



# capitol report

MINNESOTA'S History of Dealing with Disasters

The Creation of Chapters 12A & 12B

**Gene Pelowski**

STATE REPRESENTATIVE

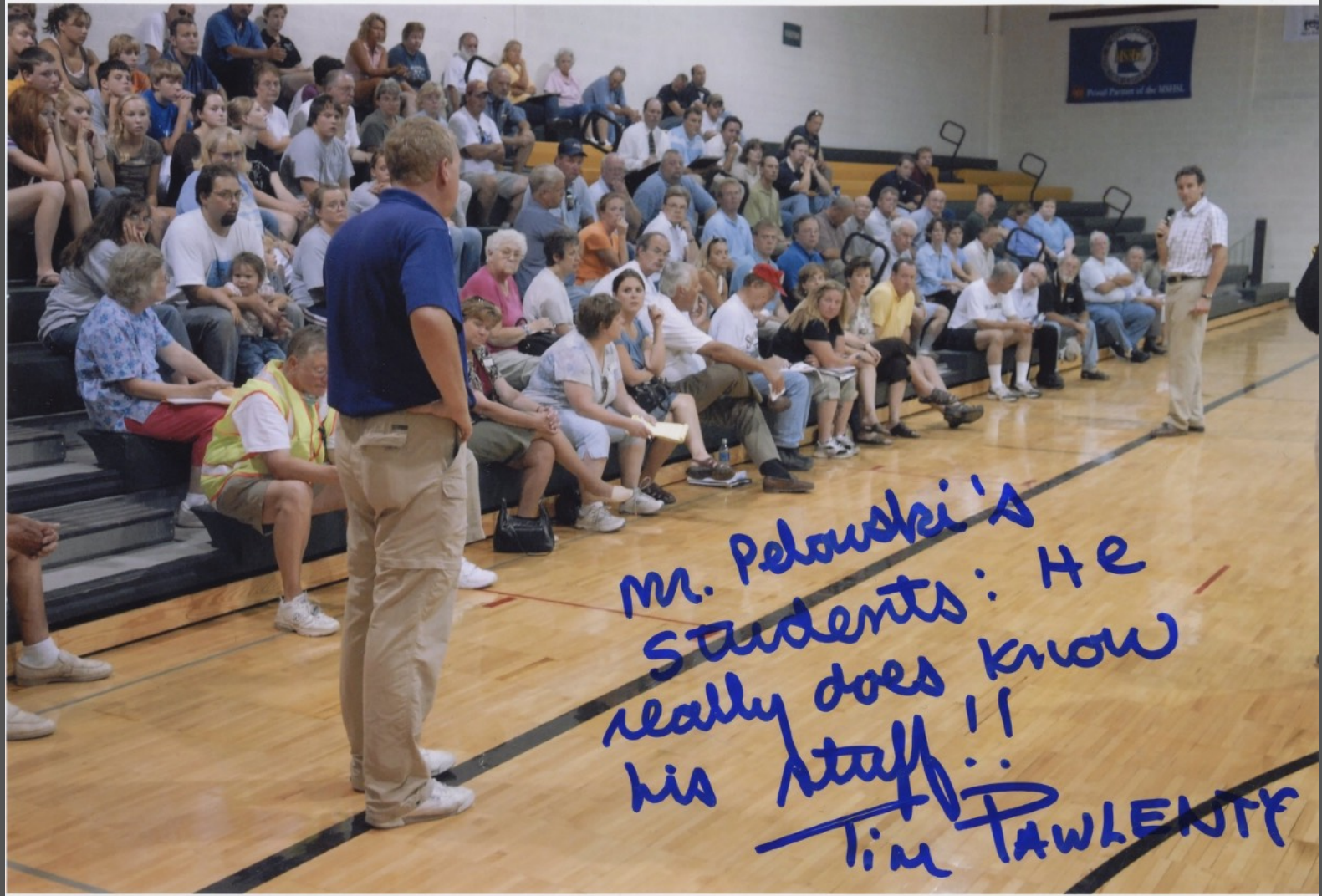


Rushford, Minnesota August 2007





Typical results of the Rushford flood. A tour of what remains of the SEMCAC offices after the clear up.



Representative Pelowski asked the Governor to sign the picture at 3:30am Wednesday morning after he signed the Flood Relief Bill in the Governor's Reception Room. The picture was taken on September 5th in the Rushford gym during the House Capital Investment Committee Tour. Representative Pelowski asked the Governor to set a definitive date for special session and got no answer. He then asked for a definitive agenda and got no answer. The House photographer took the picture and House media staff named it High Noon at Rushford High. The Governor signed it for Representative Pelowski's AP Government class. When he served in the House the Governor and Representative Pelowski worked on a number of pieces of legislation for education. The most significant was the repeal of the Profile of Learning and the Graduation Rule.



September 5th Capital Investment Hearing Winona City Hall on flood relief legislation for SE Minnesota.

Rep. Tony Sertich, Rep. Alice Hausman, Rep. Margaret Anderson Kelliher and Rep. Gene Pelowski listen to testimony from cities and counties on the need to repair, rebuild and reimburse them for flood damage.

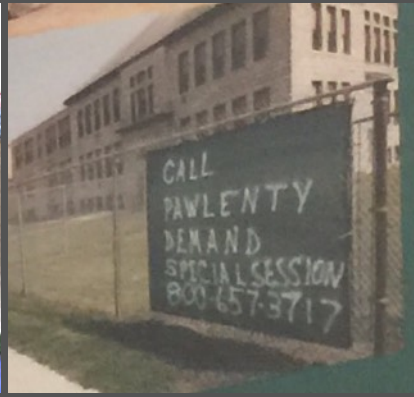


### Rushford Tri-County Editor: Rushford is now Pawlenty's Katrina



Yesterday, we [posted](#) about the fascinating long article from the Fillmore County Journal about Pawlenty's childish behavior in Rushford last week. In today's Winona Daily News, the editor of the Rushford Tri-County News is far more forceful in guest column: [Rushford is now Pawlenty's Katrina](#).

Myron Schober, who has heroically published the local paper after losing its office to the flood, writes about the need for a special session [emphasis added]:



Only the Governor can call a Special Session in Minnesota.

