



## 1995 SENATE BILL 419

November 14, 1995 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

1     **AN ACT to amend** 15.313 (1), 15.315 (1), 15.947 (1), 20.465 (3) (title), (a) and (g),  
2             21.20, 66.146 (1) (a), 70.11 (23), 87.305 (1) (c) (intro.), 101.143 (3) (a) 5., 102.475  
3             (title) and (1), 132.17, 146.53 (5) (i), chapter 166 (title), 166.01, 166.02 (3) and  
4             (4) (intro.), 166.03 (title), 166.03 (1) (a) 1. to 4., 166.03 (1) (b) 2. to 4., 166.03 (2)  
5             (a) 1. to 3., 166.03 (2) (b) 1. to 3., 166.03 (3) to (5), 166.03 (7) (a) and (b), 166.03  
6             (8) (a) to (e) and (g), 166.03 (9), (10), (13) and (14), 166.05 (1), 166.06 (1), 166.15  
7             (1) (d), 166.20 (3) (c), 166.22 (1) (c) and 343.055 (1) (b); and **to repeal and**  
8             **recreate** 15.947 (1) of the statutes; **relating to:** changing the name of the  
9             division of emergency government in the department of military affairs to the  
10            division of emergency management and changing references to local emergency  
11            government agencies and personnel to emergency management agencies and  
12            personnel.

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### *Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the joint legislative council in the bill.

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on emergency government services. This bill changes the name of the division of emergency government in the department of military affairs to the division of emergency management. This name change is made to more accurately reflect the functions of the agency. At least 34 other states are using the same title for their agency. The remainder of the states use variations on the terms emergency "preparedness" or "services" or "coordination".

In addition, references to local government agencies and personnel as "emergency government" agencies and personnel are changed to "emergency management" agencies and personnel.

1           **SECTION 1.** 15.313 (1) of the statutes is amended to read:

2           15.313 (1) (title) ~~DIVISION OF EMERGENCY GOVERNMENT~~ MANAGEMENT. There is  
3 created in the department of military affairs a division of emergency ~~government~~  
4 management. The administrator of this division shall be nominated by the governor  
5 and with the advice and consent of the senate appointed, to serve at the pleasure of  
6 the governor.

7           **SECTION 2.** 15.315 (1) of the statutes is amended to read:

8           15.315 (1) ~~STATE EMERGENCY RESPONSE BOARD~~. There is created a state  
9 emergency response board, which is attached to the department of military affairs  
10 under s. 15.03. The state emergency response board shall consist of one  
11 representative of the department of military affairs, division of emergency  
12 ~~government~~ management, one representative of the subunit of the department of  
13 health and social services that administers health-related programs, one  
14 representative of the department of transportation, one representative of the  
15 department of natural resources, one representative of the department of  
16 agriculture, trade and consumer protection, one representative each from fire  
17 fighting, law enforcement and public or community health services, 2  
18 representatives of industry, one representative of small business, as defined in s.  
19 15.227 (3), 2. representatives who are elected officials or employes of county and  
20 municipal government, one representative of a farm or agricultural organization,

1 one representative of a labor organization and one representative of an  
2 environmental organization. The members of the board shall serve at the pleasure  
3 of the governor.

4 **SECTION 3.** 15.947 (1) of the statutes is amended to read:

5 15.947 (1) COUNCIL ON FIRE SERVICE TRAINING PROGRAMS. There is created in the  
6 technical college system board a council on fire service training programs consisting  
7 of a representative of the division of emergency ~~government~~ management designated  
8 by the administrator thereof; a representative of the department of industry, labor  
9 and human relations designated by the secretary of industry, labor and human  
10 relations; a representative of the commissioner of insurance designated by the  
11 commissioner; and 4 bona fide members of volunteer fire departments and 2 bona  
12 fide members of paid fire departments appointed for staggered 6-year terms.

