

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0004/1)-AB51)

Received: **01/22/99**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Scott Jensen (608) 266-3387**

By/Representing: **R.J. Pilot**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Military Affairs**

Extra Copies:

Topic:

Emergency government review of local emergency response plans

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	nelsorp1 01/22/99	gilfokm 01/22/99	hhagen 01/24/99	_____	lrb_docadmin 01/25/99	lrb_docadmin 01/25/99	

FE Sent For:

<END>

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Drafter: nelsorp1

May Contact: Terry McCordle
242-3077

Alt. Drafters: * * * *
Extra Copies: Send e-mail
copy to RJ Pilot at
Jensen's office

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/1	nelsorp1	1-1-22-99 KMG	1/24	1/24			

FE Sent For:

<END>



To: BOB NELSON

From: RJ PIRLOT
1-9482

2 pages, including cover

**Proposed Substitute Language for Section 14 (2) (2) (b) of LRB
1800/1**

(b) The Department of Military Affairs-Division of Emergency Management shall review the County Emergency Response Plans to determine if these plans sufficiently prepare the Counties to respond to an emergency which results from the failure of an electronic computing device to process, transmit or receive data. The Division of Emergency Management may, if it determines one or more of the County Emergency Response Plans are insufficient to respond to such an emergency, assist the county or counties in the preparation of a revised emergency response plan. The Adjutant General may submit to the joint committee on finance a proposal, which shall include funding, for contracting and testing a revised emergency response plan or plans, within 60 days of determination of the need. If the joint committee on finance approves the funding for the contracting and testing, the joint committee on finance may supplement the appropriation under 20.465 (3) (a) of the statutes from the appropriation under section 20.865 (4) (a) of the statutes. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance is not first required to find that an emergency exists.

(Insert 13-4)

Proposed Substitute Language for Section 14 (2) (2) (b) of LRB

1800/1

Division of emergency management in the

A (b) The Department of Military Affairs ~~Division of Emergency Management~~ shall *shall* review the ~~County~~ *local* Emergency Response Plans *prepared by counties* to determine if these plans sufficiently prepare the ~~County~~ *counties* to respond to an emergency ~~which~~ *that* results from the failure of an electronic computing device to process, transmit or receive data. *If* The Division of Emergency Management ~~may~~ *that* determines one or more of the ~~County~~ *local* Emergency Response Plans *prepared by counties* are insufficient to respond to ~~such an~~ *the failure of an electronic computing device to process, transmit or receive data,* emergency, ~~assist the county~~ *the division may* assist the county ~~in~~ in the preparation of a revised emergency response plan. The Adjutant General may submit to the joint committee on finance a proposal, which shall include funding, for contracting and testing a revised emergency response plan or plans, within 60 days of *the adjutant general's* determination of the need *for the contracting and testing*. If the joint committee on finance approves the funding for the contracting and testing, the joint committee on finance may supplement the appropriation under ~~20.465 (3) (a)~~ *section* of the statutes from the appropriation under section 20.865 (4) (a) of the statutes. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance is not first required to find that an emergency exists.

into...



1125 4pm
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0041/1
RPN...:.....
King

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs00041/1),
TO 1999 ASSEMBLY BILL 51

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 13, line 4: delete lines 4 to 18 and substitute:

3 (b) The division of emergency management in the department of military
4 affairs shall review the local emergency response plans prepared by the counties to
5 determine if those plans sufficiently prepare the counties to respond to an emergency
6 that results from the failure of an electronic computing device to process, transmit
7 or receive date data from, into, and between the 20th and 21st centuries and during
8 the years 1999 and 2000, and from leap years. If the division of emergency
9 management determines that one or more of the local emergency response plans
10 prepared by counties are insufficient to respond to the failure of an electronic
11 computing device to process, transmit or receive the date data, the division may
12 assist the county in the preparation of a revised emergency response plan. Within

insert

1 60 days after the adjutant general[✓] determines that there is a need, he or she may
2 submit to the joint committee on finance a proposal, which shall include funding, for
3 the contracting and testing of revised local emergency response plans prepared by
4 the counties. If the joint committee on finance approves the funding for the
5 contracting and testing, the joint committee on finance may supplement the
6 appropriation under section 20.465 (3) (a) of the statutes from the appropriation
7 under section 20.865 (4) (a) of the statutes. Notwithstanding section 13.101 (3) (a)
8 of the statutes, the joint committee on finance is not first required to find that an
9 emergency exists.) ,