# Proclamation

PROCLAMATION FOR SPECIAL SESSION 2007

- WHEREAS: The Minnesota Constitution allows the Governor to call a special session of the legislature on "extraordinary occasions;" and
- WHEREAS: On August 18 and 19, 2007, extremely heavy rains caused severe flooding in Dodge, Fillmore, Houston, Olmsted, Steele, Wabasha, and Winona Counties and these counties have been declared a major disaster area by the President of the United States; and
- WHEREAS: The flooding has caused extensive damage and loss of property to individuals, businesses, and local governments; and
- WHEREAS: The Governor has exercised his emergency powers under existing law to direct available agency resources to assist individuals and local governments, however, the immediate needs in the disaster areas exceed the resources available through the federal government and existing state resources; and
- WHEREAS: I have consulted with legislative leaders and have reached agreement that immediate action by the state legislature to provide the necessary relief and the people of Minnesota will be best served by a one-day special session with the limited agenda of providing disaster relief in southeastern Minnesota.

NOW THEREFORE, I, TIM PAWLENTY, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Tuesday, September 11, 2007 at 5:00 p.m. at the State Capitol in Saint Paul, Minnesota.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this 10<sup>th</sup> day of September in the year of our Lord two thousand and seven, and of the State the one hundred forty-ninth.

*[Signature]*  
GOVERNOR

*[Signature]*  
SECRETARY OF STATE



Representative Gene Pelowski  
Presents Special Session **HF 1** to the House  
Capital

Investment Committee and  
The House Finance Committee September  
11, 2007 9am.

The Speaker of the House called Representative Pelowski at 7:30am and asked if he would be 2nd author of HF1 so Representative Tschumper could be 1st author. But Tschumper could not be at the capitol until the afternoon. Pelowski was given **20 minutes to prepare** to present a \$150 million bill. **When Pelowski asked staff, "Where The Bill Came From?" the answer was "No One Knew!"**  
**NOTE FOR FUTURE REFERENCE!**



[View Capitol Investment HF1](#)  
[View Finance Committee HF1](#)



State of Minnesota  
**HOUSE OF REPRESENTATIVES**  
**INTRODUCTION OF BILLS**

**SPECIAL SESSION**

**Tuesday, September 11, 2007**

This document can be made available in alternative formats upon request. Call (651) 296-2314 [voice]; the Minnesota State Relay Service at 1-800-627-3529 [TTY] for assistance; or visit the web site <http://www.house.leg.state.mn.us>

The following House Files were introduced:

Tschumper, Pelowski, Welti, Liebling, Draskowski, Poppe, Norton, Ruth, Demmer, Marquart, Lieder, Clark, Kahn, Brown, Walker, Fritz and Kelliher introduced:

H. F. No. 1, A bill for an act relating to disaster relief; providing money to match and supplement federal disaster assistance for property damaged by the floods of August 2007; providing for temporary waivers of certain program requirements and other relief; providing for flood enrollment impact aid to school districts; providing for property tax abatements and reimbursements; modifying certain property tax and aid provisions in designated counties; facilitating use of federal money to rebuild I-35W bridge over the Mississippi River in the city of Minneapolis; providing aid to local governments and individuals affected by floods, fires, drought, and other disasters; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2006, sections 18E.04, subdivision 4; 72A.20, subdivision 12; 273.124, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 2006, section 273.123.

The bill was read for the first time.

Pelowski, Hilty, Heidgerken, Kalin and Poppe introduced:

H. F. No. 2, A bill for an act relating to elections; requiring voting systems accessible to individuals with disabilities in township elections; amending Minnesota Statutes 2006, section 206.57, subdivision 5.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

# The motions needed to bring up HF1 & SF3 in the Special Session.

PELOWSKI

(5) Declare an Urgency

Sep 11 2007

49198

(JSORCONST)

## DECLARE AN URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Pelowski moves that the rule therein be suspended and an urgency be declared so that H. F. No. 1 be given its second and third readings and be placed on its final passage.

## SUSPENSION OF RULES

Pelowski moves that the rules of the House be so far suspended that H. F. No. 1 be given its second and third readings and be placed on its final passage

PELOWSKI

(5) Declare an Urgency

Sep 11 2007

25401

(JSORCONST)

## DECLARE AN URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Pelowski moves that the rule therein be suspended and an urgency be declared so that S. F. No. 3 be given its second and third readings and be placed on its final passage.

## SUSPENSION OF RULES

Pelowski moves that the rules of the House be so far suspended that S. F. No. 3 be given its second and third readings and be placed on its final passage

# SESSION WEEKLY

Interim Update

A NONPARTISAN PUBLICATION  
MINNESOTA HOUSE OF REPRESENTATIVES • PUBLIC INFORMATION SERVICES  
September 12, 2007

## Disaster relief package enacted

More than \$150 million to help flooded areas of southeast Minnesota

By **MIKE COOK**

State relief is on the way for folks like Nancy Benson.

She and her husband have lived in Rushford for decades; she serves on the city council and owns a small beauty shop in town.

"On Saturday night, Aug. 18, they lost everything," said Rep. Ken Tschumper (DFL-La Crescent). "The Rush Creek came out right next to their home, flooded their home. Nancy almost died when the basement caved in as it was flooding. Luckily, her husband pulled her out. Her beauty parlor business was completely flooded. They lost everything there. When they

went to see FEMA about 10 days ago they were told, because they had their home paid for, they would get zero help from FEMA."

Less than a month after heavy rains resulted in rushing floodwaters that created a path of destruction through parts of southeast Minnesota, state lawmakers approved a stream of money to help people like Benson rebuild what was damaged or washed away.

The \$157.3 million law, sponsored by Tschumper and Sen. Sharon Erickson Ropes (DFL-Winona), includes state aid to seven counties that were designated federal disaster areas following the Aug. 18-19 storms.

Seven people were killed, nearly 1,500

homes were damaged and approximately 300 destroyed during the flooding. According to the Federal Emergency Management Agency, the flooding has resulted in approximately \$67 million in damage to private property and public infrastructure. However, Erickson Ropes said local officials have said that number is only a preliminary estimate.

Approved 130-0 by the House just after midnight Sept. 12, and 62-1 by the Senate less than an hour later, the legislation was signed by Gov. Tim Pawlenty in the wee hours of the morning. The law is effective Sept. 13, 2007.

"Providing relief to those communities, families and businesses suffering as a result of the flooding in southeast Minnesota is in the best tradition of Minnesota government acting in response to natural disasters," Pawlenty said. "This package will work in conjunction with efforts already being coordinated by federal and local governments, as well as the private sector to ensure the quickest possible return to normalcy for residents in the impacted communities."