13 **SECTION 4.** 15.947 (1) of the statutes, as affected by 1995 Wisconsin Acts 27 and  
14 .... (this act), is repealed and recreated to read:

15 15.947 (1) COUNCIL ON FIRE SERVICE TRAINING PROGRAMS. There is created in the  
16 technical college system board a council on fire service training programs consisting  
17 of a representative of the division of emergency management designated by the  
18 administrator thereof; a representative of the department of development  
19 designated by the secretary of development; a representative of the commissioner of  
20 insurance designated by the commissioner; and 4 bona fide members of volunteer fire  
21 departments and 2 bona fide members of paid fire departments appointed for  
22 staggered 6-year terms.

23 **SECTION 5.** 20.465 (3) (title), (a) and (g) of the statutes are amended to read:

24 20.465 (3) (title) ~~EMERGENCY GOVERNMENT~~ MANAGEMENT SERVICES. (a) *General*  
25 *program operations.* The amounts in the schedule for the general program

1 operations of the division of emergency ~~government~~ management including, but not  
2 limited to, central administrative support services by the department.

3 (g) *Program services.* The amounts in the schedule for conferences, training  
4 and other services provided by the division of emergency ~~government~~ management  
5 and for expenses incurred under s. 166.03 (2) (b) 6. and 7. All moneys received for  
6 conferences, training and other services provided by the division of emergency  
7 ~~government~~ management shall be credited to this appropriation. All moneys  
8 received from assessments and contributions under s. 166.03 (2) (b) 6. and 7. shall  
9 be credited to this appropriation.

10 **SECTION 6.** 21.20 of the statutes is amended to read:

11 **21.20 Civil service status.** All full-time state-paid employes of the  
12 department of military affairs shall be under the classified service, except the  
13 adjutant general, the executive assistant to the adjutant general, the deputy  
14 adjutants general for army and air and the administrator of the division of  
15 emergency ~~government~~ management.

16 **SECTION 7.** 66.146 (1) (a) of the statutes is amended to read:

17 66.146 (1) (a) "Public office" means the following positions or their equivalent:  
18 city engineer; city purchasing agent; commissioner of building inspection, of city  
19 development, of health or of public works; director of administration, of budget and  
20 management, of community development agency, of employe relations, of office of  
21 telecommunications, or of safety; emergency ~~government~~ management coordinator;  
22 employe benefits administrator; executive director of the commission on community  
23 relations; municipal port director; commissioner of assessments; director of liaison;  
24 city personnel director; executive director of the retirement board; executive director  
25 of the city board of election commissioners; city librarian; city labor negotiator;

1 executive secretary of the board of fire and police commissioners; and supervisor of  
2 the central electronics board.

3 **SECTION 8.** 70.11 (23) of the statutes is amended to read:

4 70.11 (23) SHELTERS. Any shelter or portion of a structure constructed and used  
5 exclusively for the protection of human life and records against nuclear attack and  
6 approved as sufficient for such purpose by the local emergency ~~government~~  
7 management authority and the local assessor.

8 **SECTION 9.** 87.305 (1) (c) (intro.) of the statutes is amended to read:

9 87.305 (1) (c) (intro.) The department informs the U.S. army corps of engineers,  
10 the department of transportation, the division of emergency ~~government~~  
11 management and the state historical society of its intention to authorize connection  
12 of sewer service and a water supply to the railroad depot and the Dousman hotel and  
13 occupancy of the hotel and either:

14 **SECTION 10.** 101.143 (3) (a) 5. of the statutes is amended to read:

15 101.143 (3) (a) 5. The owner or operator or the person reports the discharge in  
16 a timely manner to the division of emergency ~~government~~ management in the  
17 department of military affairs or to the department of natural resources, according  
18 to the requirements under s. 144.76

19 **SECTION 11.** 102.475 (title) and (1) of the statutes are amended to read:

20 **102.475 (title) Death benefit; law enforcement and correctional**  
21 **officers, fire fighters, rescue squad members, national or state guard**  
22 **members and emergency ~~government~~ management personnel. (1) SPECIAL**  
23 **BENEFIT.** If the deceased employe is a law enforcement officer, correctional officer, fire  
24 fighter, rescue squad member, national guard member or state defense force member  
25 on state active duty as described in s. 102.07 (9) or if a deceased person is an employe

1 or volunteer performing emergency ~~government~~ management activities under ch.  
2 166 during a state of emergency or a circumstance described in s. 166.04, who  
3 sustained an accidental injury while performing services growing out of and  
4 incidental to that employment or volunteer activity so that benefits are payable  
5 under s. 102.46 or 102.47 (1), the department shall voucher and pay from the  
6 appropriation under s. 20.445 (1) (aa) a sum equal to 75% of the primary death  
7 benefit as of the date of death, but not less than \$50,000 to the persons wholly  
8 dependent upon the deceased. For purposes of this subsection, dependency shall be  
9 determined under ss. 102.49 and 102.51

10 **SECTION 12.** 132.17 of the statutes is amended to read:

11 **132.17 Certain badges; penalty for unauthorized wearing.** Any person  
12 who shall wilfully wear the insignia, rosette, or badge or any imitation thereof, of the  
13 military order of the Loyal Legion of the United States, the Grand Army of the  
14 Republic, the United Spanish War Veterans, Veterans of Foreign Wars of the United  
15 States, the Military Order of Foreign Wars, the American Legion, the Disabled  
16 American Veterans, the Thirty-second Division Veteran Association, the American  
17 Veterans of World War II (AMVETS), or of the Benevolent and Protective Order of  
18 the Elks of the United States, Knights of Columbus, Odd Fellows, Free Masons,  
19 Knights of Pythias, or of any other society, order or organization, operating under the  
20 lodge system, of 10 years' standing in this state, or of any duly incorporated fraternal,  
21 social, or service organization, or of the division of emergency ~~government~~  
22 management in the department of military affairs or shall wilfully use the same to  
23 obtain aid or assistance thereby within this state, or shall wilfully use the name of  
24 such society, order or organization, the titles of its officers, or its insignia, unless  
25 entitled to use or wear the same under the constitution, bylaws, rules and

1 regulations thereof, shall be imprisoned not more than 30 days or fined not exceeding  
2 \$20, or both.

3 **SECTION 13.** 146.53 (5) (i) of the statutes is amended to read:

4 146.53 (5) (i) Provide advice to the adjutant general of the department of  
5 military affairs on the emergency medical aspects of the state plan of emergency  
6 government management under s. 166.03 (2) (a) 1. and coordinate emergency  
7 activities with the department of military affairs.

8 **SECTION 14.** Chapter 166 (title) of the statutes is amended to read:

9 **CHAPTER 166**

10 **EMERGENCY GOVERNMENT MANAGEMENT**

11 **SECTION 15.** 166.01 of the statutes is amended to read:

12 **166.01 Declaration of policy.** To prepare the state and its subdivisions to  
13 cope with emergencies resulting from enemy action and natural or man-made  
14 disasters, it is declared to be necessary to establish an organization for emergency  
15 government management, conferring upon the governor and others specified the  
16 powers and duties provided by this chapter.

17 **SECTION 16.** 166.02 (3) and (4) (intro.) of the statutes are amended to read:

18 166.02 (3) "Division" means the division of emergency government  
19 management.

20 (4) (intro.) "Emergency government management" includes "civil defense" and  
21 means all measures undertaken by or on behalf of the state and its subdivisions:

22 **SECTION 17.** 166.03 (title) of the statutes is amended to read:

23 **166.03 (title) Emergency government management.**

24 **SECTION 18.** 166.03 (1) (a) 1. to 4. of the statutes are amended to read:

1           166.03 (1) (a) 1. Review orders establishing or altering emergency ~~government~~  
2 management areas.

