

**2015 DRAFTING REQUEST**

**Bill**

Received: 10/7/2014 Received By: mgallagh  
 Wanted: As time permits Same as LRB:  
 For: Administration-Budget 266-0239 By/Representing: Stinebrink  
 May Contact: Drafter: mgallagh  
 Subject: Military Affairs - emerg mgt Addl. Drafters:  
 State Govt - miscellaneous Extra Copies: RAC

Submit via email: YES  
 Requester's email:  
 Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov  
 sbostatlanguage@webapps.wi.gov  
 zachary.wyatt@legis.wisconsin.gov

**Pre Topic:**

DOA:.....Stinebrink, BB0141 -

**Topic:**

Establish an Office of Government Continuity

**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> |
|--------------|-----------------------|---------------------|------------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | mgallagh<br>11/7/2014 | evinz<br>11/10/2014 | jfrantze<br>11/3/2014  | _____          | mbarman<br>11/3/2014 |                 | State           |
| /P2          | mgallagh<br>1/13/2015 | evinz<br>1/13/2015  | rschluet<br>11/10/2014 | _____          | srose<br>11/10/2014  |                 | State           |
| /P3          | mgallagh              | kfollett            | jfrantze               | _____          | lparisi              |                 | State           |

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>    | <u>Typed</u>          | <u>Proofed</u> | <u>Submitted</u>     | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|-----------------------|----------------|----------------------|-----------------|-----------------|
|              | 1/23/2015             | 1/23/2015          | 1/23/2015             | _____          | 1/14/2015            |                 |                 |
| /P4          | mgallagh<br>1/28/2015 | jdyer<br>1/29/2015 | jfrantze<br>1/29/2015 | _____          | srose<br>1/24/2015   |                 | State           |
| /P5          |                       |                    |                       | _____          | mbarman<br>1/29/2015 |                 | State           |

FE Sent For:

<END>

### 2015 DRAFTING REQUEST

#### Bill

Received: 10/7/2014 Received By: mgallagh  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 266-0239 By/Representing: Stinebrink  
May Contact: Drafter: mgallagh  
Subject: Military Affairs - emerg mgt Addl. Drafters:  
State Govt - miscellaneous Extra Copies: RAC

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov  
sbostatlanguage@webapps.wi.gov  
zachary.wyatt@legis.wisconsin.gov

---

#### Pre Topic:

DOA:.....Stinebrink, BB0141 -

---

#### Topic:

Establish an Office of Government Continuity

---

#### 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> |
|--------------|-----------------------|---------------------|------------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | mgallagh<br>11/7/2014 | evinz<br>11/10/2014 | jfrantze<br>11/3/2014  | _____          | mbarman<br>11/3/2014 |                 | State           |
| /P2          | mgallagh<br>1/13/2015 | evinz<br>1/13/2015  | rschluet<br>11/10/2014 | _____          | srose<br>11/10/2014  |                 | State           |
| /P3          | mgallagh              | kfollett            | jfrantze               | _____          | lparisi              |                 | State           |

P5 1/29  
jld  
Jb 1/29

|              |                |                 |              |                |                  |                 |                 |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|              | 1/23/2015      | 1/23/2015       | 1/23/2015    | _____          | 1/14/2015        |                 |                 |
| /P4          |                |                 |              | _____          | srose            |                 | State           |
|              |                |                 |              | _____          | 1/24/2015        |                 |                 |

FE Sent For:

<END>

**2015 DRAFTING REQUEST**

**Bill**

Received: **10/7/2014** Received By: **mgallagh**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 266-0239** By/Representing: **Stinebrink**  
May Contact: Drafter: **mgallagh**  
Subject: **Military Affairs - emerg mgt** Addl. Drafters:  
**State Govt - miscellaneous** Extra Copies: **RAC**

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov**  
**zachary.wyatt@legis.wisconsin.gov**

---

**Pre Topic:**

DOA:.....Stinebrink, BB0141 -

---

**Topic:**

Establish an Office of Government Continuity

---

**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> |
|--------------|-----------------------|---------------------|------------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | mgallagh<br>11/7/2014 | evinz<br>11/10/2014 | jfrantze<br>11/3/2014  | _____          | mbarman<br>11/3/2014 |                 | State           |
| /P2          | mgallagh<br>1/13/2015 | evinz<br>1/13/2015  | rschluet<br>11/10/2014 | _____          | srose<br>11/10/2014  |                 | State           |
| /P3          |                       | 1/p4/kf<br>1/23     | jmurphy<br>To          | _____          | lparisi              |                 | State           |