SSHF1\*/SSSF1 provides \$72.3 million of state assistance from the General Fund and \$56 million in general obligation bonding. It also includes \$1 million from the petroleum tank cleanup fund.

The allocations will assist with homeowner and business clean up; the refurbishing or rebuilding of public infrastructure, including roads and bridges; school facilities cleanup,

Continued on page 2



PHOTO BY TOM OLMSCHEID

Rep. Ken Tschumper, left, gives a sigh of relief while Rep. Gene Pelowski organizes his paperwork after the House Finance Committee passed the flood relief bill.



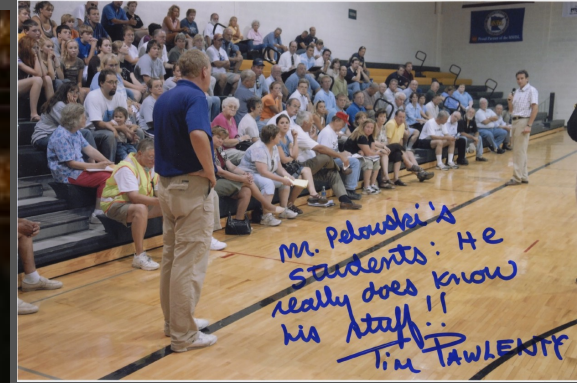
Last Committee Hearing and now HF1 goes to the House Floor!



Photo by <mailto:jwheeler@startribune.com>Jeff Wheeler , Star Tribune

Rep. Gene Pelowski, DFL-Winona, received a congratulatory hug from House Speaker Margaret Anderson Kelliher after the House adjourned early this morning following the passage of a flood relief bill. The measure containing \$157 million in flood relief for southeastern Minnesota became law after hours of legislative debate that stretched Tuesday's special session into today.

**By Mark Brunswick and Pat Doyle**, Star Tribune staff writers  
Last update: September 12, 2007 – 3:07 AM



See page 5 for above.

Governor Pawlenty signs a \$157.3 million flood relief package into law following a short special session to address the needs of flood-ravaged southeastern Minnesota -- Wednesday, September 12, 2007 3:30am.

# A flood of relief

Lawmakers in special session approve \$157M to help southeastern Minnesota

## Pelowski's efforts bring flood relief to area

By Margaret Anderson Kelliher  
Minnesota Speaker of the House

**BY CHARLEY SHAW**  
Legal Ledger Staff Writer

State lawmakers spent a long Tuesday night and Wednesday morning at the Capitol to pass \$157 million in flood relief for southeastern Minnesota.

The eight-hour special session started a day after Gov. Tim Pawlenty called legislators back to St. Paul.

At least one DFL House leader called for a second special session to deal with increasing local government aid (LGA) to Minnesota communities, but a Republican leader and a spokesman for the governor said that won't happen.

"The future of southeastern Minnesota depends on this legislation," Rep. Ken Tschumper, DFL-La Crescent, the chief House author of the flood relief bill, said in a press release issued Wednesday morning.

Tschumper's district lies within the seven-county area that was declared a disaster by the federal government last month after heavy rains that killed seven people.

Pawlenty signed the bill just before 3 a.m. Wednesday.

The relief package includes \$76 million in bonding and \$79 million in cash from the state's general fund.

The bill includes \$51 million to fix roads and bridges in the area. Small businesses and nonprofit organizations damaged by the floods will receive \$35 million in loans and grants. Individuals are allotted \$16 million in low-interest and forgivable loans.

◆ Moments of humor peppered the bipartisan feast during the session's dinner hour. — Page 9



Above, House Speaker Margaret Anderson Kelliher, DFL-Minneapolis, presides over House members gathered for Tuesday evening's special session. (Photo by Bill Klotz) Left, state Reps. Andy Welti, DFL-Plainview, left, and Gene Pelowski, DFL-Winona, who represent districts in southeastern Minnesota damaged by heavy floods last month, conferred on the House floor during the special session. (Photo by Charley Shaw)

Apart from the floods in southeastern Minnesota, the bill authorizes \$53 million in federal funds for the recovery and cleanup of the Interstate 35W bridge collapse. The bill also spends \$5.3 million on disasters in other parts of the state, including last spring's Ham Lake fire.

In addition, the bill spends \$2 million to match federal funds that go to local law enforcement agencies that responded to the bridge collapse.

Pawlenty and legislative leaders agreed to focus the special session on funding disaster relief in southeastern Minnesota. They discussed other issues like transportation funding and LGA to cities during negotiations for a session in the aftermath of the 35W bridge collapse.

Flood continued on page 9

I would like to thank state Rep. Gene Pelowski for the leadership and perseverance he has shown on behalf of the victims of the recent floods in southeastern Minnesota.

Rep. Pelowski was a strong advocate for flood victims both on the ground, and at the state Legislature. He helped create a groundswell of public and political support for the special session, and is a co-author of legislation that appropriates millions of dollars in flood relief.

Rep. Pelowski understands that at times of crisis, Minnesotans have a right to depend on their leaders to come through for them. He has demonstrated that he is a strong advocate for the people of his district, and all Minnesotans.



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

September 12, 2007

The Honorable Senator James Metzen  
President of the Senate  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
322 State Capitol  
Saint Paul, Minnesota 55155

Dear President Metzen:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State, First Special Session Chapter Number 1 – Senate File Number 3.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Pawlenty".

Tim Pawlenty  
Governor

cc: Representative Margaret Anderson Kelliher, Speaker of the House  
Senator Lawrence J. Pogemiller, Majority Leader  
Senator David Senjem, Minority Leader  
Senator Ann Rest  
Representative Marty Seifert, Minority Leader  
Representative Gene Pelowski, Jr.  
Mr. Patrick E. Flahaven, Secretary of the Senate  
Mr. Al Mathiowetz, Chief Clerk of the House of Representatives  
Mr. Mark Ritchie, Secretary of State



# Relief bill to total \$218.5 million

## ◀ SESSION FROM B1

Pawlenty spokesman Brian McClung retorted that transportation talks had reached an impasse "due to the DFL's insistence on massive tax hikes" to fund transit projects.

McClung said DFLers had attempted to resurrect proposed increases in license tab fees, a metro area sales tax and an optional, referendum-based sales tax increase in outstate Minnesota.

