State of Disaster; Implements State Response Plan; Orders activation of state resources; Requests federal assistance; Plays a significant role in public information; Issues executive orders for emergency; Orders evacuation and is Commander and Chief-National Guard.

FEDERAL GOVERNMENT

- Federal Government Responsibilities: Respond to requests for federal assistance; Supplement local and state efforts and coordinate activities among federal agencies; Apply the President's authority.

CONTINUATION SHEET

MINUTES OF THE House Taxation Committee at 9:00 A.M. on January 24, 2008 in Room 519-S of the Capitol.

- Presidential Declarations
  - \*Individual Assistance-assistance available to individuals, families, businesses, and agriculture
  - \*Public Assistance
- Individual Assistance threshold - Small Business Administration
  - List of criteria for qualifications
- Duplication of Benefits - The Delivery Sequence (seven resources)
- Public Assistance - Funding assistance and technical expertise to aid state and local governments and eligible non-profit organizations (seven categories)
- Public Assistance threshold
  - County \$3.11 capita - Minimum of \$1000 per eligible
  - State \$1.24 per capital.


The Chairman thanked Ms. Morgan for her presentation, reminding members that a bill for tax exemptions for capital investments in businesses located in a city substantially damaged by a disaster would be heard on Friday.

The meeting was adjourned at 10:15 a.m. The next meeting is January 25, 2008.



# **An overview of county/state/federal declarations and responsibilities**

Angee Morgan  
The Adjutant General's Department  
Division of Emergency Management



## **County government**



## **Disasters**

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- All disasters are local
- Local resources must be committed first
- State resources are available - *funding is not*
- Approximately only 10% of disasters that occur are federally declared

## **Overview**

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- Senior elected officials at each level of government are charged with the responsibility for the protection and promotion of public health and welfare
  - ✓ Mayor
  - ✓ Chairperson of the Board of County Commissioners
  - ✓ Governor of Kansas

## **Local Declaration**

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- Implements the County Emergency Operations Plan
- First step in accessing other resources
- Activates mutual aid agreements
- Protects jurisdiction from legal liability
- Provides access to state assistance
- Temporary suspends regulations regarding purchasing and contracts

## **Major functions of local government**

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- Direction and control
- Communications
- Warning
- Emergency public information



## Major functions of local government

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- Evacuation
- Mass Care
- Health & medical
- Resource management

## State Government



## **State responsibilities**

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- Gather damage information
- Augment local resources
- Coordinate activities among state and volunteer agencies

## **Governor responsibilities**

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- Declares State of Disaster
- Implements State Response Plan
- Orders activation of state resources
- Requests federal assistance
- Plays a significant role in public information
- Issues executive orders for emergency
- Orders evacuation
- Commander and Chief-National Guard



## State Disaster Declaration

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- Implements Kansas Response Plan to provide coordinated response
- Governor has powers to make, amend, and rescind orders and regulations
- Does not provide any funds for local government or victims

## Agency Participants

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- |                              |                                    |
|------------------------------|------------------------------------|
| • Adjutant General           | • Geological Survey                |
| • Administration             | • Governor's Office                |
| • Aging                      | • Health & Environment             |
| • Agriculture                | • Highway Patrol                   |
| • American Red Cross         | • Historical Society               |
| • Animal Health              | • Housing Resources Corporation    |
| • Attorney General           | • Human Rights Commission          |
| • Bureau of Investigation    | • Insurance                        |
| • Civil Air Patrol           | • Labor                            |
| • Commerce                   | • National Guard                   |
| • Corporation commission     | • Board of Regents                 |
| • Corrections                | • Salvation Army                   |
| • Education                  | • Social & Rehabilitation Services |
| • Emergency Management       | • Transportation                   |
| • Emergency Medical Services | • Turnpike Authority               |
| • Fire Marshal               | • Water Office                     |
| • Forest Service             | • Wildlife & Parks                 |

## **Federal government**



## **Federal responsibilities**

- Respond to requests for federal assistance
- Supplement local and state efforts
- Coordinate activities among federal agencies

## **Federal responsibilities**

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- **Apply the President's authority**
  - Presidential emergency declaration
  - Mobilize Department of Defense resources
  - Redirect federal resources to emergency response

## **Federal Assistance without a Presidential Declaration**

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- **Search & Rescue, evacuation assistance**
  - US Coast Guard & Armed Forces
- **Food donations/food stamps**
  - United States Department of Agriculture (USDA)

