



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4572/Z 3

DAK/RLR/JTK/MJL/PG:kmg&cjs:pg

DOA:.....Jablonsky - Security initiative

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

*DON'T
GEN.*

1 AN ACT ...; relating to: position increases for the department of health and family
2 services; terrorism response training for fire fighters, emergency medical
3 technicians, law enforcement officers, and first responders; the state laboratory
4 of hygiene; police services provided by the department of administration at
5 state properties; and making appropriations.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT TRAINING

Under current law, no person may be appointed permanently as a law enforcement or tribal law enforcement officer unless he or she first completes law enforcement training approved by the law enforcement standards board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The training program must include: 1) training regarding domestic abuse; 2) training on emergency detention and protective placement standards and procedures and certain information on mental health and developmental disabilities agencies and resources; 3) at least one hour of instruction relating to Alzheimer's disease or other related dementias; and 4) training on police pursuit standards, guidelines, and driving techniques. This bill requires that, as of January 1, 2003, the training include training on responding to acts of terrorism.

EDUCATION

HIGHER EDUCATION

Current law authorizes the technical college system (TCS) board to establish and supervise training programs in fire prevention and protection. This bill requires the programs to include training in responding to acts of terrorism.

HEALTH AND FAMILY SERVICES

OTHER HEALTH AND FAMILY SERVICES

Under current law, DHFS must develop and implement a statewide trauma care system by July 1, 2002. This bill increases funding from general purpose revenues for the statewide trauma care system, including 2.0 FTE GPR project positions for fiscal year 2002-03. The bill also increases general purpose revenue funding for DHFS for 2.5 FTE GPR positions to perform surveillance of communicable and infectious diseases and biological and chemical potential threats to state residents and for the state laboratory of hygiene for a microbiologist position and related expenses.

Under current law, persons seeking initial licensure as emergency medical technicians must, among other things, satisfactorily complete a course of instruction and training prescribed by DHFS. For emergency medical technician licensure renewals, the applicant must complete training requirements promulgated by DHFS as rules. Persons seeking initial certification or certification renewal as first responders must complete courses approved by DHFS that meet or exceed federal guidelines. This bill expands training requirements for initial licensure or licensure renewal as emergency medical technicians or initial certification or certification renewal as first responders to require that, as of January 1, 2003, applicants satisfactorily complete training for response to acts of terrorism.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, each county is required to appoint a local emergency planning committee that is responsible for facilitating preparation and implementation of an emergency response plan for responding to the release of a hazardous substance. The division of emergency management administers a grant program to provide local emergency planning committees with funds for maintaining, exercising, reviewing, and implementing emergency response plans related to the release of a hazardous substance, purchasing computers, purchasing equipment and supplies that may be used in responding to the release of a hazardous substance, and for administrative costs.

The bill creates a new grant program administered by the office of justice assistance to provide funds to local emergency planning committees for the purchase of materials and services related to investigating, preventing, and responding to acts of terrorism. The bill defines "acts of terrorism" as certain felonies that are committed with intent to influence the policy of a governmental unit, punish a governmental unit for a prior policy decision, affect the conduct of a governmental unit by homicide or kidnapping, or intimidate or coerce a civilian population. The materials and services that local emergency planning committees may use the grant

funds to purchase include: communications equipment; safety or protective equipment for emergency response personnel; training related to the investigation or prevention of, or response to, acts of terrorism that pose a threat to the environment; and information systems, software, or computer equipment for investigating acts of terrorism that pose a threat to the environment.

Currently, DOA is directed to provide police services to safeguard public property for which DOA has management responsibility. DOA may also contract with other state agencies to provide police services at other state properties. This bill increases the police officer positions authorized for DOA by 5.0 FTE PR positions. The cost of the positions is paid from charges assessed against the appropriations that finance the operation of the properties that are protected by the officers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 SECTION 1. 16.964 (9) of the statutes is created to read:
- 2 16.964 (9) (a) In this subsection:
- 3 1. "Acts of terrorism" means felonies that satisfy s. 939.648 (2) (a) and (b) and
- 4 that are committed with intent to terrorize.
- 5 2. "Governmental unit" has the meaning given in s. 939.648 (1).
- 6 3. "Intent to terrorize" means intent to influence the policy of a governmental
- 7 unit by intimidation or coercion, to punish a governmental unit for a prior policy
- 8 decision, to affect the conduct of a governmental unit by homicide or kidnapping, or
- 9 to intimidate or coerce a civilian population.
- 10 4. "Local emergency planning committee" means a committee appointed under
- 11 s. 59.54 (8) (a).
- 12 (b) From the appropriation under s. 20.505 (6) (e), the office shall provide grants
- 13 to local emergency planning committees to purchase materials and services for use
- 14 in investigating, preventing, or responding to acts of terrorism. Materials and

1 services that may be purchased with funds provided under this subsection include
2 any of the following:

- 3 1. Communications equipment.
- 4 2. Safety or protective equipment for law enforcement officers, fire fighters,
5 emergency medical technicians, first responders, or local emergency response team
6 members who respond to emergencies.
- 7 3. Training related to investigation or prevention of, or response to, acts of
8 terrorism that pose a threat to the environment.
- 9 4. Information systems, software, or computer equipment for investigating acts
10 of terrorism that pose a threat to the environment.

11 SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
12 the following amounts for the purposes indicated:

	2001-02	2002-03
13		
14	20.505 Administration, department of	
15	(6) OFFICE OF JUSTICE ASSISTANCE	
16	(e) Terrorism preparation and	
17	response grants	GPR A -0- 3,600,000

18 SECTION 3. 20.505 (6) (e) of the statutes is created to read:

19 20.505 (6) (e) *Terrorism preparation and response grants*. The amounts in the
20 schedule for grants to local emergency planning committees under s. 16.964 (9).

21 SECTION 4. 38.04 (9) of the statutes is amended to read:

22 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
23 life and property, the board may establish and supervise training programs in fire
24 prevention and protection. The training programs shall include training in

1 responding to acts of terrorism, as defined in s. 16.964 (9) (a) 1., and shall be available
2 to members of volunteer and paid fire departments maintained by public and private
3 agencies, including industrial plants. No training program required for
4 participation in structural fire fighting that is offered to members of volunteer and
5 paid fire departments maintained by public agencies may require more than 60
6 hours of training.

7 SECTION 5. 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am). *already fixed by King.*

8 SECTION 6. 146.50 (1) (ag) of the statutes is created to read:

9 146.50 (1) (ag) "Acts of terrorism" has the meaning given in s. 16.964 (9) (a) ~~11~~.

10 SECTION 7. 146.50 (6) (a) 2. of the statutes is amended to read:

11 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
12 training, including training for response to acts of terrorism, prescribed by the
13 department or have presented evidence satisfactory to the department of sufficient
14 education and training in the field of emergency care.

15 SECTION 8. 146.50 (6) (b) 2. of the statutes is amended to read:

16 146.50 (6) (b) 2. The department, in conjunction with the technical college
17 system board, shall promulgate rules specifying training, education, or examination
18 requirements, including requirements for training for response to acts of terrorism,
19 for license renewals for emergency medical technicians.

