



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-0998/P3  
MLJ:cdc

DOA:.....Stinebrink, BB0343 - Wisconsin Task Force 1

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**MILITARY AFFAIRS**

***Urban search and rescue task force***

Under current law, a regional structural collapse team contracted with the Division of Emergency Management in the DMA is required to respond to structural collapse incidents that meet criteria established by the division. Under current law, a team may respond only to incidents of structural collapse. This bill changes the team's designation from being a structural collapse team to an urban search and rescue task force, as designated by the National Fire Protection Association and Emergency Management Accreditation program standards. This change allows an urban search and rescue task force to respond to a wider variety of incidents.

Under current law, when a regional structural collapse team responds to an incident, the team must make a good faith effort to identify the party who is responsible for the structural collapse and provide that information to the Division of Emergency Management to seek reimbursement from that party. Any reimbursement to a regional structural collapse team is limited to the amounts collected by the Division of Emergency Management. Under the bill, this limitation on reimbursement is removed, and DMA must reimburse within 60 days local agencies that provided services as part of an urban search and rescue task force if agencies apply for reimbursement within 45 days of the conclusion of the task force's deployment. DMA may seek reimbursement for those services from any responsible party.

The bill also allows DMA to reimburse a local agency for any increase in contributions for duty disability premiums because an employee incurred an injury while performing duties as a member of an urban search and rescue task force.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 20.465 (3) (dv) of the statutes is created to read:

20.465 (3) (dv) *Urban search and rescue task force.* The amounts in the schedule for training, equipment, and administrative costs for an urban search and rescue task force under s. 323.72.

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

**SECTION 2.** 20.465 (3) (hm) of the statutes is created to read:

20.465 (3) (hm) *Urban search and rescue task force supplement.* All moneys received under s. 323.72 (3) as reimbursement for expenses incurred for an urban search and rescue task force response to be used for response costs of a local agency for an urban search and rescue task force deployment under s. 323.72 (1) and for reimbursement to a local agency for any increase in contributions for duty disability premiums under s. 40.05 (2) (aw) for employees who receive duty disability benefits under s. 40.65 because of an injury incurred while performing duties as a member of an urban search and rescue task force under a contract under s. 323.72 (1).

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

**SECTION 3.** 40.05 (2) (aw) of the statutes is created to read:

40.05 (2) (aw) For purposes of this subsection, the participating employer of an employee subject to s. 40.65 who is on a deployment, training, or readiness exercise as the member of an urban search and rescue task force under a contract under s.

323.72 (1) is the local agency, and the local agency shall contribute any additional percentage or percentages related to the deployment, training, or readiness exercises under a contract under s. 323.72 (1) as calculated by the actuary under s. 40.03 (5) (c). A local agency may seek reimbursement from the department of military affairs under s. 323.72 (2m).

**SECTION 4.** 40.06 (8) of the statutes is created to read:

40.06 (8) For periods during which a protective occupation participant who is a participating employee is on a deployment, training, or readiness exercise with an urban search and rescue task force under a contract under s. 323.72 (1), all of the following shall apply:

(a) The employer remits required contributions to the department under s. 40.05 (1) (a) and (2) (a).

(b) The employer reports to the department service and earnings that are at least the same rate the employee would have received if the employee had not been on the deployment, training, or readiness exercise.

**SECTION 5.** 323.72 (title) of the statutes is amended to read:

**323.72** (title) ~~Structural collapse~~ Urban search and rescue emergency response.

**SECTION 6.** 323.72 (1) of the statutes is amended to read:

323.72 (1) ~~A regional structural collapse team~~ An urban search and rescue task force designated by the division shall assist in the at the discretion of the division in an emergency response to a structural collapse incident in a region of this state designated by the division involving search, rescue, and recovery in the technical rescue disciplines to include structural collapse, rope rescue, vehicle extrication, machinery extrication, confined space, trench, excavation, and water operations in

~~an urban search and rescue environment.~~ Whenever ~~a regional structural collapse team~~ an urban search and rescue task force assists in an emergency response under this subsection, it ~~the division~~ shall determine under the rules promulgated under sub. (5) whether an emergency requiring the team's urban search and rescue task force's response existed. If the ~~regional structural collapse team~~ division determines that such an emergency existed, it shall make a good faith effort to identify the person who is required to reimburse the division under sub. (3) ~~and shall provide that information to the division.~~ The division shall contract with local agencies, as defined in s. 323.70 (1) (b), to establish ~~no more than 4 regional structural collapse teams~~ an urban search and rescue task force. A member of ~~a regional structural collapse team~~ an urban search and rescue task force shall meet the highest training, competency, and job performance requirement standards for a ~~structural collapse team~~ search and rescue task force under the National Fire Protection Association standards NFPA 472, 1006, and 1670, and the urban search and rescue standard by the Emergency Management Accreditation program ANSI/EMAP US&R 2-2019.

**SECTION 7.** 323.72 (2) of the statutes is amended to read:

323.72 (2) The ~~From the appropriation under s. 20.465 (3) (h) or (hm), the~~ division shall reimburse a ~~regional structural collapse team~~ local agency under sub. (1) for costs incurred by the ~~team~~ local agency in responding to an emergency involving a ~~structural collapse incident if the team determines that a structural collapse emergency requiring a~~ an urban search and rescue task force response existed ~~as provided under the rules promulgated under sub. (5) if the division determines that such a response was necessary.~~ Reimbursement under this subsection is limited to amounts collected under sub. (3). ~~Reimbursement under this subsection is available only if the regional structure collapse team has identified the~~

~~person who is required to reimburse the division under sub. (3) and provided that information to the division shall be issued to the local agency within 60 days after receiving a complete application for reimbursement on a form prescribed by the division if the agency applies for reimbursement within 45 days after the conclusion of the deployment of the urban search and rescue task force.~~

**SECTION 8.** 323.72 (2m) of the statutes is created to read:

323.72 (2m) From the appropriation under s. 20.465 (3) (hm), the division shall reimburse a local agency under sub. (1) for costs incurred by the local agency for any increase in contributions for duty disability premiums under s. 40.05 (2) (aw) for employees who receive duty disability benefits under s. 40.65 because of an injury incurred while performing duties as a member of an urban search and rescue task force under sub. (1).

**SECTION 9.** 323.72 (3) of the statutes is amended to read:

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

(a) The person possessed or controlled a ~~structure~~ property that was involved in the ~~structural collapse~~ emergency.

(b) The person caused the ~~structural collapse~~ emergency.

**SECTION 10.** 323.72 (4) of the statutes is amended to read:

323.72 (4) A member of ~~a regional structural collapse team~~ an urban search and rescue task force who is acting under a contract under sub. (1) is considered an employee of the state for purposes of worker's compensation benefits.

**SECTION 11.** 323.72 (5) of the statutes is repealed.

**SECTION 12.** 323.72 (7) of the statutes is created to read:

323.72 (7) In this section, “urban search and rescue task force” means a type 1 urban search and rescue task force, type 3 urban search and rescue task force, or any component thereof, as designated by the Federal Emergency Management Agency National Incident Management System resource typing system.

**SECTION 13.** 895.483 (4) of the statutes is amended to read:

895.483 (4) ~~A regional structural collapse team~~ An urban search and rescue task force, a member of such a ~~team~~ task force, and a local agency, as defined in s. 323.70 (1) (b), that contracts with the division of emergency management in the department of military affairs for the provision of ~~a regional structural collapse team~~ emergency services, are immune from civil liability for acts or omissions related to carrying out responsibilities under a contract under s. 323.72 (1).

(END)