3           2. Review state emergency ~~government~~ management plans and modifications  
4 thereof.

5           3. Employ the division of emergency ~~government~~ management during a state  
6 of emergency proclaimed by him or her, issue orders and delegate such authority as  
7 is deemed necessary to the administrator.

8           4. Determine responsibilities of state departments and independent agencies  
9 in respect to emergency ~~government~~ management and by order direct such  
10 departments and agencies in utilizing personnel, facilities, supplies and equipment  
11 before and during a state of emergency.

12           **SECTION 19.** 166.03 (1) (b) 2. to 4. of the statutes are amended to read:

13           166.03 (1) (b) 2. On behalf of the state, enter into mutual aid agreements  
14 concerning emergency ~~government~~ management with other states.

15           3. Accept from any source gifts and grants including services for emergency  
16 ~~government~~ management purposes and may authorize state, county, town and  
17 municipal officers to receive such gifts and grants. When grants require county, town  
18 or municipal participation, the state may transfer title to equipment acquired  
19 through such agreement to participating counties, towns and municipalities.

20           4. During a state of emergency, declare priority of emergency ~~government~~  
21 management contracts over other contracts, allocate materials and facilities in his  
22 or her discretion, and take, use and destroy private property for emergency  
23 ~~government~~ management purposes. Such taking, use or destruction shall be in the  
24 name of the state. Records shall be kept of such action and such records shall be



1 evidence of a claim against the state. Any such claim shall be referred to the claims  
2 board under s. 16.007.

3 **SECTION 20.** 166.03 (2) (a) 1. to 3. of the statutes are amended to read:

4 166.03 (2) (a) 1. Subject to approval by the governor, develop and promulgate  
5 a state plan of emergency ~~government~~ management for the security of persons and  
6 property which shall be mandatory during a state of emergency. In developing the  
7 plan, the adjutant general shall seek the advice of the department of health and  
8 social services with respect to the emergency medical aspects of the plan.

9 2. Prescribe and carry out statewide training programs and exercises to  
10 develop emergency ~~government~~ management proficiency, disseminate information  
11 including warnings of enemy action, serve as the principal assistant to the governor  
12 in the direction of emergency ~~government~~ management activities and coordinate  
13 emergency ~~government~~ management programs between counties.

14 3. Furnish guidance and develop and promulgate standards for emergency  
15 ~~government~~ management programs for counties, towns and municipalities, and  
16 prescribe nomenclature for all levels of emergency ~~government~~ management.

17 **SECTION 21.** 166.03 (2) (b) 1. to 3. of the statutes are amended to read:

18 166.03 (2) (b) 1. Divide the state into emergency ~~government~~ management  
19 areas composed of whole counties by general or special written orders subject to  
20 approval by the governor, and modify the boundaries thereof as changed conditions  
21 warrant. Such areas shall be classified and designated in accordance with standards  
22 promulgated under the federal civil defense act of 1950, as amended.

23 2. Appoint a head of emergency ~~government~~ management for each area  
24 established in accordance with subd. 1. under the classified service on either a

1 part-time or full-time basis, or may request the governor to designate any state  
2 officer or employe as acting area head on a part-time basis.

3 3. Designate and post highways as emergency ~~government~~ management routes  
4 closed to all but authorized vehicles when required for training programs and  
5 exercises.

6 **SECTION 22.** 166.03 (3) to (5) of the statutes are amended to read:

7 166.03 (3) POWERS AND DUTIES OF AREA HEADS. Area heads of emergency  
8 ~~government~~ management may exercise such powers as are delegated and shall  
9 perform such duties as are assigned to them by the adjutant general.

10 (4) POWERS AND DUTIES OF COUNTIES AND MUNICIPALITIES. (a) The governing body  
11 of each county, town and municipality shall adopt an effective program of emergency  
12 government consistent with the state plan of emergency ~~government~~ management  
13 and, except at the county level in counties having a county executive, shall appoint  
14 a head of emergency ~~government~~ management services. Each such governing body  
15 may appropriate funds and levy taxes for this program.