Sen. Steve Murphy, DFL-Red Wing, defended the moves as part of a broader plan to pay for more than \$1 billion in annual funding shortfalls for transportation and called McClung's de-



JEFF WHEELER • [jwheeler@startribune.com](mailto:jwheeler@startribune.com)

House authors of the flood relief bill, Ken Tschumper, DFL-La Crescent, left, and Gene Pelowski Jr., DFL-Winona, conferred Tuesday night.

We have no idea where the bill came from!

1. **Pelowski** meets in his office in October with the 13 agencies involved in the state and federal Minnesota disaster relief to draft legislature to **put into law a plan**.

2. **October 2007, November 2007 & December 2007**

There are meetings every two weeks in **Pelowski's** office to review a draft. Suggestions from each of the 13 agencies are put into the next draft.

3. **Kathy Novak, House Research** makes the first sensible suggestion. Put the bill in order of the alphabet for ease of finding agencies in statute books. Utilities are added to clarify utilities such as Tri-County Electric and Ace Communications covered.

4. January 2008 **Pelowski** meets with all 13 government agencies in Governor's Office for final draft and corrections.

5. **April 28, 2008** Governor signs bill into law.

6. **2009** law used for floods in Red River Valley.



## GOVERNOR SIGNS BILL ESTABLISHING STATE AGENCIES' RESPONSIBILITIES IN DISASTER SITUATIONS **April 28, 2008**

ST. PAUL – The Governor signed a bill today creating uniform procedures to assist communities in their response to natural disasters. State Representative Gene Pelowski (DFL – Winona), who authored the legislation, said the bill lays out specific responsibilities for state agencies so local and state governments can respond to a natural disaster in an effective and organized manner.

"When a natural disaster like a flood or tornado hits, there is never too much warning," said Pelowski. "That's why our state responders need clear, consistent procedures so they are prepared to react immediately. This legislation lays out those procedures."

Since the devastating floods in Southeast Minnesota last summer, Pelowski has worked closely with Governor Tim Pawlenty and commissioners of state agencies to draft this legislation. The bill lays out specific responsibilities for each of the thirteen state agencies traditionally involved in disaster response.

"The floods last year illustrated the complexity and layers of an effective, timely disaster response," said Pelowski. "This bill creates a playbook for the many different state and local agencies that need to coordinate effectively in what can be a very chaotic situation." While the new statute lays out their respective responsibilities, it would not establish a specific amount of state funding to be distributed by these agencies. Under this plan, the Legislature would remain responsible for any appropriation of funds. This new statutory disaster response framework would serve as a checklist for lawmakers in drafting legislation to distribute adequate, pointed funding for any and all needs following a disaster.

## [Star Tribune Editorial: After a flood, state experience matters](#)

Posted on [October 9, 2010](#)

State government knows its role well. The Pawlenty administration alone has coped with six major floods and several serious tornadoes.

**The Legislature, too, has its act together. In 2008, at the urging of Winona DFL Rep. Gene Pelowski, it enacted a template for disaster relief bills. It allows a bill to be drafted quickly after damage assessments are known — likely early next week— and assigns responsibilities among various state agencies. That template, prepared in consultation with the Pawlenty administration, is proving “very, very helpful” now as flooded communities scramble to maximize repairs this fall, McElroy said.**

**It’s worth noting that Pelowski’s bill won House approval on a 126-6 vote, and the six all-GOP dissenters included Republican gubernatorial nominee Tom Emmer.** The Emmer campaign explained that their candidate considered the template too vague and too sweeping in authorizing school districts to claim lost enrollment and the commissioner of health to remedy public health issues.

Emmer’s spokesman added that the three-term representative from Delano voted in favor of three more-specific disaster relief measures. That’s to his credit. Still, it’s telling that Emmer’s mistrust of the government he wants to head is so great that he would not take the Pawlenty administration’s word for the value of the disaster relief template it helped design.

**Pelowski said he prepared the template law so future victims of disaster “can feel reasonably comfortable that the state knows what it’s doing.” It does, and for the thousands of Minnesotans who found themselves awash in water last week, that’s reason for hope.**

Link to Article:

<http://www.startribune.com/opinion/editorials/104108848.html?elr=KArksc8P:Pc:Ug8P:Pc:UiD3aPc: Yyc:aULPOL7PQLanchO7DiUr>

Mr. Pellowski,  
Thank you very  
much for all the  
hours + time

you have put into  
assisting the flood victims  
of Southeast Minnesota.

Since my sister + her husband  
lost their home in this flood, your dedication  
touches me directly.

I hope your students are paying close  
attention to what you teach in + out of the  
classroom. You are an inspirational leader.

Sincerely, Anari Jossim - WSHS  
Class of 1980



a big thanks

EVALUATION REPORT

## Helping Communities Recover from Natural Disasters

2012

March 2012

Members of the Legislative Audit Commission:

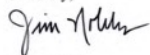
You asked the Office of the Legislative Auditor to evaluate Minnesota's approach to helping communities recover from natural disasters such as floods, tornadoes, and strong windstorms. Our findings and recommendations are contained in this report.

We found that Minnesota has a legal framework for helping communities recover from natural disasters, but the framework does not apply to all disasters and needs some improvements. State agencies that offer recovery assistance do not consistently measure the effectiveness of their programs. We also found that local governments, residents, and businesses dealing with a disaster's aftermath need more help with some of the complex procedures used to apply for and receive recovery assistance.

We recommend that the Legislature set criteria for when state funding should be made available for natural disasters that do not receive presidential declarations of disaster. If it does so, the Legislature should consider a dedicated account to fund initial recovery activities for such disasters. We also recommend that the Homeland Security and Emergency Management Division in the Department of Public Safety take the lead in measuring the effectiveness of recovery efforts.

Our evaluation was conducted by evaluation manager Jody Hauer, David Kirchner, and Kate Lang Yang, with assistance from Matt Schroeder. Minnesota's state agencies involved with disaster recovery cooperated fully with our evaluation, as did the emergency-management directors in counties and cities around the state.

