

**WISCONSIN STATE  
LEGISLATURE COMMITTEE  
HEARING RECORDS**

**2007-08**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on  
Small Business,  
Emergency  
Preparedness,  
Workforce  
Development,  
Technical Colleges &  
Consumer Protection**

**(SC-SBEPWDTCCP)**

**COMMITTEE NOTICES ...**

➤ Committee Reports ... CR  
\*\*

➤ Executive Sessions ... ES  
\*\*

➤ Public Hearings ... PH  
\*\*

➤ Record of Comm. Proceedings ... RCP  
\*\*

**INFORMATION COLLECTED BY  
COMMITTEE FOR AND AGAINST  
PROPOSAL ...**

➤ Appointments ... Appt  
\*\*

Name:

➤ Clearinghouse Rules ... CRule  
\*\*

➤ Hearing Records ... HR (bills and resolutions)  
\*\*

(companion bill: \_\_\_\_\_)

➤ Miscellaneous ... Misc  
\*\*

( )



## WISCONSIN STATE SENATE

Testimony on SB 423, Public Works Mutual Aid  
By Senator Judy Robson

Senate Committee on Small Business, Emergency Preparedness, Workforce  
Development, Technical Colleges and Consumer Protection

Tuesday, February 13, 2008, 10 am

I want to thank Sen. Wirsch for holding this hearing today on SB 423. My thanks also to Rep. Ballweg who is the Assembly lead on this bill and the author of the Assembly companion bill, AB 736 that had a public hearing in her committee last week.

And special thanks to those public servants who brought this issue to our attention. In particular, I want to thank Kris Walsh from the City of Beloit Department of Public Works and Randi Milsap from the state's Department of Military Affairs.

This bill would require the adjutant general of the Department of Military Affairs to create a structure to allow local public works agencies to share resources in times of disaster. This structure would enable local agencies to adopt mutual assistance agreements similar to what is already used by fire, rescue and EMS agencies the state Mutual Aid Box Alarm System. This change will encourage effective distribution of shared resources during a disaster, regardless of municipal boundaries.

When we first met with Kris and Randi last June, I was surprised to learn that mutual aid agreements among municipal public works departments in neighbor communities are more likely to be the exception, rather than the rule.

We are familiar with the mutual aid agreement between fire and emergency departments that enable them assist each other in the case of a major disaster. But the need for mutual aid can extend to other services.

We learned that a few years ago in south central Wisconsin when a deadly tornado hit the community of Stoughton.

While fire departments in neighboring communities already had a plan for coming to the aid of their neighbors, other kinds of aid was also needed.

In the case of the Stoughton tornado, that aid came in the form of services provided by public works departments. Services like removing tree from roadways and assisting utility companies to restored power to the affected areas.

I am pleased to say that the communities in my area responded admirable in response to the tornado, but that it happened without the benefit of advanced planning.

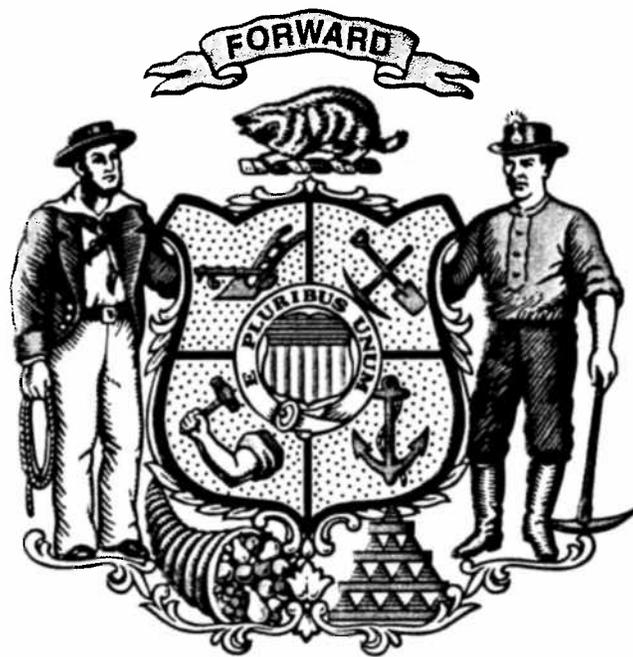
After the crisis was over, local public works officials came to me and other legislators asking us to help formalize the process for creation of mutual aid agreements for local public works agencies.

This legislation will facilitate these agreements and I hope that it will gain the support it deserves.

As to the details about how these agreements work, I am pleased that we have several experts with us today who can share with you their experiences and answer your questions about how public works mutual aid agreements will benefit our communities.

Given that the legislature is within a month or so of completing its work until next January, I am pleased that both bills are moving forward quickly and hopefully will pass both houses before the end of this session so it can go to Governor Doyle for his signature.

Thank you again for considering this bill today.





# JOAN BALLWEG

PO Box 8952, State Capitol  
Madison, Wisconsin 53708-8952  
(608) 266-8077  
Toll-free: (888) 534-0041  
Rep.Ballweg@legis.wi.gov

WISCONSIN STATE REPRESENTATIVE

41<sup>ST</sup> ASSEMBLY DISTRICT

**SB 423: Public Works Mutual Aid Agreements  
Testimony by State Representative Joan Ballweg  
Before the Senate Committee on Small Business, Emergency  
Preparedness, Workforce Development, Technical Colleges and  
Consumer Protection  
February 13, 2008**

Thank you Sen. Wirsch and committee members for holding this hearing on Senate Bill 423. I am the Assembly lead for SB 423 and have drafted a companion bill.

Senate Bill 423 is intended to promote cooperation between Public Works Departments from different jurisdictions when there is a large scale emergency that requires mutual aid.