Vers. Drafted

Reviewed

Typed  
1/14/2015

Proofed  
\_\_\_\_\_

Submitted  
1/14/2015

Jacketed

Required

FE Sent For:

<END>

**2015 DRAFTING REQUEST**

**Bill**

Received: 10/7/2014 Received By: mgallagh  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 266-0239 By/Representing: Stinebrink  
May Contact: Drafter: mgallagh  
Subject: Military Affairs - emerg mgt Addl. Drafters:  
State Govt - miscellaneous Extra Copies: RAC

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov  
sbostatlanguage@webapps.wi.gov  
zachary.wyatt@legis.wisconsin.gov

---

**Pre Topic:**

DOA:.....Stinebrink, BB0141 -

---

**Topic:**

Establish an Office of Government Continuity ✓

---

**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> |
|--------------|-----------------------|---------------------|------------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | mgallagh<br>11/7/2014 | evinz<br>11/10/2014 | jfrantze<br>11/3/2014  | _____          | mbarman<br>11/3/2014 |                 | State           |
| /P2          |                       |                     | rschluet<br>11/10/2014 | _____          | srose<br>11/10/2014  |                 | State           |

1/p3 eev 1/p3 eev  
4/13/15 4/13/15  
Dm  
1/4

FE Sent For:

**<END>**



**2015 DRAFTING REQUEST**

**Bill**

Received: **10/7/2014** Received By: **mgallagh**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 266-0239** By/Representing: **Stinebrink**  
May Contact: Drafter: **mgallagh**  
Subject: **Military Affairs - emerg mgt** Addl. Drafters:  
**State Govt - miscellaneous** Extra Copies: **RAC**

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov**  
**zachary.wyatt@legis.wisconsin.gov**

---

**Pre Topic:**

DOA:.....Stinebrink, BB0141 -

---

**Topic:**

Establish an Office of Government Continuity /

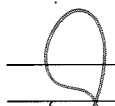

---

**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> |
|--------------|------------------------|--------------------|-----------------------|---|----------------------|-----------------|-----------------|
| /P1          | mgallagh<br>10/31/2014 | evinz<br>11/3/2014 | jfrantze<br>11/3/2014 |              | mbarman<br>11/3/2014 |                 | State           |
| FE Sent For: |                        | pd eeV<br>11/10/14 | pd eeV<br>11/10/14    | <br>11/10/14 | JF                   |                 |                 |

<END>

**2015 DRAFTING REQUEST**

**Bill**

Received: **10/7/2014** Received By: **mgallagh**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 266-0239** By/Representing: **Stinebrink**  
May Contact: Drafter: **mgallagh**  
Subject: **Military Affairs - emerg mgt** Addl. Drafters:  
**State Govt - miscellaneous** Extra Copies: **RAC**

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov** ✓  
**zachary.wyatt@legis.wisconsin.gov**

---

**Pre Topic:**

DOA:.....Stinebrink, BB0141 -

---

**Topic:**

Establish an Office of Government Continuity ✓

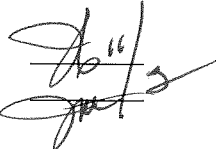
---

**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> |
|--------------|----------------|--------------------|--------------------|---|------------------|-----------------|-----------------|
| /P1          | mgallagh       | 1pl eev<br>11/3/14 | 1pl eev<br>11/3/14 |  |                  |                 |                 |

FE Sent For:

<END>

## Gallagher, Michael

---

**From:** Hanaman, Cathlene  
**Sent:** Tuesday, October 07, 2014 12:18 PM  
**To:** Gallagher, Michael; Champagne, Rick  
**Subject:** FW: Statutory Language Drafting Request - BB0141  
**Attachments:** Establishing an Office of Government Continuity.pdf

This is DOA meets ch. 323. I don't know who would be responsible.

---

**From:** Cory.Stinebrink@Wisconsin.gov [mailto:Cory.Stinebrink@Wisconsin.gov]  
**Sent:** Tuesday, October 07, 2014 12:01 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Stinebrink, Cory R - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0141

Biennial Budget: 2015-17

Topic: Establish an Office of Government Continuity

Tracking Code: BB0141

SBO Team: GGCF

SBO Analyst: Stinebrink, Cory R - DOA  
Phone: (608) 266-0239  
E-mail: [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)

Agency Acronym: DOA

Agency Number: 505

Priority: High

Intent:

For the Department of Administration to develop a centralized Continuity of Operations (COOP) and Continuation of Government (COG) to ensure full enterprise preparedness in the event of an emergency.

