

Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 104 [2021 Senate Bill 374]

Urban Search and Rescue Task Forces and Regional Emergency Response Teams

BACKGROUND

Under Wisconsin law, the Department of Military Affairs (DMA) contracts with regional emergency response teams, which assist in the emergency response to Level A releases of hazardous substances.¹ Prior law also required DMA to contract with local agencies to establish “regional collapse support teams” to assist in the emergency response to a structural collapse.

Under prior law, DMA was authorized to reimburse a regional emergency response team only if the team made a good faith effort to identify the person responsible and either: (1) the person could not be identified; or (2) the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the emergency response team. Also under prior law, DMA was authorized to reimburse a regional collapse support team only if the team determined that a structural collapse emergency requiring a response existed as provided under rules promulgated by DMA, and only to the extent DMA collected from the party responsible for the costs.

2021 WISCONSIN ACT 104

2021 Act 104 changes the designation of a regional collapse support team to an “urban search and rescue task force” and expands the scope of emergencies with which these teams shall assist. Under the act, an urban search and rescue task force designated by DMA shall assist in an emergency response “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 rescue environment.”

The act also makes changes to the circumstances under which DMA shall reimburse both urban search and rescue task forces and regional emergency response teams. The act requires DMA to reimburse local agencies that provided services within 60 days after receiving a complete application for reimbursement if the agency applies for reimbursement within 45 days after the conclusion of the deployment of the urban search and rescue task force or regional emergency response team. The act allows a local agency to seek reimbursement from DMA for any duty disability premium costs related to an employee’s service on an urban search and rescue task force or regional emergency response team.

Effective date: December 5, 2021

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¹ A “Level A release” is defined to mean the “release of a hazardous substance that necessitates the highest level of protective equipment for the skin and respiratory systems of emergency response personnel because any of various statutorily enumerated conditions are present.” [s. 323.02 (11, Stats.)