In 2006, Sen. Robson and I worked together for a time on a Legislative Council Study Committee on Disaster Preparedness Planning. One of the topics that received considerable attention was mutual aid agreements used primarily by the fire service, and the possibility of expanding their use in the law enforcement community.

M.A.B.A.S., which stands for Mutual Aid Box Alarm System, was developed in the late 1960's, and is widely used by the fire service for incident management. This system is very prevalent amongst some of our border communities, and their neighbors to the south.

The idea behind SB 423 is to encourage similar agreements in the Public Works community. Wisconsin Emergency Management has worked on model language, so communities wishing to enter into these agreements have a blueprint to follow.

We are joined by members of the American Public Works Association from communities here in Wisconsin. Also, Randi Milsap, legal counsel for the WI Department of Military Affairs and Wisconsin Emergency Management, is here to address some of the technical aspects of the bill.

Thank you for your consideration of this proposal and I would be happy to answer any questions.





# Wisconsin State Fire Chiefs Association

Together We Can Make A Difference

800-375-5886

[www.wsfca.com](http://www.wsfca.com)

Education • Prevention • Safety • Supression • EMS

March 10, 2008

TO: Honorable Senators  
FROM: Chief Timothy Franz, President  
RE: SB 423

I represent 839 Chief Fire Officers in this great state. The Senate is about to make a final decision on SB 423. This is a bill that will empower Wisconsin Emergency Management to establish a mutual aid program for Wisconsin Public Works and Utilities. This is extremely important legislation. I must commend the Senate for having the courage to pass similar legislation for the Fire Service in 2007. The Fire Service is quickly establishing a state wide program based on the Mutual Aid Box Alarm System (MABAS). The system proposed in SB 423 has not been established but would provide for similar level of coordination. I know that you have had strong opposition to SB 423. This opposition is rooted in three points that I would like to offer assurances through our experience that will establish support for this legislation.

**MYTH:** This legislation does not reflect the concerns of all public works organizations and is not a consensus of the involved organizations. In fact, it is in conflict with some of these initiatives.

**FACT:** This legislation will establish a process where all parties will come together and establish a statewide program that meets everyone's needs.

**MYTH:** This legislation directs the Adjutant General's Office to develop the state wide public works mutual aid program, but is silent on existing programs. While the state needs to be involved, a state agency may not be the best entity to develop or implement this program.

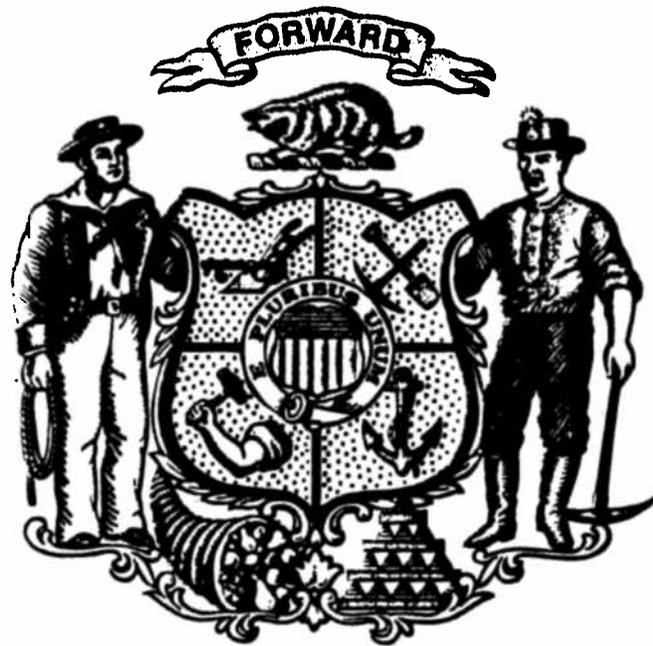
**FACT:** The state must be involved in this process. The National Incident Management System requires us by federal law to develop these interoperable systems for seamless operation top to bottom in all government and critical infrastructure entities.

**MYTH:** The legislation does not address existing public works mutual aid programs. Do they cease to exist or do they continue. For example, the state's municipal electric utilities have a very successful mutual aid program which might be best left alone.

**FACT:** This legislation will empower a central state agency to coordinate and ensure these programs work well together for all Wisconsin communities. The fire service still uses pre-MABAS mutual aid compacts, these compacts are enhanced by the state program.

These facts are integral to avoiding a Katrina like response. Public Works is the third emergency responder and it is imperative that their mutual aid system is coordinated and complaint with the National Incident Management System for your safety and mine. VOTE YES on SB 423.

6737 W. Washington St. • Suite 1420 • Milwaukee, WI 53214  
800-375-5886 • 414-755-6291 • Fax: 414-276-7704  
[info@wsfca.com](mailto:info@wsfca.com) • [www.wsfca.com](http://www.wsfca.com)



No Date

TESTIMONY ON SB 423

My name is Randi Wind Milsap and I am the Legal Counsel for the WI Department of Military Affairs and its Division of Emergency Management. With the ongoing winter storms and record snowfalls, inter-governmental cooperation is a critical component of emergency preparedness and response.

This bill promotes and encourages multi-jurisdictional collaboration between public works agencies at the city, village, town, county and tribal levels. Depending on the size of the municipality, a public works agency provides services and benefits to the public to include water, sewerage services, waste disposal, power and transportation.

This bill requires that the standards for public works agencies include a suggestion, not a mandate, that they adopt a mutual assistance agreement promoting inter-governmental cooperation of public works personnel and equipment during a multi-jurisdictional or multi-agency emergency response. The mutual assistance agreement will be created by the Wisconsin Division of Emergency Management.

The Wisconsin Department of Military Affairs supports SB 423. The promotion of intergovernmental cooperation between public works agencies will greatly enhance emergency response at multi-jurisdictional and multi-agency disasters and incidents.