Sincerely,



James Nobles  
Legislative Auditor

Room 140 Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155-1603 • Tel: 651-296-4708 • Fax: 651-296-4712  
E-mail: [auditor@state.mn.us](mailto:auditor@state.mn.us) • Web Site: [www.auditor.leg.state.mn.us](http://www.auditor.leg.state.mn.us) • Through Minnesota Relay: 1-800-627-3529 or 7-1-1

# List of Recommendations

- The Legislature should set clear criteria for determining the level of state funding provided to local jurisdictions in three situations: (1) when no federal aid to local jurisdictions is available, (2) when federal aid must be matched by state and local funding, and (3) when jurisdictions receive state Flood Hazard Mitigation Grants. (p. 45)
- The Legislature should authorize state agencies to transfer unused portions of bond proceeds appropriated for disaster recovery to other state agencies that have identified eligible recovery needs of a capital nature from the same disaster. (p. 49)
- The Legislature should require state agencies to set clear criteria for when they may use transfers of disaster appropriations from other state agencies to pay the local share of recovery projects. (p. 52)
- If the Legislature sets criteria defining when the state would provide recovery assistance to disasters lacking presidential declarations, it should consider a dedicated account to fund initial recovery costs. (p. 56)
- Homeland Security and Emergency Management should use mechanisms already in place to evaluate recovery following natural disasters, identify opportunities for improvement, and make changes when needed. (p. 67)
- Homeland Security and Emergency Management should lead state agencies that offer recovery services in identifying measures of success, and each agency should supplement evaluations of its services with first-hand assessments of its program users' perceptions of recovery efforts. (p. 67)
- Homeland Security and Emergency Management should improve the Minnesota Recovers Task Force by increasing local governments' awareness of the task force and developing mechanisms to allow tracking the status of applications for state funding. (p. 73)
- State agencies involved with recovery should assess whether the recovery programs they oversee offer sufficient opportunity for users to obtain needed information. (p. 76)
- Homeland Security and Emergency Management (HSEM) should continue to improve its networking and public information roles with nongovernmental organizations and the long-term recovery activities they manage. Further, HSEM should develop plans for how it will use the expanded coordinating role approved by the 2011 Legislature. (p. 81)
- The Department of Commerce and the Department of Natural Resources should examine the feasibility of requiring that flooded properties receiving state disaster-recovery aid purchase and maintain flood insurance to be eligible for future recovery aid. (p. 85)

EVALUATION REPORT

## Helping Communities Recover from Natural Disasters

MARCH 2012

**Our View: Let this be the last special session for disaster relief**

Rep. Gene Pelowski, a DFLer from Winona, might be the most independent-thinking member of the Minnesota Legislature.



For example, as cost-saving measures he's on the record in support of downsizing the MnSCU system and cutting 20 seats from the Minnesota House and 10 from the Senate. He also has argued that Minnesota has far too many counties and independent school districts, which results in higher administrative costs.

We're not ready to support the closure of any MnSCU campuses, but the idea of trimming a few legislative seats is intriguing. As we wait for legislators to show up in St. Paul for a one-day special session for storm relief, we're 100 percent behind Pelowski's desire to ensure that this is the last such session that takes place.

He got the ball rolling back in 2008, when he was the driving force behind legislation called Chapter 12A, which essentially is a "playbook" for how Minnesota responds to all manner of natural disasters. It spells out the specific responsibilities of each of the 13 state agencies that usually play a role in responding to natural disasters.

The problem, however, is that a special session of the Legislature still is necessary to allocate the funds needed to implement the playbook after a tornado or a flood. That's why Pelowski backs the state auditor's recommendation that Minnesota create a dedicated disaster fund that could be tapped without calling legislators in for a one-day session in which they simply rubber-stamp a bill and then submit their expense reports.

Can an idea that logical gain legislative approval? We certainly hope so.

Rep. Gene Pelowski, a DFLer from Winona, might be the most independent-thinking member of the Minnesota Legislature.

For example, as cost-saving measures he's on the record in support of downsizing the MnSCU system and cutting 20 seats from the Minnesota House and 10 from the Senate. He also has argued that Minnesota has far too many counties and independent school districts, which results in higher administrative costs.

We're not ready to support the closure of any MnSCU campuses, but the idea of trimming a few legislative seats is intriguing. As we wait for legislators to show up in St. Paul for a one-day special session for storm relief, we're 100 percent behind Pelowski's desire to ensure that this is the last such session that takes place.

He got the ball rolling back in 2008, when he was the driving force behind legislation called Chapter 12A, which essentially is a "playbook" for how Minnesota responds to all manner of natural disasters. It spells out the specific responsibilities of each of the 13 state agencies that usually play a role in responding to natural disasters.

The problem, however, is that a special session of the Legislature still is necessary to allocate the funds needed to implement the playbook after a tornado or a flood. That's why Pelowski backs the state auditor's recommendation that Minnesota create a dedicated disaster fund that could be tapped without calling legislators in for a one-day session in which they simply rubber-stamp a bill and then submit their expense reports.

Can an idea that logical gain legislative approval? We certainly hope so


The undersigned all agree that the 88<sup>th</sup> Legislature, 2013 1<sup>st</sup> Special Session will convene on Monday, September 9 at 10:00 a.m. at the State Capitol in Saint Paul, Minnesota, and will be limited to the 2013 Disaster Relief Appropriation Bill. The appropriations in the 2013 Disaster Relief Appropriations Bill are reflected in the legislative spreadsheet and the language is reflected in the revisor's bill draft.


Under this agreement, the undersigned agree to the following:

1. No amendments to the Disaster Relief Appropriations Bill, once it is finalized by the signature of all five leaders below, and conveyed to the House and Senate in that exact form on Friday, September 6, 2013, will be voted upon or passed by either body.
2. The only other bill that will be considered or passed, if necessary, will be a technical corrections bill **related to the 2013 Disaster Relief Appropriations Bill**. Before any technical corrections bill can be considered or passed by either body, all of the undersigned must agree to it in writing.
3. An urgency will be declared under Article IV, Section 19 of the Minnesota Constitution, and Permanent Senate Rule 2 and Permanent House Rule 1.04, requiring that a bill be given three readings on three separate days, will be suspended.
4. Under this agreement, no amendment will be considered to the legislation listed above. No other votes will be permitted and no other bills other than those listed above will be passed.


Under this agreement, the Special Session will conclude within one legislative day, and the bodies will adjourn the Special Session sine die no later than 7:00 a.m. on September 10, 2013.

  
Mark Dayton  
Governor

  
Representative Paul Thissen  
Speaker of the House

  
Senator Tom Bakk  
Senate Majority Leader

  
Representative Kurt Daudt  
House Minority Leader

  
Senator David Hann  
Senate Minority Leader

Note the  
bipartisan  
misspelling!



*AMEM Annual Awards*

**Outstanding Elected Official**

*Representative Gene Pelowski*

**Minnesota House District 28A**

**(Winona)**



Association of Minnesota  
Emergency Managers (AMEM)

**Elected Official of the Year  
2014**

Presented to  
*Representative Gene Pelowski*  
Minnesota House District 28A

In recognition of your leadership  
and valued efforts in support of  
emergency preparedness and response,  
to the greater benefit of communities  
and citizens of Minnesota.