16 (b) In counties having a county executive under s. 59.031, the county board  
17 shall designate the county executive or confirm his or her appointee as county head  
18 of emergency ~~government~~ management services.

19 (c) Each county board shall designate a committee of the board as a county  
20 emergency ~~government~~ management committee whose chairperson shall be a  
21 member of the committee designated by the chairperson of the county board. The  
22 committee, in counties having a county executive under s. 59.031, shall retain  
23 policy-making and rule-making powers in the establishment and development of  
24 county emergency ~~government~~ management plans and programs.

1 (d) During the continuance of a state of emergency proclaimed by the governor  
2 the county board of each county situated within the area to which the governor's  
3 proclamation applies may employ the county emergency ~~government~~ management  
4 organization and the facilities and other resources of the organization to cope with  
5 the problems of the emergency, and the governing body of each municipality and  
6 town situated within the area shall have similar authority with respect to municipal  
7 emergency ~~government~~ management organizations, facilities and resources.  
8 Nothing in this chapter prohibits counties and municipalities from employing their  
9 emergency ~~government~~ management organizations, facilities and resources to cope  
10 with the problems of local public emergencies except where restrictions are imposed  
11 by federal regulations on property donated by the federal government.

12 (5) (title) POWERS AND DUTIES OF HEAD OF EMERGENCY ~~GOVERNMENT~~ MANAGEMENT  
13 SERVICES. (a) The head of emergency ~~government~~ management services in each  
14 county, town and municipality shall for his or her respective county, town or  
15 municipality, develop and promulgate emergency ~~government~~ management plans  
16 consistent with state plans, direct the emergency ~~government~~ management program  
17 and perform such other duties related to emergency ~~government~~ management as are  
18 required by the governing body and the emergency ~~government~~ management  
19 committee of the governing body when applicable.

20 (b) The head of emergency ~~government~~ management services in each county  
21 shall coordinate and assist in developing town and municipal emergency  
22 ~~government~~ management plans within the county, integrate such plans with the  
23 county plan, advise the department of all emergency ~~government~~ management  
24 planning in the county and submit to the adjutant general such reports as he or she  
25 requires, direct and coordinate emergency ~~government~~ management activities

1 throughout the county during a state of emergency, and direct countywide  
2 emergency government management training programs and exercises.

3 (c) The head of emergency government management services in each town and  
4 municipality shall direct local emergency government management training  
5 programs and exercises, direct participation in emergency government management  
6 programs and exercises ordered by the adjutant general and the county head of  
7 emergency government management services, and advise the county head of  
8 emergency government management services on local emergency government  
9 management programs and submit to him or her such reports as he or she requires.

10 (d) During the continuance of a state of emergency proclaimed by the governor,  
11 the head of emergency government management services in each county, town and  
12 municipality, on behalf of his or her respective county, town or municipality, may  
13 contract with any person to provide equipment and services on a cost basis to be used  
14 in disaster relief.

15 **SECTION 23.** 166.03 (7) (a) and (b) of the statutes are amended to read:

16 166.03 (7) (a) Counties, towns and municipalities may cooperate under s. 66.30  
17 to furnish services, combine offices and finance emergency government management  
18 services.

19 (b) Counties, towns and municipalities may contract for emergency  
20 government management services with political subdivisions, emergency  
21 government management units and civil defense units of this state, and upon prior  
22 approval of the adjutant general, with such entities in bordering states. A copy of  
23 each such agreement shall be filed with the adjutant general within 10 days after  
24 execution thereof.

25 **SECTION 24.** 166.03 (8) (a) to (e) and (g) of the statutes are amended to read:

1           166.03 (8) (a) No emergency government management organization  
2 established under this section shall participate in any form of political activity or be  
3 employed directly or indirectly for any political activity.