20 SECTION 9. 146.50 (8) (b) 3. of the statutes is amended to read:

21 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
22 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
23 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
24 acts of terrorism, and that is approved by the department.

25 SECTION 10. 146.50 (8) (c) of the statutes is amended to read:

1 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
2 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
3 satisfactorily complete a first responder refresher course that meets or exceeds the
4 guidelines issued by the National Highway Traffic Safety Administration under 23
5 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
6 is approved by the department.

7 **SECTION 11.** 146.55 (1) (a) of the statutes is amended to read:

8 146.55 (1) (a) "Ambulance service" means the business of transporting sick,
9 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) (am), to
10 or from facilities or institutions providing health services.

11 **SECTION 12.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
14 enforcement officer, except on a temporary or probationary basis, unless the person
15 has satisfactorily completed a preparatory program of law enforcement training
16 approved by the board and has been certified by the board as being qualified to be
17 a law enforcement or tribal law enforcement officer. The program shall include 400
18 hours of training, except the program for law enforcement officers who serve as
19 rangers for the department of natural resources includes 240 hours of training. The
20 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
21 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~
22 ~~ensure that there is an adequate amount of training for each program to enable the~~
23 ~~person to deal effectively with domestic abuse incidents, including training that~~
24 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~
25 ~~The training under this subdivision shall include training on emergency detention~~

1 ~~standards and procedures under s. 51.15, emergency protective placement~~
2 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
3 ~~developmental disabilities agencies and other resources that may be available to~~
4 ~~assist the officer in interpreting the emergency detention and emergency protective~~
5 ~~placement standards, making emergency detentions and emergency protective~~
6 ~~placements and locating appropriate facilities for the emergency detentions and~~
7 ~~emergency protective placements of persons. The training under this subdivision~~
8 ~~shall include at least one hour of instruction on recognizing the symptoms of~~
9 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~
10 ~~persons who have Alzheimer's disease or other related dementias. The training~~
11 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
12 ~~and driving techniques established under par. (em) 2. b. The period of temporary or~~
13 ~~probationary employment established at the time of initial employment shall not be~~
14 ~~extended by more than one year for an officer lacking the training qualifications~~
15 ~~required by the board. The total period during which a person may serve as a law~~
16 ~~enforcement and tribal law enforcement officer on a temporary or probationary basis~~
17 ~~without completing a preparatory program of law enforcement training approved by~~
18 ~~the board shall not exceed 2 years, except that the board shall permit part-time law~~
19 ~~enforcement and tribal law enforcement officers to serve on a temporary or~~
20 ~~probationary basis without completing a program of law enforcement training~~
21 ~~approved by the board to a period not exceeding 3 years. For purposes of this section,~~
22 ~~a part-time law enforcement or tribal law enforcement officer is a law enforcement~~
23 ~~or tribal law enforcement officer who routinely works not more than one-half the~~
24 ~~normal annual work hours of a full-time employee of the employing agency or unit~~
25 ~~of government. Law enforcement training programs including municipal, county~~

1 and state programs meeting standards of the board are acceptable as meeting these
2 training requirements.

3 **SECTION 13.** 165.85 (4) (b) 1d. of the statutes is created to read:

4 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
5 all of the following:

6 a. An adequate amount of training to enable the person being trained to deal
7 effectively with domestic abuse incidents, including training that addresses the
8 emotional and psychological effect that domestic abuse has on victims.

9 b. Training on emergency detention standards and procedures under s. 51.15,
10 emergency protective placement standards and procedures under s. 55.06 (11), and
11 information on mental health and developmental disabilities agencies and other
12 resources that may be available to assist the officer in interpreting the emergency
13 detention and emergency protective placement standards, making emergency
14 detentions and emergency protective placements, and locating appropriate facilities
15 for the emergency detentions and emergency protective placements of persons.

16 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
17 disease or other related dementias and interacting with and assisting persons who
18 have Alzheimer's disease or other related dementias.

19 d. Training on police pursuit standards, guidelines, and driving techniques
20 established under par. (cm) 2. b.

21 e. Training on responding to acts of terrorism, as defined in s. 16.964 (9) (a) 1.

22 **SECTION 14.** 940.20 (7) (a) 1e. of the statutes is amended to read:

23 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) ~~(a)~~ (am).

24 **SECTION 15.** 941.37 (1) (a) of the statutes is amended to read:

25 941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

1 **SECTION 9201. Appropriation changes; administration.**

2 (1) POLICE SERVICES. In the schedule under section 20.005 (3) of the statutes for
3 the appropriation to the department of administration under section 20.505 (5) (ka)
4 of the statutes, as affected by the acts of 2001, the dollar amount is increased by
5 ~~\$24,300~~ ^{\$79,600} for fiscal year 2001-02 and the dollar amount is increased by ~~\$225,900~~ ^{\$238,400} for
6 fiscal year 2002-03 to increase the authorized FTE positions for the department by
7 5.0 PR police officer positions and to finance supporting costs.

8 **SECTION 9223. Appropriation changes; health and family services.**

9 (1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of
10 the statutes for the appropriation to the department of health and family services
11 under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
12 amount is increased by \$500,000 for fiscal year 2002-03 to increase the authorized
13 FTE positions for the department by 2.0 GPR project positions for the period ending
14 on June 30, 2003, and to increase funding for the statewide trauma care system
15 under section 146.56 of the statutes.

16 (2) SURVEILLANCE OF DISEASES AND POTENTIAL THREATS. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of health
18 and family services under section 20.435 (1) (a) of the statutes, as affected by the acts
19 of 2001, the dollar amount is increased by \$162,900 for fiscal year 2002-03 to
20 increase the authorized FTE positions for the department by 2.5 GPR positions to
21 perform surveillance of communicable and infectious diseases and biological and
22 chemical potential threats to state residents.

23 **SECTION 9256. Appropriation changes; University of Wisconsin System.**

24 (1) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3) of
25 the statutes for the appropriation to the board of regents of the University of

1 Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts
2 of 2001, the dollar amount is increased by \$310,000 for fiscal year 2002-03 to
3 increase the authorized FTE positions for the University of Wisconsin System by 1.0
4 GPR microbiologist position for the state laboratory of hygiene and to fund related
5 laboratory expenses.

6 **SECTION 9323. Initial applicability; health and family services.**

7 (1) TERRORISM RESPONSE TRAINING. The treatment of sections 146.50 (1) (a) and
8 (ag), (6) (a) 2. and (b) 2., and (8) (b) 3. and (c), 146.55 (1) (a), 940.20 (7) (a) 1e., and
9 941.37 (1) (a) of the statutes first applies to applications for initial licensure or
10 licensure renewal of emergency medical technicians and applications for initial
11 certification or renewal of certification of first responders submitted on January 1,
12 2003.

13 **SECTION 9359. Initial applicability; other.**

14 (1) TERRORISM RESPONSE TRAINING FOR LAW ENFORCEMENT OFFICERS. The
15 treatment of section 165.85 (4) (b) 1. and 1d. of the statutes first applies to persons
16 being appointed law enforcement officers or tribal law enforcement officers on
17 January 1, 2003.

18

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

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DOA:.....Jablonsky - Security initiative

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FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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 4 of hygiene; police services provided by the department of administration at
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Under current law, no person may be appointed permanently as a law enforcement or tribal law enforcement officer unless he or she first completes law enforcement training approved by the law enforcement standards board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The training program must include: 1) training regarding domestic abuse; 2) training on emergency detention and protective placement standards and procedures and certain information on mental health and developmental disabilities agencies and resources; 3) at least one hour of instruction relating to Alzheimer's disease or other related dementias; and 4) training on police pursuit standards, guidelines, and driving techniques. This bill requires that, as of January 1, 2003, the training include training on responding to acts of terrorism.

EDUCATION**HIGHER EDUCATION**

Current law authorizes the technical college system (TCS) board to establish and supervise training programs in fire prevention and protection. This bill requires the programs to include training in responding to acts of terrorism.

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STATE GOVERNMENT**OTHER STATE GOVERNMENT**

Under current law, each county is required to appoint a local emergency planning committee that is responsible for facilitating preparation and implementation of an emergency response plan for responding to the release of a hazardous substance. The division of emergency management administers a grant program to provide local emergency planning committees with funds for maintaining, exercising, reviewing, and implementing emergency response plans related to the release of a hazardous substance, purchasing computers, purchasing equipment and supplies that may be used in responding to the release of a hazardous substance, and for administrative costs.

The bill creates a new grant program administered by the office of justice assistance to provide funds to local emergency planning committees for the purchase of materials and services related to investigating, preventing, and responding to acts of terrorism. The bill defines "acts of terrorism" as certain felonies that are committed with intent to influence the policy of a governmental unit, punish a governmental unit for a prior policy decision, affect the conduct of a governmental unit by homicide or kidnapping, or intimidate or coerce a civilian population. The materials and services that local emergency planning committees may use the grant

The grant program is for fiscal years 2001-02 and 2002-03.

funds to purchase include: communications equipment; safety or protective equipment for emergency response personnel; training related to the investigation or prevention of, or response to, acts of terrorism that pose a threat to the environment; and information systems, software, or computer equipment for investigating acts of terrorism that pose a threat to the environment.

Currently, DOA is directed to provide police services to safeguard public property for which DOA has management responsibility. DOA may also contract with other state agencies to provide police services at other state properties. This bill increases the police officer positions authorized for DOA by 5.0 FTE PR positions. The cost of the positions is paid from charges assessed against the appropriations that finance the operation of the properties that are protected by the officers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 16.964 (9) of the statutes is created to read:

2 16.964 (9) (a) In this subsection:

3 1. “Acts of terrorism” means felonies that satisfy s. 939.648 (2) (a) and (b) and
4 that are committed with intent to terrorize.

5 2. “Governmental unit” has the meaning given in s. 939.648 (1).

6 3. “Intent to terrorize” means intent to influence the policy of a governmental
7 unit by intimidation or coercion, to punish a governmental unit for a prior policy
8 decision, to affect the conduct of a governmental unit by homicide or kidnapping, or
9 to intimidate or coerce a civilian population.

10 4. “Local emergency planning committee” means a committee appointed under
11 s. 59.54 (8) (a).

12 (b) From the appropriation under s. 20.505 (6) (e), the office shall provide grants
13 to local emergency planning committees to purchase materials and services for use
14 in investigating, preventing, or responding to acts of terrorism. Materials and

of the statutes
SECTION # 16.964(9) as created by this act is repealed.

1 services that may be purchased with funds provided under this subsection include
2 any of the following: *2001 Wisconsin Act ... (this act),*

- 3 1. Communications equipment.
- 4 2. Safety or protective equipment for law enforcement officers, fire fighters,
- 5 emergency medical technicians, first responders, or local emergency response team
- 6 members who respond to emergencies.
- 7 3. Training related to investigation or prevention of, or response to, acts of
- 8 terrorism that pose a threat to the environment.
- 9 4. Information systems, software, or computer equipment for investigating acts
- 10 of terrorism that pose a threat to the environment.

11 SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
12 the following amounts for the purposes indicated:

13 **2001-02 2002-03**

14 **20.505 Administration, department of**

15 (6) OFFICE OF JUSTICE ASSISTANCE

16 (e) Terrorism preparation and
17 response grants

GPR ~~A~~ ^B 3,600,000 -0-
2,600,000

18 SECTION 3. 20.505 (6) (e) of the statutes is created to read: *Biennially,*
19 20.505 (6) (e) *Terrorism preparation and response grants.* (The amounts in the
20 schedule for grants to local emergency planning committees under s. 16.964 (9).

21 SECTION 4. 38.04 (9) of the statutes is amended to read:
22 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
23 life and property, the board may establish and supervise training programs in fire
24 prevention and protection. The training programs shall include training in

of the statutes
Section # 20.505(6)(e) as created by this act is repealed.

2001 Wisconsin Act ... (this act),

146.50(1)(ag) ✓

1 responding to acts of terrorism, as defined in s. ~~16.964(9)(am)~~ and shall be available
2 to members of volunteer and paid fire departments maintained by public and private
3 agencies, including industrial plants. No training program required for
4 participation in structural fire fighting that is offered to members of volunteer and
5 paid fire departments maintained by public agencies may require more than 60
6 hours of training.

7 SECTION 5. 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

8 SECTION 6. 146.50 (1) (ag) of the statutes is created to read:

9 146.50 (1) (ag) "Acts of terrorism" ~~has the meaning given in s. 16.964 (9) (a) 1.~~

IWS 5-9/10

10 SECTION 7. 146.50 (6) (a) 2. of the statutes is amended to read:

11 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
12 training, including training for response to acts of terrorism, prescribed by the
13 department or have presented evidence satisfactory to the department of sufficient
14 education and training in the field of emergency care.

15 SECTION 8. 146.50 (6) (b) 2. of the statutes is amended to read:

16 146.50 (6) (b) 2. The department, in conjunction with the technical college
17 system board, shall promulgate rules specifying training, education, or examination
18 requirements, including requirements for training for response to acts of terrorism,
19 for license renewals for emergency medical technicians.

20 SECTION 9. 146.50 (8) (b) 3. of the statutes is amended to read:

21 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
22 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
23 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
24 acts of terrorism, and that is approved by the department.

25 SECTION 10. 146.50 (8) (c) of the statutes is amended to read:

means felonies that satisfy s. 939.64(2a) and (2b) or that are committed with intent to terrorize.

1 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
2 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
3 satisfactorily complete a first responder refresher course that meets or exceeds the
4 guidelines issued by the National Highway Traffic Safety Administration under 23
5 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
6 is approved by the department.

7 **SECTION 11.** 146.55 (1) (a) of the statutes is amended to read:

8 146.55 (1) (a) “Ambulance service” means the business of transporting sick,
9 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) (am), to
10 or from facilities or institutions providing health services.