10

(END)



LRB COPY - keep in file

not to be printed
25 Jan 99

PO BOX 8111
MADISON 53708-8111
TELEPHONE 608 242-3000
DSN 724-3000

Memorandum through: Representative Scott Jensen, Speaker of the Assembly
Speaker's Office, State Capitol Building, Madison

for: All Members of the Assembly

Subject: LRBa0041/1 Assembly Amendment, to Assembly substitute Amendment 1,
to 1999 Assembly Bill 51 regarding verification of emergency response plans

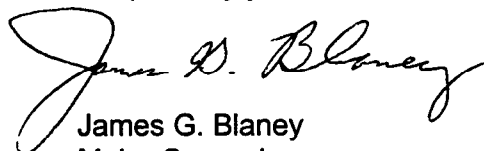
1. It is the essential duty of the department and the division of emergency management to be prepared to respond to emergencies from all hazards. In addition, the division is statutorily responsible to see that plans are in place at the county level for the emergency response to matters concerning public safety. These are matters not lightly undertaken by the department and its division, we have thus given serious thought to the proposed amendment of section 14 of Assembly Bill 51, and recommend its adoption.
2. The language of the proposed amendment is within the capabilities of the division of Emergency Management to perform. The division has six regional or area directors each responsible for a given number of Counties. These area directors already have the responsibility to review the individual emergency management services contingency plans for each county in their respective area.
3. By the terms of the proposed amendment the review process will now take into account a special consideration as to each county's emergency response plan. This special consideration is to ascertain if these plans provide for a response to a potential public safety incident caused by a computer data data processing, transmission or reception failure. The review will seek to make certain that each county's plan takes into consideration such an emergency.
4. If an area director finds that a particular plan does not take into consideration the public safety impact of such a computer generated problem, the division of Emergency Management may assist the county in revising its plan. If however, the plan is determined to need more assistance than the division is able to provide, then within sixty (60) days of that determination the Adjutant General may so inform the joint committee on finance. The Adjutant General's response will provide a proposal for the contracting of an individual or entity to make the plan revisions or corrections and to test the end product. The proposal shall also include the funding necessary for the contracting and the testing.
5. Thereafter, if the joint committee on finance approves the proposal, for the contracting for the preparation of a revised plan and for the testing of if, the committee may supplement the Department's budget authority to handle it. In this process the joint committee does not have to declare an emergency to give the funding authority.
6. Under the original version of Assembly Bill 51, and under Assembly Amendment 1, the department was not limited to the review of only the county generated emergency response plans. Instead it was required to look at the plans of "all of the local emergency management services agenc(ies)". This would mean reviewing all the



emergency response plans for every village, town, or city within the state, some 2,200 entities in all. In addition, it also entails the review of all Emergency Medical Responders, Fire Departments, Police Departments, water utilities, and sewer utilities emergency response plans to ascertain that these plans takes into account an emergency caused by a computer's failure to process, transmit or receive data data.

7. Since this is a "home rule" state the department takes the position that it is the responsibility of the lowest unit of government to handle the governance of the peoples within its jurisdiction, including preparation for emergency response. Thus, the department is responsible to look to the activities of the counties to see that they are properly prepared for public safety concerns. In turn, the counties interface with the other local units of government within their jurisdictions, the cities, villages and townships, to coordinate their plans for responding to a public safety concern from any cause, including failure of a computer to process, transmit, or receive data data. The department believes that the proposed amendment provides the essential framework for this to occur.
8. Thus, the department supports the proposed assembly amendment to assembly substitute amendment 1 to 1999 assembly Bill 51, addressing changes to section 14 (2) (b).

Respectfully yours,

A handwritten signature in cursive script that reads "James G. Blaney". The signature is written in black ink and is positioned above the printed name and title.

James G. Blaney
Major General
The Adjutant General

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