4           (b) No emergency government management organization established under  
5 this section shall be employed to interfere with the orderly process of a labor dispute.

6           (c) No person shall be employed or associated in any capacity in any emergency  
7 government management organization under this section who advocates a change  
8 by force or violence in the constitutional form of government of the United States or  
9 this state or who has been convicted of or is under indictment or information charging  
10 any subversive act against the United States.

11           (d) Employees of municipal and county emergency government management  
12 units are employees of the municipality or county to which the unit is attached for  
13 purposes of worker's compensation benefits. Employees of the area and state  
14 emergency government management units are employees of the state for purposes of  
15 worker's compensation benefits. Volunteer emergency government management  
16 workers are employees of the emergency government management unit with whom  
17 duly registered in writing for purposes of worker's compensation benefits. An  
18 emergency government management employee or volunteer who engages in  
19 emergency government management activities upon order of any echelon in the  
20 emergency government management organization other than that which carries his  
21 or her worker's compensation coverage shall be eligible for the same benefits as  
22 though employed by the governmental unit employing him or her. Any employment  
23 which is part of an emergency government management program including but not  
24 restricted because of enumeration, test runs and other activities which have a  
25 training objective as well as emergency government management activities during

1 an emergency proclaimed in accordance with this chapter and which grows out of,  
2 and is incidental to, such emergency government management activity is covered  
3 employment. Members of an emergency government management unit who are not  
4 acting as employees of a private employer during emergency government  
5 management activities are employees of the emergency government management  
6 unit for which acting. If no pay agreement exists or if the contract pay is less, pay  
7 for worker's compensation purposes shall be computed in accordance with s. 102.11.

8 (e) Emergency government management employes as defined in par. (d) shall  
9 be indemnified by their sponsor against any tort liability to third persons incurred  
10 in the performance of emergency government management activities while acting in  
11 good faith and in a reasonable manner. Emergency government management  
12 activities constitute a governmental function.

13 (g) Emergency government management employes as such shall receive no pay  
14 unless specific agreement for pay is made.

15 **SECTION 25.** 166.03 (9), (10), (13) and (14) of the statutes are amended to read:

16 166.03 **(9)** BEARING OF LOSSES. Any loss arising from the damage to or  
17 destruction of government-owned equipment utilized in any authorized emergency  
18 government management activity shall be borne by the owner thereof.

19 **(10)** EXEMPTION FROM LIABILITY. No person who provides equipment or services  
20 under the direction of the governor, the adjutant general or the head of emergency  
21 government management services in any county, town or municipality during a state  
22 of emergency declared by the governor is liable for the death of or injury to any person  
23 or damage to any property caused by his or her actions, except where the trier of fact  
24 finds that the person acted intentionally or with gross negligence. This subsection  
25 does not affect the right of any person to receive benefits to which he or she would

1 otherwise be entitled under the worker's compensation law or under any pension law,  
2 nor does it affect entitlement to any other benefits or compensation authorized by  
3 state or federal law.

4 **(13) AUTHORITY TO WITHHOLD GRANTS.** If the adjutant general finds that any  
5 political subdivision of the state has not complied with the requirement of this  
6 section that it establish and maintain an operating emergency ~~government~~  
7 management organization, he or she may refuse to approve grants of funds or items  
8 of equipment to such political subdivision until it complies. If such political  
9 subdivision fails to use funds or items of equipment granted to it through the  
10 adjutant general in accordance with the agreement under which the grant was made,  
11 the adjutant general may refuse to make any additional grants to such political  
12 subdivision until it has complied with the conditions of the prior grant, and he or she  
13 may start recovery proceedings on the funds and items of equipment which have not  
14 been used in accordance with the conditions of the grant.

15 **(14) PENALTIES.** Whoever intentionally fails to comply with the directives of  
16 emergency ~~government~~ management authorities promulgated under this section  
17 during a state of emergency or during any training program or exercises may be fined  
18 not more than \$200 or imprisoned not more than 90 days or both.