The Office would: Establish rules and procedures that govern the COG program and agency COOP plans; Delegate to special designated agents the authority to develop and implement COOP plans at agencies that provide highest level mission essential services; and Oversee the development of exercising of COOP plans at agencies with lower level mission essential services.

Copy of the request is attached.

Attachments: True

Please send completed drafts to [SBOSatlanguage@webapps.wi.gov](mailto:SBOSatlanguage@webapps.wi.gov)

---

**WISCONSIN DEPARTMENT OF ADMINISTRATION**  
2015-17 Biennial Budget Development  
Concept Paper  
Establishing an Office of Government Continuity

**1. Issue**

**COOP/COG.** Requirements for state agency continuity planning are established in Wisconsin Constitution, Sections 16 and 34, Wisconsin Statute § 323.50, with additional material on information security rules related to information security standards in Rule 202.24 of the Wisconsin Administrative Code. State agencies are required to maintain continuity plans in accordance with the overall continuity program, and ensure that they are regularly updated and validated.

The Department of Administration fulfills this requirement through the Continuity of Government (COG) program. Generally, the COG program achieves the following objectives in the event of an emergency or disaster that threatens to disrupt government functions and services:

- Ensure the availability of essential services in a timely manner
- Restore essential functions and services to the public in a timely manner
- Maintain law and order to ensure public safety
- Protect critical infrastructure
- Maintain economic stability by managing the state's finances and ensuring solvency

In practice, COG includes the development and ongoing review, updating, annual exercises and continual improvement of Continuity of Operations (COOP) plans, emergency action and security plans and crisis management plans for all agencies in the Executive Branch.

**COOP.** DOA and other large agencies have assigned staff to oversee COOP plans. COOP plans are specific to individual agencies and are intended to ensure that critical agency services continue to be delivered during a crisis. The agency COOP officer develops and maintains emergency and pandemic plans, provides training and consultation to agency personnel, maintains alternate sites, conducts plan exercises and continually reviews and/or updates the plans. Several medium and small agencies do not have an active COOP program due to their size, an absence of training or a lack of management emphasis.

**Proposal.** It is proposed that DOA develop a centralized COOP/COG office to ensure full enterprise preparedness in the event of an emergency. The Office of Government Continuity would perform the following functions:

1. Establish rules and procedures that govern the COG program and agency COOP plans.
2. Delegate to special designated agents the authority to develop and implement COOP plans at agencies that provide highest level mission essential services.
3. Oversee the development and exercising of COOP plans at agencies with lower level mission essential services.

It is anticipated that the following agencies would be granted delegation to conduct independent COOP functions:

- |   |                               |
|---|-------------------------------|
| • Administration                            | • Military Affairs            |
| • Agriculture Trade and Consumer Protection | • Natural Resources           |
| • Children and Families                     | • Public Instruction          |
| • Corrections                               | • State Fair Park             |
| • Educational Communications Board          | • State Laboratory of Hygiene |
| • Health Services                           | • Transportation              |
| • Investment Board                          | • Veterans Affairs            |
| • Justice                                   | • Workforce Development       |

The Office would oversee COOP plans for the following non-delegated agencies (plus DOA):

- Board for People with Develop Disabilities
- Board of Commissioners of Public Lands
- Board on Aging and Long-Term Care
- Child Abuse and Neglect Prevention Board
- District Attorneys
- Employee Trust Funds
- Employment Relations Commission
- Financial Institutions
- Government Accountability Board
- Governor
- Higher Educational Aids Board
- Historical Society
- Insurance
- Lieutenant Governor
- Lower WI State Riverway Board
- Office of State Employment Relations
- Public Defender
- Public Service Commission
- Revenue
- Safety and Professional Services
- Secretary of State
- State Fair Park
- State Treasurer
- Tourism
- Veterans Affairs
- Wisconsin Technical College System

*Authorities like WEDC?*

**2. Costs in 2015-17**

The Office would be staffed by 5.0 FTE (2.0 existing FTE and 3.0 new FTE) with the following estimated annual costs:

|                     | FY 16            | FY 17            |
|---------------------|------------------|------------------|
| <u>Personnel</u>    |                  |                  |
| Director            | \$124,700        | \$124,700        |
| Manager             | 105,500          | 105,500          |
| Planner             | 48,500           | 64,600           |
| Planner             | 48,500           | 64,600           |
| Planner             | 48,500           | 64,600           |
| Total Salary/Fringe | \$375,700        | \$424,000        |
| Supplies/Services   | \$168,800        | \$168,800        |
| <b>Total</b>        | <b>\$544,500</b> | <b>\$592,800</b> |

The Office would be funded through Program Revenue (PR-S) assessments. Office expense attributed to the COG Director (25%) would be assessed to all delegated and non-delegated agencies. Expenses related to COOP activities (75%) would be assessed to DOA and the non-delegated agencies.

