



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 75**

March 7, 1995 – Offered by COMMITTEE ON ENVIRONMENT AND ENERGY.

1 **AN ACT to amend** 20.465 (3) (rp), 166.21 (2) (bm), 166.215 (1), 166.215 (2),
2 895.483 (title), 895.483 (1) and 895.483 (2); and **to create** 20.465 (3) (rt), 166.22
3 (3m) and 895.483 (3) of the statutes; **relating to:** grants to emergency response
4 teams, creating immunity from civil liability for local agencies that sponsor
5 regional or county emergency response teams and making an appropriation.

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

6 **SECTION 1.** 20.465 (3) (rp) of the statutes is amended to read:
7 20.465 (3) (rp) *Emergency response equipment.* From the transportation fund,
8 the amounts in the schedule for grants for the costs of computers and emergency
9 response equipment under s. 166.21 (2) (bm). Notwithstanding s. 20.001 (3) (a), the
10 unencumbered balance of this appropriation on June 30 of each year shall be
11 transferred to the appropriation account under par. (rt), except that transfers to the
12 appropriation account under par. (rt) shall cease whenever the balance in the
13 appropriation account under par. (rt) exceeds \$500,000 and shall not recommence
14 until the balance in the appropriation account under par. (rt) is less than \$400,000.

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

2 20.465 (3) (rt) *Emergency response supplement.* All moneys transferred from
3 the appropriation under par. (rp), to be used for response costs of a regional
4 emergency response team that are not reimbursed under s. 166.215 (2) or (3) and for
5 response costs of a local agency that are not reimbursed under s. 166.22 (4). No
6 moneys may be encumbered from the appropriation under this paragraph after June
7 30, 1999.

8 **SECTION 3.** 166.21 (2) (bm) of the statutes is amended to read:

9 166.21 (2) (bm) Subject to sub. (2m), ~~50%~~ 80% of the costs of computers and
10 emergency response equipment, but not to exceed \$10,000, of which not more than
11 \$6,000 may be for computers. In-kind contributions may be used to meet the
12 committee's contribution under this paragraph.

13 **SECTION 4.** 166.215 (1) of the statutes is amended to read:

14 166.215 (1) The board shall contract with no fewer than 7 and no more than
15 11 regional emergency response teams, each of which will assist in the emergency
16 response to level A releases in a region of this state designated by the board. The
17 board shall contract with at least one regional emergency response team in each area
18 designated under s. 166.03 (2) (b) 1. The board may only contract with public
19 ~~organizations~~ a local agency, as defined in s. 166.22 (1) (c), under this subsection. A
20 member of a regional emergency response team shall meet the standards for a
21 hazardous materials specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire
22 protection association standards NFPA 471 and 472. A contract under this
23 subsection may provide for payments to the regional emergency response team in
24 addition to the reimbursement provided in sub. (2).

25 **SECTION 5.** 166.215 (2) of the statutes is amended to read:

1 166.215 (2) The board shall reimburse a regional emergency response team for
2 costs incurred by the team in responding to a level A release under sub. (1).
3 Reimbursement under this subsection is limited to amounts collected under sub. (3)
4 and the ~~amount~~ amounts appropriated under s. 20.465 (3) (rg) and (rt).
5 Reimbursement is available under s. 20.465 (3) (rt) only if the regional emergency
6 response team has made a good faith effort to identify the person responsible under
7 sub. (3) and that person cannot be identified, or, if that person is identified, the team
8 has received reimbursement from that person to the extent that the person is
9 financially able or has determined that the person does not have adequate money or
10 other resources to reimburse the regional emergency response team.

11 **SECTION 6.** 166.22 (3m) of the statutes is created to read:

12 166.22 (3m) The board shall reimburse a local emergency response team for
13 costs incurred by the team in responding to a hazardous substance discharge under
14 sub. (3). Reimbursement under this subsection is limited to the amount
15 appropriated under s. 20.465 (3) (rt). Reimbursement is available under s. 20.465
16 (3) (rt) only if the local emergency response team has made a good faith effort to
17 identify the person responsible under sub. (4) and that person cannot be identified,
18 or, if that person is identified, the team has received reimbursement from that person
19 to the extent that the person is financially able or has determined that the person
20 does not have adequate money or other resources to reimburse the local emergency
21 response team.

22 **SECTION 7.** 895.483 (title) of the statutes is amended to read:

23 **895.483** (title) **Civil liability exemption; regional and county**
24 **emergency response team teams and their sponsoring agencies.**

25 **SECTION 8.** 895.483 (1) of the statutes is amended to read:

