

2009 DRAFTING REQUEST

Bill

Received: 05/21/2009

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Legislative Council - JLC

By/Representing: Pam & Dick

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Military Affairs - emerg govt

Extra Copies:

Submit via email: YES

Requester's email: Pam.Shannon@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Structural collapse

Instructions:

companion to -2230

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>
/?	rnelson2 05/21/2009	kfollett 05/21/2009		_____			
/1			phenry 05/21/2009	_____	mbarman 05/21/2009	lparisi 05/21/2009	

FE Sent For:

None

<END>

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/?	rnelson2	11/kf 5/21	5/21 ph	5/21 ph			

FE Sent For: **<END>**

**Nelson, Robert P.**

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**From:** Sweet, Richard  
**Sent:** Thursday, May 21, 2009 9:42 AM  
**To:** Nelson, Robert P.; Ryan, Robin; Shovers, Marc  
**Cc:** Shannon, Pam  
**Subject:** Companion bills

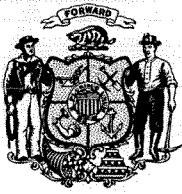
Bob/Robin/Marc,

The Joint Leg. Council voted yesterday to introduce all 6 of the Em. Mgt. drafts. Pam and I are having them jacketed for the Senate. However, we want to introduce companion bills in the Assembly, so we'd like to request that the following be given new LRB numbers for Assembly jacketing--LRB:0166/2, 2345/1, 2572/1, 2409/3, 2230/1, and 2553/3. Identical text and pref. notes with the originals.

Thanks for your help.

*Dick Sweet*

Senior Staff Attorney  
Wisconsin Legislative Council  
(608)266-2982  
richard.sweet@legis.wisconsin.gov



## 2009 BILL

Regen

- 1 AN ACT *to create* 166.218 and 895.483 (4) of the statutes; **relating to:** regional  
2 structural collapse teams and granting rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Emergency Management and Continuity of Government. The bill puts in place statutes governing regional teams established to respond to structural collapse emergencies. The bill directs the Division of Emergency Management (division) to contract with local agencies to establish no more than four regional structural collapse teams. Team members must meet specified National Fire Protection Association standards. A team member who is acting under a contract is considered an employee of the state for purposes of worker's compensation benefits. Teams, team members, and the local agencies that contract with the division are immune from civil liability for acts or omissions related to carrying out contract responsibilities.

The bill specifies circumstances in which the division will reimburse a team for costs incurred in responding to a structural collapse emergency, as well as the obligation of a person responsible for a structural collapse to reimburse the division. The bill directs the division to promulgate rules establishing standards to be used to determine whether a team has: (1) made a good faith effort to identify a person responsible for a structural

**BILL**

collapse emergency; and (2) determined the financial ability of a responsible person to reimburse the team for expenses incurred in responding to the emergency.

1           **SECTION 1.** 166.218 of the statutes is created to read:

2           **166.218 Structural collapse emergency response.** (1) A regional  
3 structural collapse team shall assist in the emergency response to a structural  
4 collapse incident in a region of this state designated by the division. The division  
5 shall contract with local agencies, as defined in s. 166.22 (1) (c), to establish no more  
6 than 4 regional structural collapse teams. A member of a regional structural collapse  
7 team shall meet the highest standards for a structural collapse team under the  
8 National Fire Protection Association standards NFPA 1006 and 1670.

9           (2) The division shall reimburse a regional structural collapse team for costs  
10 incurred by the team in responding to an emergency involving a structural collapse  
11 incident if the team determines that a structural collapse emergency requiring a  
12 response existed as provided under the rules promulgated under sub. (5).  
13 Reimbursement under this subsection is limited to amounts collected under sub. (3).  
14 Reimbursement under this subsection is available only if the regional structural  
15 collapse team has done one of the following:

16           (a) Made a good faith effort to identify the person responsible under sub. (3) and  
17 that person cannot be identified.

18           (b) Identified the person responsible under sub. (3) and received  
19 reimbursement from that person to the extent that the person is financially able.

20           (c) Identified the person responsible under sub. (3) and determined that the  
21 person does not have adequate money or other resources to reimburse the regional  
22 structural collapse team.

**BILL**

1           (3) A person shall reimburse the division for costs incurred by a regional  
2 structural collapse team in responding to an emergency if the team determines under  
3 the rules promulgated under sub. (5) that an emergency requiring the team's  
4 response existed and that one of the following conditions applies:

5           (a) The person possessed or controlled a structure that was involved in the  
6 structural collapse.

7           (b) The person caused the structural collapse.

8           (4) A member of a regional structural collapse team who is acting under a  
9 contract under sub. (1) is considered an employee of the state for purposes of worker's  
10 compensation benefits.

11           (5) (a) The division shall promulgate rules establishing standards to be used  
12 to determine all of the following:

13           1. If a regional structural collapse team has made a good faith effort to identify  
14 a person responsible for the emergency involving a structural collapse.

15           2. If a regional structural collapse team has determined that a person  
16 responsible for the emergency involving structural collapse is financially able or has  
17 the money or resources necessary to reimburse the structural collapse team for the  
18 expenses incurred by that team in responding to the emergency.

19           (b) The division shall promulgate rules that establish the procedures that a  
20 regional structural collapse team shall follow to determine if a structural collapse  
21 emergency requiring the team's response existed.

22           **SECTION 2.** 895.483 (4) of the statutes is created to read:

23           895.483 (4) A regional structural collapse team, a member of such a team, and  
24 a local agency, as defined in s. 166.22 (1) (c), that contracts with the division of  
25 emergency management in the department of military affairs for the provision of a

**BILL**

1 regional structural collapse team, are immune from civil liability for acts or  
2 omissions related to carrying out responsibilities under a contract under s. 166.218  
3 (1).

4 (END)



**Parisi, Lori**

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**From:** Shannon, Pam  
**Sent:** Thursday, May 21, 2009 2:40 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2938/1 Topic: Structural collapse

**Please Jacket LRB 09-2938/1 for the ASSEMBLY.**