11 **SECTION 12.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
14 enforcement officer, except on a temporary or probationary basis, unless the person
15 has satisfactorily completed a preparatory program of law enforcement training
16 approved by the board and has been certified by the board as being qualified to be
17 a law enforcement or tribal law enforcement officer. The program shall include 400
18 hours of training, except the program for law enforcement officers who serve as
19 rangers for the department of natural resources includes 240 hours of training. The
20 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
21 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~
22 ~~ensure that there is an adequate amount of training for each program to enable the~~
23 ~~person to deal effectively with domestic abuse incidents, including training that~~
24 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~
25 ~~The training under this subdivision shall include training on emergency detention~~

1 ~~standards and procedures under s. 51.15, emergency protective placement~~
2 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
3 ~~developmental disabilities agencies and other resources that may be available to~~
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10 ~~persons who have Alzheimer's disease or other related dementias. The training~~
11 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
12 ~~and driving techniques established under par. (cm) 2. b. The period of temporary or~~
13 ~~probationary employment established at the time of initial employment shall not be~~
14 ~~extended by more than one year for an officer lacking the training qualifications~~
15 ~~required by the board. The total period during which a person may serve as a law~~
16 ~~enforcement and tribal law enforcement officer on a temporary or probationary basis~~
17 ~~without completing a preparatory program of law enforcement training approved by~~
18 ~~the board shall not exceed 2 years, except that the board shall permit part-time law~~
19 ~~enforcement and tribal law enforcement officers to serve on a temporary or~~
20 ~~probationary basis without completing a program of law enforcement training~~
21 ~~approved by the board to a period not exceeding 3 years. For purposes of this section,~~
22 ~~a part-time law enforcement or tribal law enforcement officer is a law enforcement~~
23 ~~or tribal law enforcement officer who routinely works not more than one-half the~~
24 ~~normal annual work hours of a full-time employee of the employing agency or unit~~
25 ~~of government. Law enforcement training programs including municipal, county~~

1 and state programs meeting standards of the board are acceptable as meeting these
2 training requirements.

3 **SECTION 13.** 165.85 (4) (b) 1d. of the statutes is created to read:

4 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
5 all of the following:

6 a. An adequate amount of training to enable the person being trained to deal
7 effectively with domestic abuse incidents, including training that addresses the
8 emotional and psychological effect that domestic abuse has on victims.

9 b. Training on emergency detention standards and procedures under s. 51.15,
10 emergency protective placement standards and procedures under s. 55.06 (11), and
11 information on mental health and developmental disabilities agencies and other
12 resources that may be available to assist the officer in interpreting the emergency
13 detention and emergency protective placement standards, making emergency
14 detentions and emergency protective placements, and locating appropriate facilities
15 for the emergency detentions and emergency protective placements of persons.

16 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
17 disease or other related dementias and interacting with and assisting persons who
18 have Alzheimer's disease or other related dementias.

19 d. Training on police pursuit standards, guidelines, and driving techniques
20 established under par. (cm) 2. b.

21 e. Training on responding to acts of terrorism, as defined in s. ^{146.50(1)(a)}~~18.964(9)(a)~~.

22 **SECTION 14.** 940.20 (7) (a) 1e. of the statutes is amended to read:

23 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) ~~(a)~~ (am).

24 **SECTION 15.** 941.37 (1) (a) of the statutes is amended to read:

25 941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

SECTION 9201. Appropriation changes; administration.

(1) POLICE SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (5) (ka) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$79,600 for fiscal year 2001–02 and the dollar amount is increased by \$238,400 for fiscal year 2002–03 to increase the authorized FTE positions for the department by 5.0 PR police officer positions and to finance supporting costs.

SECTION 9223. Appropriation changes; health and family services.

(1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$500,000 for fiscal year 2002–03 to increase the authorized FTE positions for the department by 2.0 GPR project positions for the period ending on June 30, 2003, and to increase funding for the statewide trauma care system under section 146.56 of the statutes.

(2) SURVEILLANCE OF DISEASES AND POTENTIAL THREATS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$162,900 for fiscal year 2002–03 to increase the authorized FTE positions for the department by 2.5 GPR positions to perform surveillance of communicable and infectious diseases and biological and chemical potential threats to state residents.

SECTION 9256. Appropriation changes; University of Wisconsin System.

(1) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the University of

1 Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts
2 of 2001, the dollar amount is increased by \$310,000 for fiscal year 2002-03 to
3 increase the authorized FTE positions for the University of Wisconsin System by 1.0
4 GPR microbiologist position for the state laboratory of hygiene and to fund related
5 laboratory expenses.

6 **SECTION 9323. Initial applicability; health and family services.**

7 (1) TERRORISM RESPONSE TRAINING. The treatment of sections 146.50 (1) (a), ~~and~~
8 (ag), ^{and (ig),} (6) (a) 2. and (b) 2., and (8) (b) 3. and (c), 146.55 (1) (a), 940.20 (7) (a) 1e., and
9 941.37 (1) (a) of the statutes first applies to applications for initial licensure or
10 licensure renewal of emergency medical technicians and applications for initial
11 certification or renewal of certification of first responders submitted on January 1,
12 2003.

13 **SECTION 9359. Initial applicability; other.**

14 (1) TERRORISM RESPONSE TRAINING FOR LAW ENFORCEMENT OFFICERS. The
15 treatment of section 165.85 (4) (b) 1. and 1d. of the statutes first applies to persons
16 being appointed law enforcement officers or tribal law enforcement officers on
17 January 1, 2003.

18 (CS) (END) (B) (CS)
Section 9401. Effective dates; administration.
(#) Terrorism preparation and response grants. The
repeal of sections 16.964(9) and 20.505(6)(e) of
the statutes takes effect on July 1, 2003.
←

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4572/4rlrins
RLR:.....

Insert 5-9: ✓

SECTION 1. 146.50 (1) (ig) of the statutes is created to read:

146.50 (1) (ig) "Intent to terrorize" means intent to influence the policy of a governmental unit by intimidation or coercion, to punish a governmental unit for a prior policy decision, to affect the conduct of a governmental unit by homicide or kidnapping, or to intimidate or coerce a civilian population.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4572/A

DAK/RLR/JTK/MJL/PG/MD:kmg&cis/jh

SKW

TODAY

5
T
stays (RMR)

DOA:.....Jablonsky - Security initiative

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

D
NOT GEN
CAT

1 AN ACT ~~...~~; relating to: position increases for the department of health and family
2 services; terrorism response training for fire fighters, emergency medical
3 technicians, law enforcement officers, and first responders; the state laboratory
4 of hygiene; police services provided by the department of administration at
5 state properties; and making appropriations.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT TRAINING

Under current law, no person may be appointed permanently as a law enforcement or tribal law enforcement officer unless he or she first completes law enforcement training approved by the law enforcement standards board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The training program must include: 1) training regarding domestic abuse; 2) training on emergency detention and protective placement standards and procedures and certain information on mental health and developmental disabilities agencies and resources; 3) at least one hour of instruction relating to Alzheimer's disease or other related dementias; and 4) training on police pursuit standards, guidelines, and driving techniques. This bill requires that, as of January 1, 2003, the training include training on responding to acts of terrorism.

EDUCATION

HIGHER EDUCATION

Current law authorizes the technical college system (TCS) board to establish and supervise training programs in fire prevention and protection. This bill requires the programs to include training in responding to acts of terrorism.