**3. Reallocation Opportunities**

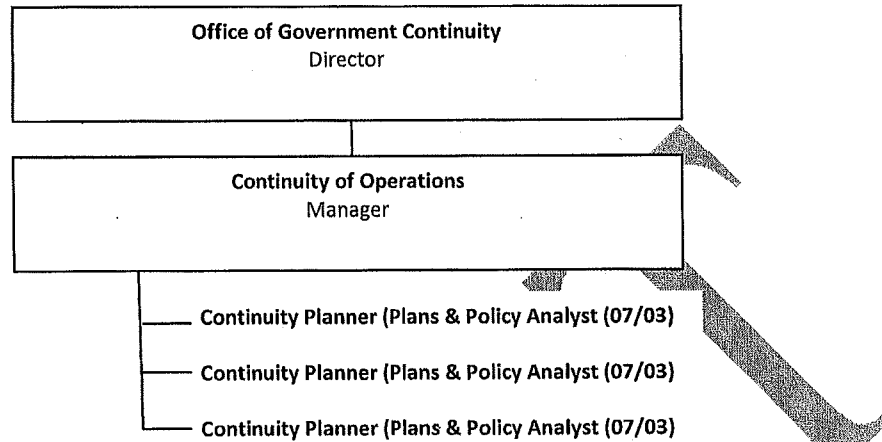
The Director and Manager positions would be reallocated from the current COG and COOP manager positions. The projected annual costs noted above would be offset by current COG/COOP operational expenses of \$291,000 (DOAS \$241,000 + DSF \$50,000) per year.

**4. Long-Term Costs**

The Office would be an ongoing and permanent DOA function. Annual costs increases would largely be driven by salary adjustments, benefit increases and standard adjustments for supplies and services.

## 5. Positions

The Office would be staffed by reallocating 2.0 existing FTE (DOA COG Director, DOA COOP Manager) and creating 3.0 additional FTE that would assist in the oversight and development of non-delegated agency COOP plans. The Office would be assigned to the DOA Division of Administrative Services under the following structure:



## 6. Statutory Language

TBD

## 7. Impact of Denial

Denial of the proposal would maintain the current state:

- Lack of an enterprise approach to continuity program
- Minimal compliance and lack of trained continuity managers/planners
- Lack of standardized enterprise continuity program methodologies for planning, training and exercising
- Currently a “dusty binder” concept without actual up-to-the-minute Standard Operating Procedures (SOPs)
- Relatively unpredictable agency compliance capability regarding Mission Essential Functions in the event of an emergency or disaster in many of the 42 named organizations (see 1. above)
- Lack of centralized leadership encourages agency disinterest in and/or de-prioritization of Continuity Program requirements

## Gallagher, Michael

---

**From:** Stinebrink, Cory R - DOA <Cory.Stinebrink@wisconsin.gov>  
**Sent:** Monday, October 13, 2014 10:28 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Statutory Language Drafting Request - BB0141

Thanks Mike. I will get to work on this for you. I'll have to talk to the agency.

Cory

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Monday, October 13, 2014 10:04 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** FW: Statutory Language Drafting Request - BB0141

Cory: This budget draft is my responsibility. I have a couple of initial questions regarding the legal citations in the attached document.

Under item 1, the document cites "Sections 16 and 34" of the Wisconsin Constitution. The reference to Section 34 appears to be Article IV, Section 34, "continuity of civil government." I haven't determined which Article of the constitution is being referenced for "Section 16." Can you help me out with that? A key word search didn't turn up anything.

Also, the document cites "Rule 202.24" in the Wisconsin Administrative Code. Can you tell me the part of the administrative code in which that rule appears? It is not DOA (ADM) or DMA, which does not appear to have any rules. Again, a key word search did not turn up anything. If you provide the text of the rule, that would work too.

Thanks.

