



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Senate Bill 5

Senate Amendment 1

Memo published: May 2, 2001

Contact: Don Dyke, Senior Staff Attorney (266-0292)

Among other things, Senate Bill 5 requires the Division of Emergency Management in the Department of Military Affairs to promulgate rules establishing procedures for emergency response teams to use to determine if an emergency requiring the team's response exists as the result of a release or potential release of a hazardous substance. The intent is that, by following the rules, emergency response teams will avoid unnecessary, costly responses.

Senate Amendment 1 allows the Division of Emergency Management to promulgate emergency rules, without evidence of or a finding of an emergency, to establish the above procedures for local emergency response teams. Under the bill, a condition of reimbursement by responsible parties of costs incurred by local emergency response teams is compliance by the response team with the procedures established by the rules in determining whether to respond. (Note that the emergency rule provision does not apply to rules establishing procedures for "regional" emergency response teams to follow in determining whether a hazardous substance release emergency exists; these teams are currently subject to such procedures by contract.) The amendment will allow the rules to be in place immediately while permanent rules are being promulgated.

Senate Amendment 1 was recommended for adoption by the Senate Committee on Universities, Government Operations and Housing by a vote of Ayes, 7, Noes, 0, on April 25, 2001.

DD:wu:rv;jal