HEALTH AND FAMILY SERVICES

OTHER HEALTH AND FAMILY SERVICES

Under current law, DIIFS must develop and implement a statewide trauma care system by July 1, 2002. This bill increases funding from general purpose revenues for the statewide trauma care system, including 2.0 FTE GPR project positions for fiscal year 2002-03. The bill also increases general purpose revenue funding for DHFS for 2.5 FTE GPR positions to perform surveillance of communicable and infectious diseases and biological and chemical potential threats to state residents and for the state laboratory of hygiene for a microbiologist position and related expenses.

Under current law, persons seeking initial licensure as emergency medical technicians must, among other things, satisfactorily complete a course of instruction and training prescribed by DHFS. For emergency medical technician licensure renewals, the applicant must complete training requirements promulgated by DHFS as rules. Persons seeking initial certification or certification renewal as first responders must complete courses approved by DHFS that meet or exceed federal guidelines. This bill expands training requirements for initial licensure or licensure renewal as emergency medical technicians or initial certification or certification renewal as first responders to require that, as of January 1, 2003, applicants satisfactorily complete training for response to acts of terrorism.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, each county is required to appoint a local emergency planning committee that is responsible for facilitating preparation and implementation of an emergency response plan for responding to the release of a hazardous substance. The division of emergency management administers a grant program to provide local emergency planning committees with funds for maintaining, exercising, reviewing, and implementing emergency response plans related to the release of a hazardous substance, purchasing computers, purchasing equipment and supplies that may be used in responding to the release of a hazardous substance, and for administrative costs.

The bill creates a new grant program administered by the office of justice assistance to provide funds to local emergency planning committees for the purchase of materials and services related to investigating, preventing, and responding to acts of terrorism. The grant program is for fiscal years 2001-02 and 2002-03. The bill defines "acts of terrorism" as certain felonies that are committed with intent to influence the policy of a governmental unit, punish a governmental unit for a prior policy decision, affect the conduct of a governmental unit by homicide or kidnapping, or intimidate or coerce a civilian population. The materials and services that local

emergency planning committees may use the grant funds to purchase include: communications equipment; safety or protective equipment for emergency response personnel; training related to the investigation or prevention of, or response to, acts of terrorism that pose a threat to the environment; and information systems, software, or computer equipment for investigating acts of terrorism that pose a threat to the environment.

Currently, DOA is directed to provide police services to safeguard public property for which DOA has management responsibility. DOA may also contract with other state agencies to provide police services at other state properties. This bill increases the police officer positions authorized for DOA by 5.0 FTE PR positions. The cost of the positions is paid from charges assessed against the appropriations that finance the operation of the properties that are protected by the officers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 16.964 (9) of the statutes is created to read:

2 16.964 (9) (a) In this subsection:

3 1. "Acts of terrorism" ^{has the meaning given in s. 146.50(1)(ag)} means felonies that satisfy s. 939.648 (2) (a) and (b) and
4 ~~that are committed with intent to terrorize~~

5 2. "Governmental unit" has the meaning given in s. 939.648 (1).

6 3. "Intent to terrorize" means intent to influence the policy of a governmental
7 unit by intimidation or coercion, to punish a governmental unit for a prior policy
8 decision, to affect the conduct of a governmental unit by homicide or kidnapping, or
9 to intimidate or coerce a civilian population.

10 2. "Local emergency planning committee" means a committee appointed under
11 s. 59.54 (8) (a).

12 (b) From the appropriation under s. 20.505 (6) (e), the office shall provide grants
13 to local emergency planning committees to purchase materials and services for use
14 in investigating, preventing, or responding to acts of terrorism. Materials and

1 services that may be purchased with funds provided under this subsection include
2 any of the following:

3 1. Communications equipment.

4 2. Safety or protective equipment for law enforcement officers, fire fighters,
5 emergency medical technicians, first responders, or local emergency response team
6 members who respond to emergencies.

7 3. Training related to investigation or prevention of, or response to, acts of
8 terrorism that pose a threat to the environment.

9 4. Information systems, software, or computer equipment for investigating acts
10 of terrorism that pose a threat to the environment.

11 **SECTION 2.** 16.964 (9) of the statutes, as created by 2001 Wisconsin Act (this
12 act), is repealed.

13 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
14 the following amounts for the purposes indicated:

15 2001-02 2002-03

16 **20.505 Administration, department of**

17 (6) OFFICE OF JUSTICE ASSISTANCE

18 (e) Terrorism preparation and

19 response grants GPR B 3,600,000 -0-

20 **SECTION 4.** 20.505 (6) (e) of the statutes is created to read:

21 20.505 (6) (e) *Terrorism preparation and response grants.* Biennially, the
22 amounts in the schedule for grants to local emergency planning committees under
23 s. 16.964 (9).

1 **SECTION 5.** 20.505 (6) (e) of the statutes, as created by 2001 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 6.** 38.04 (9) of the statutes is amended to read:

4 **38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS.** In order to promote safety to
5 life and property, the board may establish and supervise training programs in fire
6 prevention and protection. The training programs shall include training in
7 responding to acts of terrorism, as defined in s. 146.50 (1) (ag), and shall be available
8 to members of volunteer and paid fire departments maintained by public and private
9 agencies, including industrial plants. No training program required for
10 participation in structural fire fighting that is offered to members of volunteer and
11 paid fire departments maintained by public agencies may require more than 60
12 hours of training.

13 **SECTION 7.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

14 **SECTION 8.** 146.50 (1) (ag) of the statutes is created to read:

15 ~~146.50 (1) (ag) "Acts of terrorism" means felonies that satisfy s. 939.648 (2) (a)~~
16 ~~and (b) and that are committed with intent to terrorize.~~

17 **SECTION 9.** 146.50 (1) (ig) of the statutes is created to read:

18 **146.50 (1) (ig) "Intent to terrorize"** means intent to influence the policy of a
19 governmental unit by intimidation or coercion, to punish a governmental unit for a
20 prior policy decision, to affect the conduct of a governmental unit by homicide or
21 kidnapping, or to intimidate or coerce a civilian population.

22 **SECTION 10.** 146.50 (6) (a) 2. of the statutes is amended to read:

23 **146.50 (6) (a) 2.** Have satisfactorily completed a course of instruction and
24 training, including training for response to acts of terrorism, prescribed by the

JWS-16
17

1 department or have presented evidence satisfactory to the department of sufficient
2 education and training in the field of emergency care.

3 **SECTION 11.** 146.50 (6) (b) 2. of the statutes is amended to read:

4 146.50 (6) (b) 2. The department, in conjunction with the technical college
5 system board, shall promulgate rules specifying training, education, or examination
6 requirements, including requirements for training for response to acts of terrorism,
7 for license renewals for emergency medical technicians.

8 **SECTION 12.** 146.50 (8) (b) 3. of the statutes is amended to read:

9 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
10 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
11 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
12 acts of terrorism, and that is approved by the department.

13 **SECTION 13.** 146.50 (8) (c) of the statutes is amended to read:

14 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
15 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
16 satisfactorily complete a first responder refresher course that meets or exceeds the
17 guidelines issued by the National Highway Traffic Safety Administration under 23
18 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
19 is approved by the department.

20 **SECTION 14.** 146.55 (1) (a) of the statutes is amended to read:

21 146.55 (1) (a) "Ambulance service" means the business of transporting sick,
22 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) (am), to
23 or from facilities or institutions providing health services.