Mike

**Michael P. Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 East Main Street, Suite 200  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267-7511  
[michael.gallagher@legis.wisconsin.gov](mailto:michael.gallagher@legis.wisconsin.gov)

---

**From:** [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov) [mailto:Cory.Stinebrink@Wisconsin.gov]  
**Sent:** Tuesday, October 07, 2014 12:01 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Stinebrink, Cory R - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0141

Biennial Budget: 2015-17

Topic: Establish an Office of Government Continuity

Tracking Code: BB0141

SBO Team: GGCF

SBO Analyst: Stinebrink, Cory R - DOA

Phone: (608) 266-0239

E-mail: [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)

Agency Acronym: DOA

Agency Number: 505

Priority: High

Intent:

For the Department of Administration to develop a centralized Continuity of Operations (COOP) and Continuation of Government (COG) to ensure full enterprise preparedness in the event of an emergency.

The Office would: Establish rules and procedures that govern the COG program and agency COOP plans; Delegate to special designated agents the authority to develop and implement COOP plans at agencies that provide highest level mission essential services; and Oversee the development of exercising of COOP plans at agencies with lower level mission essential services.

Copy of the request is attached.

Attachments: True

Please send completed drafts to [SBOSatlanguage@webapps.wi.gov](mailto:SBOSatlanguage@webapps.wi.gov)



## Gallagher, Michael

---

**From:** Gallagher, Michael  
**Sent:** Monday, October 13, 2014 10:04 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** FW: Statutory Language Drafting Request - BB0141  
**Attachments:** Establishing an Office of Government Continuity.pdf

Cory: This budget draft is my responsibility. I have a couple of initial questions regarding the legal citations in the attached document.

Under item 1, the document cites "Sections 16 and 34" of the Wisconsin Constitution. The reference to Section 34 appears to be Article IV, Section 34, "continuity of civil government." I haven't determined which Article of the constitution is being referenced for "Section 16." Can you help me out with that? A key word search didn't turn up anything.

Also, the document cites "Rule 202.24" in the Wisconsin Administrative Code. Can you tell me the part of the administrative code in which that rule appears? It is not DOA (ADM) or DMA, which does not appear to have any rules. Again, a key word search did not turn up anything. If you provide the text of the rule, that would work too.

Thanks.

Mike

**Michael P. Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 East Main Street, Suite 200  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267-7511  
[michael.gallagher@legis.wisconsin.gov](mailto:michael.gallagher@legis.wisconsin.gov)

---

**From:** [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov) [mailto:[Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)]  
**Sent:** Tuesday, October 07, 2014 12:01 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Stinebrink, Cory R - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0141

Biennial Budget: 2015-17

Topic: Establish an Office of Government Continuity

Tracking Code: BB0141

SBO Team: GGCF

SBO Analyst: Stinebrink, Cory R - DOA  
Phone: (608) 266-0239  
E-mail: [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)

Agency Acronym: DOA

Agency Number: 505

Priority: High

Intent:

For the Department of Administration to develop a centralized Continuity of Operations (COOP) and Continuation of Government (COG) to ensure full enterprise preparedness in the event of an emergency.

The Office would: Establish rules and procedures that govern the COG program and agency COOP plans; Delegate to special designated agents the authority to develop and implement COOP plans at agencies that provide highest level mission essential services; and Oversee the development of exercising of COOP plans at agencies with lower level mission essential services.

Copy of the request is attached.

Attachments: True

Please send completed drafts to [SBOSatlanguage@webapps.wi.gov](mailto:SBOSatlanguage@webapps.wi.gov)

## Gallagher, Michael

---

**From:** Stinebrink, Cory R - DOA <Cory.Stinebrink@wisconsin.gov>  
**Sent:** Wednesday, October 29, 2014 10:39 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Statutory Language Drafting Request - BB0141

Waiting for agency feedback. I will send a reminder.

Cory

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Wednesday, October 29, 2014 10:38 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** RE: Statutory Language Drafting Request - BB0141

Cory: Any word on this yet?

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** Stinebrink, Cory R - DOA [mailto:Cory.Stinebrink@wisconsin.gov]  
**Sent:** Monday, October 13, 2014 10:28 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Statutory Language Drafting Request - BB0141

Thanks Mike. I will get to work on this for you. I'll have to talk to the agency.

Cory

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Monday, October 13, 2014 10:04 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** FW: Statutory Language Drafting Request - BB0141

Cory: This budget draft is my responsibility. I have a couple of initial questions regarding the legal citations in the attached document.

Under item 1, the document cites "Sections 16 and 34" of the Wisconsin Constitution. The reference to Section 34 appears to be Article IV, Section 34, "continuity of civil government." I haven't determined which Article of the constitution is being referenced for "Section 16." Can you help me out with that? A key word search didn't turn up anything.