# More storms, but no special session

Article by: EDITORIAL BOARD, Star Tribune | Updated: September 15, 2014 - 6:30 PM

Minnesota is getting better at coping with nature's worst.



Floodwaters caused the earth to give away northwest of Winona, Minn., in 2007.

Photo: Jim Mone • Associated Press.  
Star Tribune photo galleries »  
view larger »

0 comments | resize text | print | buy reprints

Share 12 | Tweet 3 | + | in | | |

Were it not for some foresighted lawmaking by the 2014 Legislature, Gov. [Mark Dayton](#) almost certainly would be calling a special session this month to authorize state spending to repair storm and flood damage inflicted in 39 Minnesota counties in June and July.

Before this year, spring and summer storms followed by fall special sessions for disaster relief had become Minnesota's pattern (see accompanying text). State government more assurance credit for its bipartisan commitment to hastening recovery from nature's worst blows. But as the Office of the Legislative Auditor pointed out in a [2012 report](#), the special-session pattern wasn't optimal. It left to political whim and hasty judgments decisions that ought to be orderly, predictable and consistent from one episode to the next.

This year, legislators put a better approach into the statute books. Led by Rep. Gene Pelowski — a 14-term DFLer whose Winona district was socked with major flooding in August 2007 — they created a [rubric](#) that both affords Minnesotans more assurance of state help when trouble strikes and, in many cases, eliminates the need for a special session to start that help flowing. It created an emergency fund — initially \$3 million — that can be tapped to supply the 25 percent local match required by federal aid via the Federal Emergency Management Agency. The new law also spells out when it may be used for disaster relief when FEMA plays no role.

That fund is small, but the need for matching funds arises slowly as repairs are made and reimbursement is due for local government expenditures. State officials announced last week that while at least \$10.2 million eventually will be required for the "nonfederal" match in the 37 counties receiving FEMA aid, \$3 million will be sufficient to keep repair work on schedule between now and the start of the Legislature's regular session in January. It's also enough to start sending help to Morrison County, which did not qualify for federal help but meets the state's threshold for assistance spelled out in the new law, and Dakota County, which is appealing FEMA's refusal to include it among counties qualifying for federal aid.

## DISASTER SESSIONS

The Minnesota Legislature convened in special session five times between 2002 and 2013 to appropriate funds for natural disaster relief:

- Sept. 19, 2002, for Roseau County flooding.
- Sept. 11, 2007, for southeastern Minnesota flooding.
- Oct. 18, 2010, for Rochester-area flooding.
- Aug. 24, 2012, for Duluth flooding.
- Sept. 9, 2013, for widespread flooding.

Source: [Minnesota Legislative Reference Library](#).

## more from editorials

[Giving thanks and remaining mindful](#)

[Hoping for healing as Ferguson reverberates](#)

[What 'Ban the Box' means for employers](#)

Were it not for some foresighted lawmaking by the 2014 Legislature, Gov. Mark Dayton almost certainly would be calling a special session this month to authorize state spending to repair storm and flood damage inflicted in 39 Minnesota counties in June and July.

Before this year, spring and summer storms followed by fall special sessions for disaster relief had become Minnesota's pattern (see accompanying text). State government deserves credit for its bipartisan commitment to hastening recovery from nature's worst blows. But as the Office of the Legislative Auditor pointed out in a 2012 report, the special-session pattern wasn't optimal. It left to political whim and hasty judgments decisions that ought to be orderly, predictable and consistent from one episode to the next.

This year, legislators put a better approach into the statute books. Led by Rep. Gene Pelowski — a 14-term DFLer whose Winona district was socked with major flooding in August 2007 — they created a rubric that both affords Minnesotans more assurance of state help when trouble strikes and, in many cases, eliminates the need for a special session to start that help flowing. It created an emergency fund — initially \$3 million — that can be tapped to supply the 25 percent local match required by federal aid via the Federal Emergency Management Agency. The new law also spells out when it may be used for disaster relief when FEMA plays no role.

That fund is small, but the need for matching funds arises slowly as repairs are made and reimbursement is due for local government expenditures. State officials announced last week that while at least \$10.2 million eventually will be required for the "nonfederal" match in the 37 counties receiving FEMA aid, \$3 million will be sufficient to keep repair work on schedule between now and the start of the Legislature's regular session in January. It's also enough to start sending help to Morrison County, which did not qualify for federal help but meets the state's threshold for assistance spelled out in the new law, and Dakota County, which is appealing FEMA's refusal to include it among counties qualifying for federal aid.

Local governments have another new tool to manage repair costs. A 2013 change in law allows storm-battered local governments to receive an advance on their usual December allotment of state aid. State officials said that as of last week, 16 counties, 32 cities and 88 townships already had received advance payments totaling more than \$70 million.

These sensible changes illustrate the kind of adaptations that Minnesotans should be making to a climate that scientists say is becoming increasingly harsh and unpredictable. Episodes of extreme weather, long a part of the Minnesota experience, are likely to become more frequent and intense. When the worst comes, it may be cold or wet comfort to know that Minnesota's state and local governments are adept at storm recovery. But it's comforting nevertheless.

Regional history

# The newspaperman who helped save Rushford

 **Bob Collins** Nov 13, 2014



A canoe sits on a street in Rushford, Minn., Monday, Aug. 20, 2007, after the town was inundated by a flood. *Andy Manis / AP*

Myron J. Schober, 78, has died, the [Rochester Post Bulletin](#) reports.

Schober was an old-school newspaperman and says the most important words “I ever did” were these:

## Rushford, Pawlenty’s Katrina

Think about that for a moment. This was a guy who was in Vietnam and survived a helicopter crash, not to mention covering more than 2,000 City Council meetings in his area.

But three words mattered to him more than all of that because they made a big difference in his city.

The headline ([and article](#)) that blared from his Tri County Record newspaper brought attention to a [flash flood that killed seven people](#) in southeast Minnesota.

He’s a vanishing specimen: the local newspaper owner with a long dedication of putting his community above everything else.

Here’s an example from a 2012 [Post Bulletin profile](#):

When then Gov. Tim Pawlenty dawdled about calling a special legislative session to help the town (and many other towns) that was swamped with damaged or destroyed buildings, Myron wrote the powerful headline: “Rushford: Pawlenty’s Katrina” referring to the political trouble former President Bush got into for his handling of the damage from Hurricane Katrina.

“Those were the three most important words I ever did,” he said. “It was a headline heard round the world” and helped get the legislative session, and more help.

“The award was nice but the real reward was to the town and the readers,” Myron said.

That is vintage Myron Schober — low-key, self-effacing, not one to strut but also one to speak the truth as he sees it. “I’m not a bragger or swaggerer; I’d rather be chief of staff than commander,” he said.

Schober cranked out the Tri County Recorder even though its offices were destroyed in the flood. He put out a call for reporters to help write stories, and reporters and citizens responded.

His headline and column were picked up by newspapers around the state, who joined in a blistering condemnation of the Pawlenty administration’s inaction.

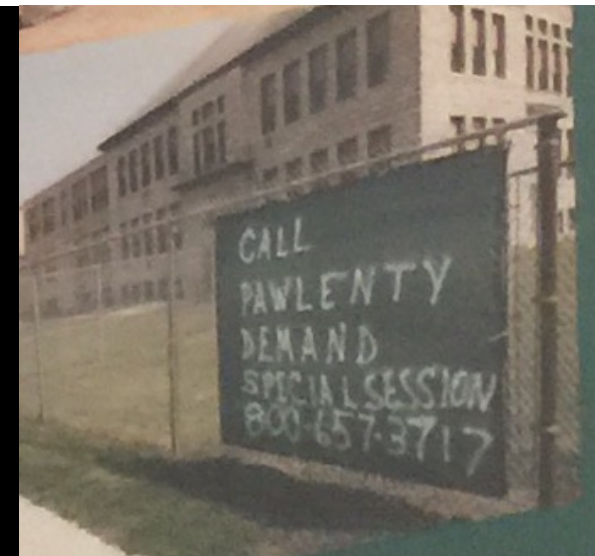
Said the Winona Daily News at the time:

Myron Schober knows what he’s talking about. For the past three weeks, he’s relived the floods personally and professionally.

In addition to the floodwaters wiping out his newspaper office, the editor/publisher has heard the tales time and time again from the community he’s covered for nearly three decades. And after three weeks of waiting, and as he sees neighbors and businesses leave Rushford without coming back, he’s calling this Pawlenty’s Katrina.

We have to wonder what beyond petty political motives is going on here. Is it because of some worry he might be forced into signing a tax increase? Well, if it’s an increase in taxes to help our fellow Minnesotans rebuild their lives, it’s money well spent. It seems like Pawlenty cares more about political ideology than people.

Within a few days, the administration and the Legislature had a flood-relief package for the area. Politicians are no match for a local newspaper owner whose priority is giving a damn about the people in town.



State of Minnesota  
HOUSE OF REPRESENTATIVES

FOURTY-SEVENTH SESSION H. F. No. 164

Author: Keith E. Carlson, Baker, Miller and Christie  
The bill was read for the first time and referred to the Committee on Ways and Means

A bill for an act  
relating to financing and operation of state government; providing deficiency  
funding for disaster assistance; providing local match funds to repair local  
roads; providing funding to protect water and soil resources in a disaster area;  
appropriating money.

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

Section 1. **EMERGENCY MANAGEMENT TRANSFER.**

The commissioner of management and budget shall transfer \$5,850,000 from the  
general fund to the disaster assistance contingency account, under Minnesota Statutes,  
section 12.221, subdivision 6.

Sec. 2. **TRANSFER OF UNEXPENDED APPROPRIATIONS.**

The commissioner of management and budget may transfer any unexpended amount  
of the appropriations under Laws 2011, chapter 113, article 2, section 2, and Laws 2011,  
First Special Session chapter 7, article 10, section 5, to the disaster assistance contingency  
account under Minnesota Statutes, section 12.221, subdivision 6.

Sec. 3. **DEPARTMENT OF TRANSPORTATION APPROPRIATION.**

\$3,000,000 is appropriated from the general fund to the commissioner of  
transportation in fiscal year 2015 to provide the 20 percent local match funding required to  
obtain Federal Highway Administration emergency relief funds to repair local roads  
damaged by flooding in June 2014.

Sec. 4. **BOARD OF WATER AND SOIL RESOURCES.**

Subdivision 1. Erosion, sediment, and water quality control cost-share program;  
appropriation. (a) \$2,476,000 is appropriated from the general fund to the Board of  
Water and Soil Resources in fiscal year 2015 for projects under Minnesota Statutes,  
section 12A.05, subdivision 2, in the area designated under Presidential Declaration of  
Major Disaster FEMA-182-DR. Whenever possible and practical, these funds shall either  
match or supplant available federal funding.

(b) In addition to the amount appropriated in paragraph (a), the appropriation under  
Laws 2012, First Special Session chapter 1, article 10, section 10, subdivision 3, may be  
used for the purposes specified in this subdivision.

(c) For projects funded in this section, the Board of Water and Soil Resources may  
develop alternative standards and procedures for Minnesota Statutes, sections 103G.222 to  
103G.224Z, that may be used temporarily by local government units to address emergency  
situations or disaster recovery efforts in the area included under Presidential Declaration  
of Major Disaster FEMA-182-DR.

Subd. 2. Additional provisions. (a) Notwithstanding Minnesota Statutes, section  
16A.28, the appropriations under this section are available until June 30, 2016.

(b) Funds appropriated under this section must be expended in designated counties  
or in a watershed that includes a portion of a designated county.

Sec. 5. **EFFECTIVE DATE.**  
Sections 1 to 4 are effective the day following final enactment.

12/31/14 REVISOR 85/170 15-1236

Subdivision 1. Erosion, sediment, and water quality control cost-share program;  
appropriation. (a) \$2,476,000 is appropriated from the general fund to the Board of  
Water and Soil Resources in fiscal year 2015 for projects under Minnesota Statutes,  
section 12A.05, subdivision 2, in the area designated under Presidential Declaration of  
Major Disaster FEMA-182-DR. Whenever possible and practical, these funds shall either  
match or supplant available federal funding.

(b) In addition to the amount appropriated in paragraph (a), the appropriation under  
Laws 2012, First Special Session chapter 1, article 10, section 10, subdivision 3, may be  
used for the purposes specified in this subdivision.

(c) For projects funded in this section, the Board of Water and Soil Resources may  
develop alternative standards and procedures for Minnesota Statutes, sections 103G.222 to  
103G.224Z, that may be used temporarily by local government units to address emergency  
situations or disaster recovery efforts in the area included under Presidential Declaration  
of Major Disaster FEMA-182-DR.