24 **SECTION 15.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
25 16, is amended to read:

1 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
2 enforcement officer, except on a temporary or probationary basis, unless the person
3 has satisfactorily completed a preparatory program of law enforcement training
4 approved by the board and has been certified by the board as being qualified to be
5 a law enforcement or tribal law enforcement officer. The program shall include 400
6 hours of training, except the program for law enforcement officers who serve as
7 rangers for the department of natural resources includes 240 hours of training. The
8 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
9 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~
10 ~~ensure that there is an adequate amount of training for each program to enable the~~
11 ~~person to deal effectively with domestic abuse incidents, including training that~~
12 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~
13 ~~The training under this subdivision shall include training on emergency detention~~
14 ~~standards and procedures under s. 51.15, emergency protective placement~~
15 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
16 ~~developmental disabilities agencies and other resources that may be available to~~
17 ~~assist the officer in interpreting the emergency detention and emergency protective~~
18 ~~placement standards, making emergency detentions and emergency protective~~
19 ~~placements and locating appropriate facilities for the emergency detentions and~~
20 ~~emergency protective placements of persons. The training under this subdivision~~
21 ~~shall include at least one hour of instruction on recognizing the symptoms of~~
22 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~
23 ~~persons who have Alzheimer's disease or other related dementias. The training~~
24 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
25 ~~and driving techniques established under par. (cm) 2. b. The period of temporary or~~

1 probationary employment established at the time of initial employment shall not be
2 extended by more than one year for an officer lacking the training qualifications
3 required by the board. The total period during which a person may serve as a law
4 enforcement and tribal law enforcement officer on a temporary or probationary basis
5 without completing a preparatory program of law enforcement training approved by
6 the board shall not exceed 2 years, except that the board shall permit part-time law
7 enforcement and tribal law enforcement officers to serve on a temporary or
8 probationary basis without completing a program of law enforcement training
9 approved by the board to a period not exceeding 3 years. For purposes of this section,
10 a part-time law enforcement or tribal law enforcement officer is a law enforcement
11 or tribal law enforcement officer who routinely works not more than one-half the
12 normal annual work hours of a full-time employee of the employing agency or unit
13 of government. Law enforcement training programs including municipal, county
14 and state programs meeting standards of the board are acceptable as meeting these
15 training requirements.

16 **SECTION 16.** 165.85 (4) (b) 1d. of the statutes is created to read:

17 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
18 all of the following:

19 a. An adequate amount of training to enable the person being trained to deal
20 effectively with domestic abuse incidents, including training that addresses the
21 emotional and psychological effect that domestic abuse has on victims.

22 b. Training on emergency detention standards and procedures under s. 51.15,
23 emergency protective placement standards and procedures under s. 55.06 (11), and
24 information on mental health and developmental disabilities agencies and other
25 resources that may be available to assist the officer in interpreting the emergency

1 detention and emergency protective placement standards, making emergency
2 detentions and emergency protective placements, and locating appropriate facilities
3 for the emergency detentions and emergency protective placements of persons.

4 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
5 disease or other related dementias and interacting with and assisting persons who
6 have Alzheimer's disease or other related dementias.

7 d. Training on police pursuit standards, guidelines, and driving techniques
8 established under par. (cm) 2. b.

9 e. Training on responding to ^{an} acts of terrorism, as defined in s. 146.50 (1) (ag).

10 **SECTION 17.** 940.20 (7) (a) 1e. of the statutes is amended to read:

11 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) ~~(a)~~ (am).

12 **SECTION 18.** 941.37 (1) (a) of the statutes is amended to read:

13 941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

14 **SECTION 9201. Appropriation changes; administration.**

15 (1) POLICE SERVICES. In the schedule under section 20.005 (3) of the statutes for
16 the appropriation to the department of administration under section 20.505 (5) (ka)
17 of the statutes, as affected by the acts of 2001, the dollar amount is increased by
18 \$79,600 for fiscal year 2001-02 and the dollar amount is increased by \$238,400 for
19 fiscal year 2002-03 to increase the authorized FTE positions for the department by
20 5.0 PR police officer positions and to finance supporting costs.

21 **SECTION 9223. Appropriation changes; health and family services.**

22 (1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of
23 the statutes for the appropriation to the department of health and family services
24 under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
25 amount is increased by \$500,000 for fiscal year 2002-03 to increase the authorized

1 FTE positions for the department by 2.0 GPR project positions for the period ending
2 on June 30, 2003, and to increase funding for the statewide trauma care system
3 under section 146.56 of the statutes.

4 (2) SURVEILLANCE OF DISEASES AND POTENTIAL THREATS. In the schedule under
5 section 20.005 (3) of the statutes for the appropriation to the department of health
6 and family services under section 20.435 (1) (a) of the statutes, as affected by the acts
7 of 2001, the dollar amount is increased by \$162,900 for fiscal year 2002-03 to
8 increase the authorized FTE positions for the department by 2.5 GPR positions to
9 perform surveillance of communicable and infectious diseases and biological and
10 chemical potential threats to state residents.

11 **SECTION 9256. Appropriation changes; University of Wisconsin System.**

12 (1) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3) of
13 the statutes for the appropriation to the board of regents of the University of
14 Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts
15 of 2001, the dollar amount is increased by \$310,000 for fiscal year 2002-03 to
16 increase the authorized FTE positions for the University of Wisconsin System by 1.0
17 GPR microbiologist position for the state laboratory of hygiene and to fund related
18 laboratory expenses.

19 **SECTION 9323. Initial applicability; health and family services.**

20 (1) TERRORISM RESPONSE TRAINING. The treatment of sections 146.50 (1) (a), (ag),
21 and (ig), (6) (a) 2. and (b) 2., and (8) (b) 3. and (c), 146.55 (1) (a), 940.20 (7) (a) 1e., and
22 941.37 (1) (a) of the statutes first applies to applications for initial licensure or
23 licensure renewal of emergency medical technicians and applications for initial
24 certification or renewal of certification of first responders submitted on January 1,
25 2003.

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4572/5rlrins
RLR:.....

1 **Insert 5-16:**

2 146.50 (1) (ag) "Act of terrorism" means a felony under ch. 939 to 951 that is
3 committed with intent to terrorize and is committed under any of the following
4 circumstances:

5 1. The person committing the felony causes bodily harm, great bodily harm, or
6 death to another. ✓

7 2. The person committing the felony causes damage to the property of another
8 and the total property damaged is reduced in value by \$25,000 or more. For purposes
9 of this subdivision, ✓ property is reduced in value by the amount that it would cost
10 either to repair or replace it, whichever is less. ✓

11 3. The person committing the felony uses force or violence or the threat of force
12 or violence. ✓

13 **SECTION 1.** 146.50 (1) (hr) of the statutes is created to read:

14 146.50 (1) (hr) "Governmental unit" means the United States; the state; any
15 county, city, village, or town; or any political subdivision, department, division,
16 board, or agency of the United States, the state, or any county, city, village, or town. ✓



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4572/5

DAK/RLR/JTK/MJL/PG/MD:kmg&cjs:pg

DOA:.....Jablonsky - Security initiative

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** position increases for the department of health and family
2 services; terrorism response training for fire fighters, emergency medical
3 technicians, law enforcement officers, and first responders; the state laboratory
4 of hygiene; police services provided by the department of administration at
5 state properties; and making appropriations.