Also, the document cites "Rule 202.24" in the Wisconsin Administrative Code. Can you tell me the part of the administrative code in which that rule appears? It is not DOA (ADM) or DMA, which does not appear to have any rules. Again, a key word search did not turn up anything. If you provide the text of the rule, that would work too.

Thanks.

Mike

**Michael P. Gallagher**

Legislative Attorney

Wisconsin Legislative Reference Bureau

1 East Main Street, Suite 200

P.O. Box 2037

Madison, WI 53701-2037

(608) 267-7511

[michael.gallagher@legis.wisconsin.gov](mailto:michael.gallagher@legis.wisconsin.gov)

---

**From:** [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov) [mailto:[Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)]

**Sent:** Tuesday, October 07, 2014 12:01 PM

**To:** Hanaman, Cathlene

**Cc:** Kraus, Jennifer - DOA; Stinebrink, Cory R - DOA; Connor, Christopher B - DOA

**Subject:** Statutory Language Drafting Request - BB0141

Biennial Budget: 2015-17

Topic: Establish an Office of Government Continuity

Tracking Code: BB0141

SBO Team: GGCF

SBO Analyst: Stinebrink, Cory R - DOA

Phone: (608) 266-0239

E-mail: [Cory.Stinebrink@Wisconsin.gov](mailto:Cory.Stinebrink@Wisconsin.gov)

Agency Acronym: DOA

Agency Number: 505

Priority: High

Intent:

For the Department of Administration to develop a centralized Continuity of Operations (COOP) and Continuation of Government (COG) to ensure full enterprise preparedness in the event of an emergency.

The Office would: Establish rules and procedures that govern the COG program and agency COOP plans; Delegate to special designated agents the authority to develop and implement COOP plans at agencies that provide highest level mission essential services; and Oversee the development of exercising of COOP plans at agencies with lower level mission essential services.

Copy of the request is attached.

Attachments: True

Please send completed drafts to [SBOSatlanguage@webapps.wi.gov](mailto:SBOSatlanguage@webapps.wi.gov)



In: 10/31  
Boos



Leav

DOA:.....Stinebrink, BB0141 - Establish an Office of Government Continuity

**FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION**

SAV  
xref N/A

don't gen

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

*Analysis by the Legislative Reference Bureau*

✓ **MILITARY AFFAIRS**

**EMERGENCY MANAGEMENT**

Under current law, DMA administers Wisconsin's emergency management system through its Division of Emergency Management, commonly referred to as "Wisconsin Emergency Management" (WEM). The purpose of the system is to prepare the state and its subdivisions and American Indian tribes to plan for, respond to, recover from, and mitigate emergencies resulting from enemy action and natural or human-caused disasters. WEM is headed by an administrator appointed by the Governor. Also, under current law, the Wisconsin constitution requires the legislature to take measures to ensure the continuity of government operations during certain disasters resulting from enemy action.

1c

5

DOA

This bill creates the Office of Continuity of Government (office), which, under the bill, is attached to the Department of Administration and under the direction and supervision of a director who serves at the governor's pleasure. Under the bill, the office must consult with the administrator of WEM to establish and administer a program to ensure the continuity of government operations during a disaster. The bill also requires the office to establish and administer the implementation of a plan for the continuity of government operations during a disaster for each agency or

other body in the executive branch of state government. The bill authorizes the office to delegate the responsibility to establish and implement a continuity of government operations plan to any agency with respect to that agency's plan.

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.** 15.105 (34) of the statutes is created to read:

2           15.105 (34) OFFICE OF CONTINUITY OF GOVERNMENT. There is created an office of  
3 continuity of government, attached to the department of administration under s.  
4 15.03 under the direction and supervision of a director. The director shall serve at  
5 the pleasure of the governor.

6           **SECTION 2.** 16.20 of the statutes is created to read:

7           **16.20 Office of continuity of government. (1) DEFINITIONS.** In this section:

8           (a) "Disaster" has the meaning given in s. 323.02 (6).

9           (b) "State agency" means an office, commission, board, department, or  
10 independent agency in the executive branch of state government.

11           **(2) CONTINUITY OF GOVERNMENT OPERATIONS DURING A DISASTER.** The office of  
12 continuity of government shall do all of the following:

13           (a) In consultation with the administrator of the division of emergency  
14 management, establish and administer a program to ensure the continuity of state  
15 government operations during a disaster.

16           (b) Except as provided in sub. (3), establish, and periodically update, for each  
17 state agency a plan for the continuity of government operations in that state agency  
18 during a disaster. The office of continuity of government shall administer each state  
19 agency's implementation of the plan established under this paragraph.