## **Federal Assistance without a Presidential Declaration**

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- **Loans to small businesses**
  - Small Business Administration (SBA)
- **Loans to farmers**
  - United States Department of Agriculture (USDA)
- **Tax assistance**
  - Internal Revenue Service (IRS)

## **Declaration Types**

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- **Federal**
  - Specific federal agency
    - USDA, Small Business Administration
- **Emergency**
  - supplementary federal emergency assistance to save lives, protect property, public health or safety, or avert the threat of a disaster
    - Usually limited to Direct Federal Assistance and/or Emergency Debris Removal and Emergency Protective Measures (Public Assistance Program)

## Declaration Types

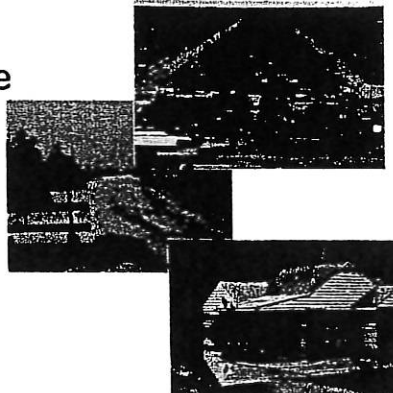
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- Major
  - Also known as a Presidential Declaration

## Presidential Declarations

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- Individual Assistance
- Public Assistance



## **Individual Assistance**

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- assistance available to individuals, families, businesses, and agriculture
- disaster housing
- unemployment assistance
- grants
- loans
- legal services
- crisis counseling
- tax relief

## **Individual Assistance threshold - Small Business Administration**

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- 25 homes or businesses with more than a 40% uninsured loss
- must be within each county
- renters, homeowners, business renters and business owners eligible

## **Individual Assistance thresholds– Presidential declaration**

- 100 homes with major/destroyed damage
- \$3 million uninsured housing loss
- Economic impact, fatalities, demographics considered
- Food, fuel and generators not eligible

## **Duplication of Benefits**

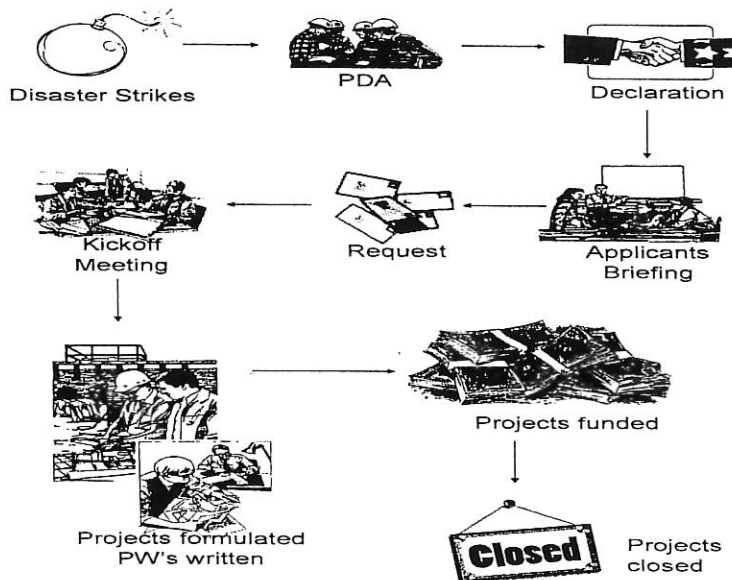
### **The Delivery Sequence**

- Emergency assistance provided by volunteer agencies
- Insurance proceeds
- Home repair grants provided by FEMA
- Loan funds provided by SBA
- FEMA funds
- Additional assistance from volunteer agencies
- Cora Brown Fund

## Public Assistance

- funding assistance and technical expertise to aid state and local governments and eligible non-profit organizations
- A. Debris Clearance
- B. Protective Measures
- C. Road Systems
- D. Water Control Facilities
- E. Buildings and Equipment
- F. Public Utility Systems
- G. Other (Park Facilities, Recreation Facilities)

A brief overview of the Public Assistance Program





## **Public Assistance threshold**

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- **County \$3.11 per capita**
  - Minimum of \$1,000 per eligible applicant
  
- **State \$1.24 per capita**
  - Kansas population = 2,688,418
  - \$3,333,638.32