Subd. 2. Additional provisions. (a) Notwithstanding Minnesota Statutes, section  
16A.28, the appropriations under this section are available until June 30, 2016.

(b) Funds appropriated under this section must be expended in designated counties  
or in a watershed that includes a portion of a designated county.

Sec. 5. **EFFECTIVE DATE.**  
Sections 1 to 4 are effective the day following final enactment.

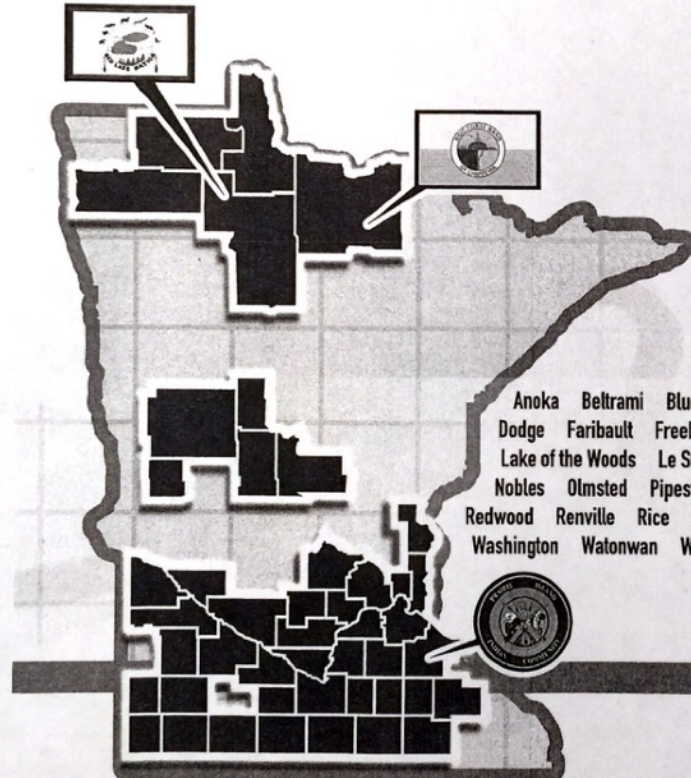
12/31/14 REVISOR 85/170 15-1236

H.F. 164, 28 (as referred to the General Register)  
Disaster Relief  
Public Safety (DPS) 15,381  
FEMA-Minnesota 2014 Disaster (\$2,213 x 25%) 1,430  
Chapter 130 Funding - 2314 14,531  
Subd. 2 - 2014 Disaster Costs 2,431  
Disaster Contingency Account - Disaster Relief 2,000  
Various Disaster Assistance to Non-Profit Organizations 300  
Cancellations - 2012 Disaster Appropriations -2,146  
Amount Needed by DPS for Disaster Funding 9,615


Transportation (DOT) - Local Roads & Bridges 3,000  
Board of Soil & Water Resources (BSWR) 2,476  
Disaster Recovery Assistance Program 2,476  
Contribution - 2012 Disaster Appropriations -12,865  
H.F. 164 - Net General Fund Cost 2,245  
House Print Staff 1/12/2015

# Local Governments assisted by

# HF164



- Anoka Beltrami Blue Earth Bois Forte Band of Chippewa Brown Carver Chippewa Chisago Dakota  
Dodge Faribault Freeborn Grant Goodhue Hennepin Jackson Koochiching Lac qui Parle  
Lake of the Woods Le Sueur Lyon Marshall Martin McLeod Morrison Mower Murray Nicollet  
Nobles Otstved Pipestone Prairie Island Indian Community Ramsey Red Lake Band of Chippewa Indians  
Redwood Renville Rice Rock Roseau Scott Sibley Steele Todd Wadena Waseca  
Washington Watonwan West Ottertail Wright Yellow Medicine



**Senate File: 1**

Disaster assistance deficiency funding appropriations

**Monday, January 26, 2015**

**MN HOUSE**

1-26-15

HF 164 Disaster Relief

133

Pelowski's Team

1

HAUSEW

# Opinion

CONTACT: Opinion page editor Jerome Christenson | 507.453.3522 | jchristenson@winonadailynews.com

## Change accelerates disaster assistance



**GENE PELOWSKI JR.**  
Winona

This week, the Minnesota House followed the Senate and voted unanimously to approve Senate File 1, legislation replenishing Minnesota's Disaster Assistance Account.

This account was created in 2014 to ensure that when a disaster struck, our state would

respond by quickly distributing funds without the need to call a special session, and it worked. For the first time ever, our state responded to a disaster without wasting time and money on a special session.

In 2008, after the massive flooding of southeast Minnesota, my colleagues and I worked to develop a state "disaster playbook" to guide the 13 state agencies, governor's office, Legislature, cities, counties, school districts and townships impacted when a disaster occurs. In 2012, the nonpartisan legislative auditor released a report titled "Helping Communities Recover from Natural

Disasters," with recommendations on how to improve Chapters 12A & 12B, the laws known as the state "disaster playbook."

In 2014 — working with Sen. Richard Cohen, the legislative auditor and his staff, the office of the governor, the director of homeland security, the Association of Minnesota Emergency Managers and the public — we crafted a bill to continue the improvements made to Minnesota's disaster response with Chapter 12A & 12B. We implemented several changes recommended by the legislative auditor that increased coordination by the 13 state agencies and others involved in responding to

disasters, and created the Disaster Assistance Account to fund their efforts.

Last summer, as a result of heavy rain, wind and flooding, 37 Minnesota counties and three Native American reservations became eligible for disaster assistance. For the first time, as a result of the improvements made to the "disaster playbook," state and federal funds were distributed quickly and efficiently without the need for a special session.

Having a dedicated account for disasters guarantees accurate accounting and avoids problems associated with hurriedly passing bills in a special session, such as overpaying or

underpaying.

The vote this week to replenish the Disaster Assistance Account will ensure communities' hit by disasters will receive more accurate funds and be able to start repair sooner. The recent actions of the Legislature and the response to the 2014 disaster demonstrate that the state "disaster playbook" works when Minnesota faces disasters.

*Gene Pelowski Jr., DFL, represents Minnesota House District 28A. He can be reached at 651-296-8637 or rep.gene.pelowski@house.mn. Constituents also can visit Pelowski's legislative page and sign up for email updates.*