19 **SECTION 26.** 166.05 (1) of the statutes is amended to read:

20 166.05 **(1) DESIGNATION OF EMERGENCY TEMPORARY LOCATION.** Whenever, during  
21 a state of emergency it becomes imprudent, inexpedient or impossible to conduct the  
22 affairs of state government at the state capital, the governor shall, as often as the  
23 exigencies of the situation require, by proclamation designate an emergency  
24 temporary location for the seat of government at such place within or without this  
25 state as he or she deems advisable, and shall take such action and issue such orders

1 as are necessary for an orderly transition of the affairs of state government to such  
2 emergency temporary location. If practicable, the emergency temporary location so  
3 designated by the governor shall conform to that provided for in the current  
4 emergency ~~government~~ management plan authorized by s. 166.03. Such emergency  
5 temporary location shall remain as the seat of government until the governor  
6 establishes a new location under this section, or until the emergency is ended under  
7 s. 166.03 and the seat of government is returned to its normal location.

8 **SECTION 27.** 166.06 (1) of the statutes is amended to read:

9 166.06 (1) DESIGNATION OF EMERGENCY TEMPORARY LOCATIONS. Whenever during  
10 a state of emergency it becomes imprudent, inexpedient or impossible to conduct the  
11 affairs of local government at the regular or usual place or places thereof, the  
12 governing body of each county, town and municipality of this state may meet at any  
13 place within or without the territorial limits of such political subdivision on the call  
14 of the presiding officer or his or her successor, and shall proceed to establish and  
15 designate by ordinance, resolution or other manner, alternate or substitute sites or  
16 places as the emergency temporary locations of government where all, or any part,  
17 of the public business may be transacted and conducted during the emergency  
18 situation. Such alternate or substitute site or places may be within or without the  
19 territorial limits of such county, town or municipality and may be within or without  
20 those of the state. If practicable, they shall be the sites or places designated as the  
21 emergency temporary locations of government in the current emergency ~~government~~  
22 management plan.

23 **SECTION 28.** 166.15 (1) (d) of the statutes is amended to read:

24 166.15 (1) (d) "Emergency provider" means any person who provides  
25 emergency care or facilities and includes emergency ~~government~~ management.



1           **SECTION 29.** 166.20 (3) (c) of the statutes is amended to read:

2           166.20 (3) (c) Consult and coordinate with the county board, the county and  
3 local heads of emergency ~~government~~ management services designated under s.  
4 166.03 (4) (a) or (b) and the county emergency ~~government~~ management committee  
5 designated under s. 166.03 (4) (c) in the execution of the local emergency planning  
6 committee's duties under this section.

7           **SECTION 30.** 166.22 (1) (c) of the statutes is amended to read:

8           166.22 (1) (c) "Local agency" means an agency of a county, city, village or town,  
9 including a municipal police or fire department, a municipal health organization, a  
10 county office of emergency ~~government~~ management, a county sheriff, an emergency  
11 medical service or a public works department.

12           **SECTION 31.** 343.055 (1) (b) of the statutes is amended to read:

13           343.055 (1) (b) *Fire fighters.* The operator of the commercial motor vehicle  
14 including, without limitation, fire trucks, hook and ladder trucks and foam or water  
15 transporters, is a person employed by a volunteer or paid fire organization and the  
16 person is operating emergency or fire fighting equipment necessary to the  
17 preservation of life or property or the execution of emergency ~~government~~  
18 management functions and equipped with a siren and warning lamps as provided  
19 in ss. 347.25 (1) and 347.38 (4) and the operation is in the routine performance of  
20 other duties of the fire organization or in response to an emergency call under s.  
21 346.03 or during the return from a fire or other emergency response.

22           **SECTION 32. Effective dates.** This act takes effect on the day after  
23 publication, except as follows:

