

State of Wisconsin



2021 Assembly Bill 1025

Date of enactment: **April 8, 2022**
Date of publication*: **April 9, 2022**

2021 WISCONSIN ACT 243

AN ACT *to amend* 20.465 (3) (t), 321.66 (1) (a) 1., 321.66 (1) (a) 2., 323.14 (1) (b) 2., 323.45 (1) (a) and 323.60 (1) (c) of the statutes; **relating to:** providing equipment under 1989 Wisconsin Act 31, hazardous substances safety data sheets, and the designation of a head of emergency management for cities, villages, and towns (suggested as remedial legislation by the Department of Military Affairs).

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Military Affairs and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 20.465 (3) (t) of the statutes is amended to read:

20.465 (3) (t) *Emergency response training — environmental fund.* Biennially, from the environmental fund, the amounts in the schedule for the division of emergency management to provide training for emergency response to releases of hazardous substances ~~and for providing equipment under 1989 Wisconsin Act 31, section 3039 (1q).~~

NOTE: This SECTION repeals obsolete authority regarding the use of amounts in the environmental fund.

SECTION 2. 321.66 (1) (a) 1. of the statutes is amended to read:

321.66 (1) (a) 1. A search and rescue mission designated by the U.S. air force rescue coordination center; the governor; the adjutant general; or the governing body, chief or acting chief executive officer, or head of emer-

gency management services of any county, city, village, town, or federally recognized American Indian tribe or band in this state.

SECTION 3. 321.66 (1) (a) 2. of the statutes is amended to read:

321.66 (1) (a) 2. An operation to provide disaster relief or humanitarian services, when requested by the federal emergency management agency; the first air force of the U.S. air force; the Civil Air Patrol national operations center; the governor; the adjutant general; the governing body, chief or acting chief executive officer, or head of emergency management services of any county, city, village, town, or federally recognized American Indian tribe or band in this state; or, in the case of a public health emergency, as defined in s. 323.02 (16), the department of health services, if that department is designated by the governor under s. 323.10, or a local health department acting under s. 251.05 (3) (e).

SECTION 4. 323.14 (1) (b) 2. of the statutes is amended to read:

323.14 (1) (b) 2. The governing body of each city, village, or town shall designate a head of emergency management services.

SECTION 5. 323.45 (1) (a) of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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323.45 (1) (a) Under the direction of the governor, the adjutant general, the governing body, chief or acting chief executive officer, or head of emergency management services of any local unit of government or federally recognized American Indian tribe or band in this state, the department of health services if that department is designated by the governor under s. 323.10, or the local health department acting under s. 251.05 (3) (e).

NOTE: SECTIONS 2 to 5 change statutory references from “head of emergency management services” to “head of emergency management” to provide consistency with other such references in current law.

SECTION 6. 323.60 (11) (c) of the statutes is amended to read:

323.60 (11) (c) Any person who violates sub. (5) (e) or (f) or the ~~material~~ safety data sheet requirements of 42 USC 11021, as applied under sub. (5) (c), or any rule promulgated under sub. (5) (e) or (f) or concerning ~~material~~ safety data sheet requirements shall forfeit not less than \$50 nor more than \$10,000.

NOTE: This SECTION changes statutory references from “material safety data sheets” to “safety data sheets” in order to reflect current practice by the Department of Military Affairs.