1 (c) Promulgate rules necessary to implement this subsection.

2 (3) DELEGATION TO STATE AGENCIES. The office of continuity of government may  
3 delegate to any state agency the office's authority under sub. (2) (b) with respect to  
4 that state agency.

5 (4) ASSESSMENTS TO STATE AGENCIES. The office of continuity of government shall  
6 annually assess to each state agency an amount equal to that state agency's  
7 proportionate share of the office's annual costs incurred under this subsection in  
8 accordance with a method of apportionment determined by the office.

9 SECTION 3. 20.547 of the statutes is created to read:

10 **20.547 Office of continuity of government.** There is appropriated to the  
11 office of continuity of government for the following programs:

12 (1) CONTINUITY OF GOVERNMENT OPERATIONS. (a) *General program operations.*  
13 The amounts in the schedule for the general program operations of the office of  
14 continuity of government.

15 (k) *Continuity of government operations program and plans.* The amounts in  
16 the schedule to establish and administer the continuity of government operations  
17 program and plans under s. 16.20 (2) (a) and (b). All moneys received from  
18 assessments under s. 16.20 (4) shall be credited to this appropriation account.

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

19

(END)

## Gallagher, Michael

---

**From:** Stinebrink, Cory R - DOA <Cory.Stinebrink@wisconsin.gov>  
**Sent:** Friday, November 07, 2014 10:50 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Yeah. If that makes things cleaner and easier, that's fine by me.

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:48 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

It may be better to not use the word "office" so as to avoid confusion about the status of the program in DOA (i.e. that it is not an office "attached for limited purposes" under s. 15.03). Is it okay for me to get rid of all "office" language? I'll just have the draft direct DOA to establish the continuity of government program and pretty much keep the program as-is. Of course, if DOA wants to call the folks who administer the program in DOA an "office," nothing prevents that. I'm just trying to avoid any confusion in the stats.

Let me know your thoughts. Thanks.

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** Stinebrink, Cory R - DOA [mailto:Cory.Stinebrink@wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:10 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Yes. Thanks.

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:09 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Okay. Sounds like we want to call it an office but not create it under 15.03—instead, just require DOA to create the office. Yes, that will require a redraft. Do you want me to go ahead with that?

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** Stinebrink, Cory R - DOA [mailto:Cory.Stinebrink@wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:03 AM



**To:** Gallagher, Michael

**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

I don't believe at this point the director would be an unclassified position. That might still be in discussion at the moment, but for now I don't believe it is. The only re-draft instructions I would have right now is that this office would be an office within the Department of Administration, not a separate agency number.

---

**From:** Gallagher, Michael [<mailto:Michael.Gallagher@legis.wisconsin.gov>]

**Sent:** Friday, November 07, 2014 8:15 AM

**To:** Stinebrink, Cory R - DOA

**Subject:** FW: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Cory:

On this draft, I neglected to list the director as an unclassified position under s. 230.08 (2). Also, the s. 20.923 (6). Let me know if this is not consistent with the intent. Otherwise, I will redraft accordingly.

Thanks.

Mike

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** LRB.Legal

**Sent:** Monday, November 03, 2014 11:57 AM

**To:** Gallagher, Michael

**Subject:** Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

**Draft Requester: Administration-Budget**

**Following is the PDF version of draft LRB -0394/P1.**

## Gallagher, Michael

---

**From:** Stinebrink, Cory R - DOA <Cory.Stinebrink@wisconsin.gov>  
**Sent:** Friday, November 07, 2014 10:10 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Yes. Thanks.

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:09 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Okay. Sounds like we want to call it an office but not create it under 15.03—instead, just require DOA to create the office. Yes, that will require a redraft. Do you want me to go ahead with that?

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** Stinebrink, Cory R - DOA [mailto:Cory.Stinebrink@wisconsin.gov]  
**Sent:** Friday, November 07, 2014 10:03 AM  
**To:** Gallagher, Michael  
**Subject:** RE: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

I don't believe at this point the director would be an unclassified position. That might still be in discussion at the moment, but for now I don't believe it is. The only re-draft instructions I would have right now is that this office would be an office within the Department of Administration, not a separate agency number.

---

**From:** Gallagher, Michael [mailto:Michael.Gallagher@legis.wisconsin.gov]  
**Sent:** Friday, November 07, 2014 8:15 AM  
**To:** Stinebrink, Cory R - DOA  
**Subject:** FW: Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

Cory:

On this draft, I neglected to list the director as an unclassified position under s. 230.08 (2). Also, the s. 20.923 (6). Let me know if this is not consistent with the intent. Otherwise, I will redraft accordingly.