Analysis by the Legislative Reference Bureau

CRIMES

LAW ENFORCEMENT TRAINING

Under current law, no person may be appointed permanently as a law enforcement or tribal law enforcement officer unless he or she first completes law enforcement training approved by the law enforcement standards board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The training program must include: 1) training regarding domestic abuse; 2) training on emergency detention and protective placement standards and procedures and certain information on mental health and developmental disabilities agencies and resources; 3) at least one hour of instruction relating to Alzheimer's disease or other related dementias; and 4) training on police pursuit standards, guidelines, and driving techniques. This bill requires that, as of January 1, 2003, the training include training on responding to acts of terrorism.

EDUCATION

HIGHER EDUCATION

Current law authorizes the technical college system (TCS) board to establish and supervise training programs in fire prevention and protection. This bill requires the programs to include training in responding to acts of terrorism.

HEALTH AND FAMILY SERVICES

OTHER HEALTH AND FAMILY SERVICES

Under current law, DHFS must develop and implement a statewide trauma care system by July 1, 2002. This bill increases funding from general purpose revenues for the statewide trauma care system, including 2.0 FTE GPR project positions for fiscal year 2002-03. The bill also increases general purpose revenue funding for DHFS for 2.5 FTE GPR positions to perform surveillance of communicable and infectious diseases and biological and chemical potential threats to state residents and for the state laboratory of hygiene for a microbiologist position and related expenses.

Under current law, persons seeking initial licensure as emergency medical technicians must, among other things, satisfactorily complete a course of instruction and training prescribed by DHFS. For emergency medical technician licensure renewals, the applicant must complete training requirements promulgated by DHFS as rules. Persons seeking initial certification or certification renewal as first responders must complete courses approved by DHFS that meet or exceed federal guidelines. This bill expands training requirements for initial licensure or licensure renewal as emergency medical technicians or initial certification or certification renewal as first responders to require that, as of January 1, 2003, applicants satisfactorily complete training for response to acts of terrorism.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, each county is required to appoint a local emergency planning committee that is responsible for facilitating preparation and implementation of an emergency response plan for responding to the release of a hazardous substance. The division of emergency management administers a grant program to provide local emergency planning committees with funds for maintaining, exercising, reviewing, and implementing emergency response plans related to the release of a hazardous substance, purchasing computers, purchasing equipment and supplies that may be used in responding to the release of a hazardous substance, and for administrative costs.

The bill creates a new grant program administered by the office of justice assistance to provide funds to local emergency planning committees for the purchase of materials and services related to investigating, preventing, and responding to acts of terrorism. The grant program is for fiscal years 2001-02 and 2002-03. The bill defines "acts of terrorism" as certain felonies that are committed with intent to influence the policy of a governmental unit, punish a governmental unit for a prior policy decision, affect the conduct of a governmental unit by homicide or kidnapping, or intimidate or coerce a civilian population. The materials and services that local

emergency planning committees may use the grant funds to purchase include: communications equipment; safety or protective equipment for emergency response personnel; training related to the investigation or prevention of, or response to, acts of terrorism that pose a threat to the environment; and information systems, software, or computer equipment for investigating acts of terrorism that pose a threat to the environment.

Currently, DOA is directed to provide police services to safeguard public property for which DOA has management responsibility. DOA may also contract with other state agencies to provide police services at other state properties. This bill increases the police officer positions authorized for DOA by 5.0 FTE PR positions. The cost of the positions is paid from charges assessed against the appropriations that finance the operation of the properties that are protected by the officers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 16.964 (9) of the statutes is created to read:

2 16.964 (9) (a) In this subsection:

3 1. "Act of terrorism" has the meaning given in s. 146.50 (1) (ag).

4 2. "Local emergency planning committee" means a committee appointed under
5 s. 59.54 (8) (a).

6 (b) From the appropriation under s. 20.505 (6) (e), the office shall provide grants
7 to local emergency planning committees to purchase materials and services for use
8 in investigating, preventing, or responding to acts of terrorism. Materials and
9 services that may be purchased with funds provided under this subsection include
10 any of the following:

11 1. Communications equipment.

12 2. Safety or protective equipment for law enforcement officers, fire fighters,
13 emergency medical technicians, first responders, or local emergency response team
14 members who respond to emergencies.

1 3. Training related to investigation or prevention of, or response to, acts of
 2 terrorism that pose a threat to the environment.

3 4. Information systems, software, or computer equipment for investigating acts
 4 of terrorism that pose a threat to the environment.

5 **SECTION 2.** 16.964 (9) of the statutes, as created by 2001 Wisconsin Act (this
 6 act), is repealed.

7 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
 8 the following amounts for the purposes indicated:

	2001-02	2002-03
20.505 Administration, department of		
(6) OFFICE OF JUSTICE ASSISTANCE		
(e) Terrorism preparation and		
response grants	GPR B 3,600,000	-0-

14 **SECTION 4.** 20.505 (6) (e) of the statutes is created to read:
 15 20.505 (6) (e) *Terrorism preparation and response grants.* Biennially, the
 16 amounts in the schedule for grants to local emergency planning committees under
 17 s. 16.964 (9).

18 **SECTION 5.** 20.505 (6) (e) of the statutes, as created by 2001 Wisconsin Act
 19 (this act), is repealed.

20 **SECTION 6.** 38.04 (9) of the statutes is amended to read:
 21 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
 22 life and property, the board may establish and supervise training programs in fire
 23 prevention and protection. The training programs shall include training in
 24 responding to acts of terrorism, as defined in s. 146.50 (1) (ag), and shall be available

1 to members of volunteer and paid fire departments maintained by public and private
2 agencies, including industrial plants. No training program required for
3 participation in structural fire fighting that is offered to members of volunteer and
4 paid fire departments maintained by public agencies may require more than 60
5 hours of training.

6 **SECTION 7.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

7 **SECTION 8.** 146.50 (1) (ag) of the statutes is created to read:

8 146.50 (1) (ag) "Act of terrorism" means a felony under ch. 939 to 951 that is
9 committed with intent to terrorize and is committed under any of the following
10 circumstances:

11 1. The person committing the felony causes bodily harm, great bodily harm, or
12 death to another.

13 2. The person committing the felony causes damage to the property of another
14 and the total property damaged is reduced in value by \$25,000 or more. For purposes
15 of this subdivision, property is reduced in value by the amount that it would cost
16 either to repair or replace it, whichever is less.

17 3. The person committing the felony uses force or violence or the threat of force
18 or violence.

19 **SECTION 9.** 146.50 (1) (hr) of the statutes is created to read:

20 146.50 (1) (hr) "Governmental unit" means the United States; the state; any
21 county, city, village, or town; or any political subdivision, department, division,
22 board, or agency of the United States, the state, or any county, city, village, or town.

23 **SECTION 10.** 146.50 (1) (ig) of the statutes is created to read:

24 146.50 (1) (ig) "Intent to terrorize" means intent to influence the policy of a
25 governmental unit by intimidation or coercion, to punish a governmental unit for a

1 prior policy decision, to affect the conduct of a governmental unit by homicide or
2 kidnapping, or to intimidate or coerce a civilian population.

