

1999 SENATE BILL 416

March 1, 2000 – Introduced by Senators ERPENBACH, ROSENZWEIG, RISSER and ROESSLER, cosponsored by Representatives SKINDRUD, HEBL, SCHNEIDER, MILLER, RYBA, MEYERHOFER, POCAN, HAHN, BLACK, HASENOHRL, GUNDERSON, GRONEMUS and BERCEAU. Referred to Committee on Labor.

- 1 **AN ACT to create** 166.22 (3t) of the statutes; **relating to:** worker’s compensation
2 benefits for local emergency response teams.

Analysis by the Legislative Reference Bureau

Under current law, regional emergency response teams respond to level A releases of hazardous substances. A “level A release” is a release of a hazardous substance that necessitates the highest level of protective equipment for the skin and respiratory systems because of the high degree of hazard to the skin or respiratory system from the released substances. The state contracts with regional emergency response teams to respond to a level A release and reimburses them for the costs incurred in responding to a level A release of hazardous substances. Current law also provides that a member of a regional emergency response team who is acting under the contract is an employe of the state for purposes of worker’s compensation benefits, which means that the state would be liable for worker’s compensation benefits for an injury incurred while responding to the level A release.

Currently, county, city, village and town agencies create local emergency response teams to respond to hazardous substance releases that are not level A releases. Usually, those teams are members of local police or fire departments, health agencies, medical service agencies, sheriff’s and public works departments. The state reimburses the local agency for the costs incurred in that response, to the extent that funds are available. This bill would provide that a member of a local emergency response team who is responding to a hazardous substance release is an employe of the state for purposes of worker’s compensation benefits during the period he or she is responding to that release, which means that the state would be

