

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/27/2000

Received By: nelsorp1

Wantcd: As time permits

Identical to LRB:

For: Administration-Budget 7-0371

By/Representing: Uecker

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Military Affairs - haz materials

Extra Copies:

**Pre Topic:**

DOA:.....Uecker -

**Topic:**

Consolidate appropriation 20.465 (3) (dh) with (3) (a)

**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 10/09/2000	gilfokm 10/09/2000	martykr 10/10/2000	_____	lrb_docadmin 10/10/2000		

FE Sent For:

<END>

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Topic:

Consolidate appropriations 20.465 (3) (dh) with (3) (a)

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Instructions:

*10/9 Talked to Steve Bendrick.*

See Attached

*DA to remove excess language in 20.465 (3)(a) - not reducing what is covered. Still*

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Drafting History:

*paying for adm. services under 166.215(1)*

<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	11-10/9 kmj	kmj 10	Jan 12 10			

FE Sent For:

<END>

TOMMY G. THOMPSON  
GOVERNOR

GEORGE LIGHTBOURN  
SECRETARY



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**Date:** September 25, 2000  
**To:** Steve Miller, LRB  
**From:** Deborah Uecker, DOA  
267-0371  
**Subject:** Department of Military Affairs Statutory Language

I am forwarding statutory language changes that the Department of Military Affairs (DMA) included in its budget submission.

- ✓ 1. **Emergency Management Assistance Compacts.** Create two appropriations for interstate military assistance and emergency assistance to allow the receipt of funds from other states to reimburse units or members of the Wisconsin national guard or the division of emergency management to provide assistance to other states.
- ✓ 2. **Sum Sufficient for Extended Emergency Management Liabilities.** Create a GPR sum sufficient appropriation to defray the costs incurred to reimburse local government units for the costs of worker's compensation, indemnification of tort liability and the destruction of equipment as the result of emergency response efforts.
- ✓ 3. **Reimbursement for Responses to Potential Hazardous Materials Releases.** Allow an emergency response team to seek reimbursement from a responsible party where a team responded to a potential release even though no actual release occurred. Convert LRBs0150/1, Senate Substitute Amendment 1 to 1999 Senate Bill 208 as the budget draft.
- ✓ 4. **Level A Emergency Response Teams.** Modify current statutory language to remove the requirement that at least one Level A emergency response team be located in La Crosse County. Require that Level A team members shall meet the highest standards for a hazardous materials responder and that all teams have members trained in appropriate speciality areas. Require that an annual financial report be filed by each team with the adjutant general each year.
- ✓ 5. **Consolidate Appropriations within the Emergency Management Program.** Consolidate 20.465(3)(dh) Hazardous substance emergency response; administration with the general program operations appropriation of the division of emergency management, 20.465(3)(a).
- ✓ 6. **Clarification of Eligible Schools for the National Guard Tuition Grant Program.** Allow the department to authorize grants to students attending institutions that meet the U.S. Department of Education eligibility requirements for Pell Grants and other federal student assistance programs and remove language referencing schools accredited by rule of the Higher Educational Aids Board.
- ✓ 7. **Level B Teams Equipment Appropriation** Change 20.465(3)(dp) Emergency response equipment appropriation to a biennial appropriation.

Thank you for your help.

4. Provisions Related to Level A Emergency Response Teams

Request:

Modify §166.215(1) as follows:

- ~~166.215(1) Beginning July, 2001 the division shall contract with no more than 9 regional emergency response teams, one of which shall be located in La Crosse County. Each regional emergency response team shall assist in the emergency response to level A releases in a region of the state designated by the division. The division shall contract with at least one regional emergency response team in each area designated under §166.03(2)(b)1. The division may contract only with a local agency, as defined in s.166.22(1)(c), under this subsection. A member of a regional emergency response team shall meet the highest standards for a hazardous materials specialist responder in 29 CFR 1910.120(q)(6)(iv) and national fire protection association standards NFPA 471 and 472, as amended. Regional emergency response teams shall have members trained in each appropriate specialty area. Payments to regional response teams under this subsection shall be made from the appropriation account under §20.465(3)(dd). Regional emergency response teams that receive funding under this subsection shall file an annual financial report with the adjutant general, in a format prescribed by the department no later than 90 days after the end of the sponsoring local agency's fiscal year.~~

Discussion:

~~1999 Wisconsin Act 9 added the language requiring the addition of a regional response team beginning July 1, 2001. The division entered into a contract with the City of La Crosse to provide regional response coverage as of July 1, 2000. As such, we believe we have fulfilled the legislative intent of this provision. However, we believe it is no longer appropriate to have the statutes specify that one team be located in La Crosse County, as the section is silent on the location of all other teams. The statute could become problematic in the future if the City of La Crosse chose to no longer participate in the program. The changes regarding training standards for emergency responders are technical changes to ensure consistency with current hazardous material response team practices and training requirements. The requirement for an annual financial report is intended to provide the department with information to respond to numerous requests it receives regarding the ultimate expenditure of the funds appropriated for this program. We also note that a nonstatutory provision was inserted into 1999 Wisconsin 9 requesting that the joint legislative committee on audit perform a financial and performance audit of the program. Because the language was permissive, the committee did not elect to do so.~~

5. Consolidate Appropriations within the Emergency Management Program

Request:

Modify the following appropriation definition:

- 20.465(3) EMERGENCY MANAGEMENT SERVICES. (a) *General program operations.* The amounts in the schedule for the general program operations of the division of emergency management including, but not limited to, central administrative support services by the department and hazardous substance emergency response activities under §166.215(1).

Delete the following appropriation definition:

- ~~20-465(3)(h) Hazardous substance emergency response; administration. The amounts in the schedule for hazardous substance emergency response activities under \$166,215(+).~~

**Discussion:**

This change is recommended in response to encouragement all agencies received from the State Budget Office to consolidate appropriations with similar purposes and funding sources where possible. See Decision Item 8000 for further discussion regarding the rationale for this recommendation and the associated fiscal changes.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0551/1

RPN.....

kmf

SOON

DOA:.....Uecker – Consolidate appropriations 20.465 (3) (dh) with (3) (a)  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

→ Fix Request Sheet

Don't Gen. CAT.

1 AN ACT ..., relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**VETERANS AND MILITARY AFFAIRS**

This bill consolidates the appropriation account for the division of emergency management in DMA that funds administrative support necessary to reimburse governmental agencies for expenses related to regional emergency response teams with the appropriation account that provides funds for the general program operations of the division of emergency management. The bill also deletes unnecessary and inaccurate language from the appropriation account for the general program operations of the division of emergency management.

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

2 SECTION 1. 20.465 (3) (a) of the statutes is amended to read:  
3 20.465 (3) (a) *General program operations.* The amounts in the schedule for  
4 the general program operations of the division of emergency management including,  
5 ~~but not limited to, central administrative support services by the department.~~

History: 1971 c. 125; 1975 c. 39, 224; 1977 c. 29; 1977 c. 418 s. 929 (55); 1981 c. 20, 207; 1983 a. 27; 1983 a. 333 s. 6; 1987 a. 27; 1987 a. 63 s. 13; 1989 a. 31 ss. 486 to 491i, 504 to 514, 521, 522; 1989 a. 115; 1991 a. 39, 104; 1993 a. 16, 253, 490; 1995 a. 13, 27, 247; 1997 a. 27, 237; 1999 a. 9.

1

**SECTION 2.** 20.465 (3) (dh) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2

(END)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0551/1  
RPN:kmg:km

DOA:.....Uecker – Consolidate appropriation 20.465 (3) (dh) with (3) (a)

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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