



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0394/P5
MPG:eev&jld:jf

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

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

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 an Office of Continuity of Government (office) in DOA. The bill requires the office to consult with the administrator of WEM to establish and administer a program to ensure the continuity of government operations during a disaster. Under that program, the office must establish and cooperate with each state agency 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 state 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:

SECTION 1. 15.105 (34) of the statutes is created to read:

15.105 (34) Office of continuity of government. There is created in the department of administration an office of continuity of government.

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

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

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

(b) "Office" means the office of continuity of government created under s. 15.105 (34).

(c) "State agency" means any office, commission, board, department, or independent agency in the executive branch of state government.

(2) CONTINUITY OF GOVERNMENT OPERATIONS DURING A DISASTER. (a) In consultation with the administrator of the division of emergency management, the office shall establish and administer a continuity of government program to ensure the continuity of state government operations during a disaster.

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

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

(4) ASSESSMENTS TO STATE AGENCIES. The department shall annually assess to each state agency an amount equal to that state agency's proportionate share of the department's annual costs incurred under this section in accordance with a method of apportionment determined by the department.

SECTION 3. 20.505 (1) (ka) of the statutes is amended to read:

20.505 (1) (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is), and (kb) to (ku) and subs. (2) (k) and (5) (ka); to repurchase inventory items sold primarily to state agencies or such districts; to pay expenses of committees created by law or executive order; to pay this state's contribution to the advisory commission on intergovernmental relations, ~~and; to pay for the operation of the office of lean government~~ to pay state membership dues, travel expenses, and miscellaneous expenses for state participation in the Council of State Governments, the Education Commission of the States under s. 39.76, the Council of Great Lakes Governors, the Great Lakes Commission, and such other national or regional interstate governmental bodies as the governor determines; and to pay for the services and operations of the office of continuity of government under s. 16.20. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, and all moneys received from assessments under s. 16.20 (4), other than moneys received and disbursed under pars. (im), (is), and (kb) to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 3

***NOTE: This is reconciled s. 20.505 (1) (ka). This SECTION has been affected by drafts with the following LRB numbers:-0385/5 and -0394/P4.

(END)