Thanks.

Mike

**Mike Gallagher**  
Legislative Attorney  
Wisconsin Legislative Reference Bureau  
(608) 267-7511

---

**From:** LRB.Legal

**Sent:** Monday, November 03, 2014 11:57 AM

**To:** Gallagher, Michael

**Subject:** Draft review: LRB -0394/P1 Topic: Establish an Office of Government Continuity

**Draft Requester: Administration-Budget**

**Following is the PDF version of draft LRB -0394/P1.**



IN: 11/7

State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0394/PT  
MPG:eev:jf

DOA:.....Stinebrink, BB0141 - Establish an Office of Government Continuity

PC

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

don't gen

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

*Analysis by the Legislative Reference Bureau*

✓ **MILITARY AFFAIRS**

✓ **EMERGENCY MANAGEMENT**

Under current law, DMA administers Wisconsin's emergency management system through its Division of Emergency Management, commonly referred to as "Wisconsin Emergency Management" (WEM). The purpose of the system is to prepare the state and its subdivisions and American Indian tribes to plan for, respond to, recover from, and mitigate emergencies resulting from enemy action and natural or human-caused disasters. WEM is headed by an administrator appointed by the governor. Also, under current law, the Wisconsin Constitution requires the legislature to take measures to ensure the continuity of government operations during certain disasters resulting from enemy action.

This bill creates the Office of Continuity of Government (office), which, under the bill, is attached to DOA and under the direction and supervision of a director who serves at the governor's pleasure. Under the bill, the office must consult with the administrator of WEM to establish and administer a program to ensure the continuity of government operations during a disaster. The bill also requires the office to establish and administer the implementation of a plan for the continuity of government operations during a disaster for each agency or other body in the

requires DOA to

Under that program,  
DOA must

DOA

executive branch of state government. The bill authorizes the office to delegate the responsibility to establish and implement a continuity of government operations plan to any agency with respect to that agency's plan.

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. 15.105 (34) of the statutes is created to read:

2 15.105 (34) OFFICE OF CONTINUITY OF GOVERNMENT. There is created an office of  
3 continuity of government, attached to the department of administration under s.  
4 15.03, under the direction and supervision of a director. The director shall serve at  
5 the pleasure of the governor.

6 SECTION 2. 16.20 of the statutes is created to read:

7 16.20 Office of continuity of government (1) DEFINITIONS. In this section:

8 (a) "Disaster" has the meaning given in s. 323.02 (6).

9 (b) "State agency" means an office, commission, board, department, or  
10 independent agency in the executive branch of state government.

11 (2) CONTINUITY OF GOVERNMENT OPERATIONS DURING A DISASTER. The office of

12 continuity of government shall do all of the following:

13 no ff -> (a) In consultation with the administrator of the division of emergency  
14 management, the department shall establish and administer a program to ensure the continuity of state  
15 government operations during a disaster.

16 (b) Except as provided in sub. (3), the department shall establish, and periodically update, for each  
17 state agency a plan for the continuity of government operations in that state agency

18 during a disaster. The office of continuity of government shall administer each state  
19 agency's implementation of the plan established under this paragraph.

operations  
B

The office of

under the program established under par. (a), the department shall

department

The department shall

1

(c) Promulgate rules necessary to implement this subsection.

department

2

(3) DELEGATION TO STATE AGENCIES. The office of continuity of government may

3

delegate to any state agency the office's authority under sub. (2) (b) with respect to

4

that state agency.

department's

5

(4) ASSESSMENTS TO STATE AGENCIES. The office of continuity of government shall

6

annually assess to each state agency an amount equal to that state agency's

7

proportionate share of the office's annual costs incurred under this section in

8

accordance with a method of apportionment determined by the office.

505 (1)  
B

SECTION 3. 20.547 of the statutes is created to read:

10

20.547 Office of continuity of government. There is appropriated to the

11

office of continuity of government for the following programs:

12

(1) CONTINUITY OF GOVERNMENT OPERATIONS. (a) General program operations.

13

The amounts in the schedule for the general program operations of the office of

14

continuity of government.

15

not

(k) Continuity of government operations program and plans. The amounts in

16

the schedule to establish and administer the continuity of government operations

17

program and plans under s. 16.20 (2) (a) and (b). All moneys received from

18

assessments under s. 16.20 (4) shall be credited to this appropriation account.

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

19

(END)