3 **SECTION 11.** 146.50 (6) (a) 2. of the statutes is amended to read:

4 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
5 training, including training for response to acts of terrorism, prescribed by the
6 department or have presented evidence satisfactory to the department of sufficient
7 education and training in the field of emergency care.

8 **SECTION 12.** 146.50 (6) (b) 2. of the statutes is amended to read:

9 146.50 (6) (b) 2. The department, in conjunction with the technical college
10 system board, shall promulgate rules specifying training, education, or examination
11 requirements, including requirements for training for response to acts of terrorism,
12 for license renewals for emergency medical technicians.

13 **SECTION 13.** 146.50 (8) (b) 3. of the statutes is amended to read:

14 146.50 (8) (b) 3. The individual satisfactorily completes a first responder course
15 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
16 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
17 acts of terrorism, and that is approved by the department.

18 **SECTION 14.** 146.50 (8) (c) of the statutes is amended to read:

19 146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,
20 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
21 satisfactorily complete a first responder refresher course that meets or exceeds the
22 guidelines issued by the National Highway Traffic Safety Administration under 23
23 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
24 is approved by the department.

25 **SECTION 15.** 146.55 (1) (a) of the statutes is amended to read:

1 146.55 (1) (a) "Ambulance service" means the business of transporting sick,
2 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) ~~(am)~~, to
3 or from facilities or institutions providing health services.

4 **SECTION 16.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
7 enforcement officer, except on a temporary or probationary basis, unless the person
8 has satisfactorily completed a preparatory program of law enforcement training
9 approved by the board and has been certified by the board as being qualified to be
10 a law enforcement or tribal law enforcement officer. The program shall include 400
11 hours of training, except the program for law enforcement officers who serve as
12 rangers for the department of natural resources includes 240 hours of training. The
13 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
14 400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~
15 ~~ensure that there is an adequate amount of training for each program to enable the~~
16 ~~person to deal effectively with domestic abuse incidents, including training that~~
17 ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~
18 ~~The training under this subdivision shall include training on emergency detention~~
19 ~~standards and procedures under s. 51.15, emergency protective placement~~
20 ~~standards and procedures under s. 55.06 (11) and information on mental health and~~
21 ~~developmental disabilities agencies and other resources that may be available to~~
22 ~~assist the officer in interpreting the emergency detention and emergency protective~~
23 ~~placement standards, making emergency detentions and emergency protective~~
24 ~~placements and locating appropriate facilities for the emergency detentions and~~
25 ~~emergency protective placements of persons. The training under this subdivision~~

1 ~~shall include at least one hour of instruction on recognizing the symptoms of~~
2 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~
3 ~~persons who have Alzheimer's disease or other related dementias. The training~~
4 ~~under this subdivision shall include training on police pursuit standards, guidelines~~
5 ~~and driving techniques established under par. (cm) 2. b.~~ The period of temporary or
6 probationary employment established at the time of initial employment shall not be
7 extended by more than one year for an officer lacking the training qualifications
8 required by the board. The total period during which a person may serve as a law
9 enforcement and tribal law enforcement officer on a temporary or probationary basis
10 without completing a preparatory program of law enforcement training approved by
11 the board shall not exceed 2 years, except that the board shall permit part-time law
12 enforcement and tribal law enforcement officers to serve on a temporary or
13 probationary basis without completing a program of law enforcement training
14 approved by the board to a period not exceeding 3 years. For purposes of this section,
15 a part-time law enforcement or tribal law enforcement officer is a law enforcement
16 or tribal law enforcement officer who routinely works not more than one-half the
17 normal annual work hours of a full-time employee of the employing agency or unit
18 of government. Law enforcement training programs including municipal, county
19 and state programs meeting standards of the board are acceptable as meeting these
20 training requirements.

21 **SECTION 17.** 165.85 (4) (b) 1d. of the statutes is created to read:

22 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include
23 all of the following:

1 a. An adequate amount of training to enable the person being trained to deal
2 effectively with domestic abuse incidents, including training that addresses the
3 emotional and psychological effect that domestic abuse has on victims.

4 b. Training on emergency detention standards and procedures under s. 51.15,
5 emergency protective placement standards and procedures under s. 55.06 (11), and
6 information on mental health and developmental disabilities agencies and other
7 resources that may be available to assist the officer in interpreting the emergency
8 detention and emergency protective placement standards, making emergency
9 detentions and emergency protective placements, and locating appropriate facilities
10 for the emergency detentions and emergency protective placements of persons.

11 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
12 disease or other related dementias and interacting with and assisting persons who
13 have Alzheimer's disease or other related dementias.

14 d. Training on police pursuit standards, guidelines, and driving techniques
15 established under par. (cm) 2. b.

16 e. Training on responding to an act of terrorism, as defined in s. 146.50 (1) (ag).

17 **SECTION 18.** 940.20 (7) (a) 1e. of the statutes is amended to read:

18 940.20 (7) (a) 1e. "Ambulance" has the meaning given in s. 146.50 (1) (a) (am).

19 **SECTION 19.** 941.37 (1) (a) of the statutes is amended to read:

20 941.37 (1) (a) "Ambulance" has the meaning specified in s. 146.50 (1) (a) (am).

21 **SECTION 9201. Appropriation changes; administration.**

22 (1) POLICE SERVICES. In the schedule under section 20.005 (3) of the statutes for
23 the appropriation to the department of administration under section 20.505 (5) (ka)
24 of the statutes, as affected by the acts of 2001, the dollar amount is increased by
25 \$79,600 for fiscal year 2001-02 and the dollar amount is increased by \$238,400 for

1 fiscal year 2002–03 to increase the authorized FTE positions for the department by
2 5.0 PR police officer positions and to finance supporting costs.

3 **SECTION 9223. Appropriation changes; health and family services.**

4 (1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of
5 the statutes for the appropriation to the department of health and family services
6 under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
7 amount is increased by \$500,000 for fiscal year 2002–03 to increase the authorized
8 FTE positions for the department by 2.0 GPR project positions for the period ending
9 on June 30, 2003, and to increase funding for the statewide trauma care system
10 under section 146.56 of the statutes.

11 (2) SURVEILLANCE OF DISEASES AND POTENTIAL THREATS. In the schedule under
12 section 20.005 (3) of the statutes for the appropriation to the department of health
13 and family services under section 20.435 (1) (a) of the statutes, as affected by the acts
14 of 2001, the dollar amount is increased by \$162,900 for fiscal year 2002–03 to
15 increase the authorized FTE positions for the department by 2.5 GPR positions to
16 perform surveillance of communicable and infectious diseases and biological and
17 chemical potential threats to state residents.

18 **SECTION 9256. Appropriation changes; University of Wisconsin System.**

19 (1) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3) of
20 the statutes for the appropriation to the board of regents of the University of
21 Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts
22 of 2001, the dollar amount is increased by \$310,000 for fiscal year 2002–03 to
23 increase the authorized FTE positions for the University of Wisconsin System by 1.0
24 GPR microbiologist position for the state laboratory of hygiene and to fund related
25 laboratory expenses.

