



MIKE ROHRKASTE

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

To: Representative Spiros and members of the Assembly Committee on Criminal Justice and Public Safety
From: Representative Mike Rohrkaste, 55th Assembly District
Date: January 9, 2020
Re: 2019 Assembly Bill 568

Thank you for the opportunity to testify in favor of Assembly Bill 568, relating to a disaster response team at the Department of Military Affairs (DMA). This team is at a crossroads and our state statutes must change if we wish to see the program continue.

Following the attacks on September 11th, 2001, the federal government supported the need for well-trained local first responders with billions of dollars in homeland security grants. Support for training, exercising, and equipment for Task Force 1 has come from these homeland security grants – beginning with \$3.6 million in Fiscal Year 2004 and reducing gradually to today's level of roughly \$700,000 per year. Currently, 11 fire departments participate on Wisconsin Task Force 1, sending personnel to partake in trainings and any deployments that may be requested through the Division of Emergency Management at the Wisconsin Department of Military Affairs.

This framework has benefits for both local governments throughout the state, whether they participate in Task Force 1 or not, and the state of Wisconsin as well. However, it needs some significant alterations in order to continue working for both sides of the partnership. The contract signed by the 11 departments has lapsed and current law must be updated. Specifically, the 11 departments wish to accomplish four main objectives:

- 1) Update statute to allow the team to be utilized to its fully trained potential. This includes All Hazards Urban Search and Rescue Capability, including but not limited to collapse, trench, confined space, high angle, cave, wide area search, swift water rescue, and flood response.
- 2) Increase funding to sustain full team capacity of 250-750 members, providing for the administration, training, emergency exercises, and equipment needs of the program.
- 3) Provide certainty to municipalities that participate by designating the state of Wisconsin as the responsible party while awaiting reimbursement from other states or Canadian provinces.
- 4) Assume responsibility during state deployments for any duty disability that may arise.

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Assembly Bill 568 accomplishes these four items. First, sections six and seven amend statutory authorization for when the team may be deployed. Second, the bill appropriates \$500,000 GPR annually to augment and grow the team and provide funding certainty, even as homeland security grants are diminishing. The third and fourth points are interrelated, and addressed by creating an account at DMA from which payments to municipalities may be made in the event of a reimbursement or of a duty disability claim. The bill as amended authorizes DMA to seek funding from the Joint Committee on Finance for these purposes through a passive review process.

Without these changes, the participating departments are unwilling to renew a contract. The current system is untenable and must be updated. These changes would also make it more palatable for non-participating fire departments, especially those in our largest cities, to become a part of Task Force 1.

I would like to thank Senator Roger Roth, Representative Deb Kolste, the Wisconsin Department of Military Affairs, and the Wisconsin State Fire Chiefs Association for their work on this bill. I believe that AB 568, as amended, presents a creative way to maintain our existing partnerships, address the needs of local departments, and opens up this Task Force 1 to serve our communities at even greater levels. I appreciate your Committee's consideration and would be happy to take any questions.

STATE REPRESENTATIVE
DEBRA KOLSTE

44TH DISTRICT



WISCONSIN STATE ASSEMBLY

To: Representative Spiros and members of the Assembly Committee on Criminal Justice and Public Safety

From: Representative Debra Kolste, 44th Assembly District

Date: January 9th, 2020

Re: 2019 Assembly Bill 568

Thank you, Chairman Spiros, Vice-Chair Sortwell, and fellow committee members, for holding a public hearing on Assembly Bill 568.

The Wisconsin State Collapse Rescue Team consists of members of municipal Fire Departments around the state, and has been in operation since 2005. The team responds to incidents within the state of Wisconsin, as well as deployments to other states and Canadian Provinces during FEMA emergency declarations.

Under current law, the 11 departments that participate in the team may respond only to incidents of structural collapse, though it does have All Hazards Urban Search and Rescue capacity. Assembly Bill 568 changes the team's designation from 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 in designation allows an urban search and rescue task force to operate at its full range of capabilities.

The bill also makes changes regarding the limitations on reimbursement the team currently experiences. As previously mentioned, the Wisconsin State Collapse Rescue Team has participated in rescue operations outside Wisconsin when deployed for FEMA operations. However, reimbursement from other states and the federal government can take too long – sometimes up to several years. Under the bill, the Department of Military Affairs will be required to reimburse a qualifying municipality within 60 days if agencies apply for reimbursement within 45 days of the conclusion of the deployment.

The bill addresses another important issue as well: in the event that a team member is injured in the line of duty during a state deployment and forced to retire, the state will be responsible for paying the increased premiums based on that injury. Wisconsin should take responsibility for team members deployed on state business.

This bill makes the necessary updates that will remove the barriers the Wisconsin State Collapse Rescue Team experiences. I thank Senator Roth, Representative Rohrkaste, the Wisconsin Department of Military Affairs, and the Wisconsin State Fire Chiefs Association for their work on this legislation. Thank you for your consideration of Assembly Bill 568 and I respectfully ask for your support of this legislation.

Debra Kolste

Deb Kolste
44th Assembly District





WISCONSIN STATE
FIRE CHIEFS ASSOCIATION
Together We Make A Difference

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Committee Members,

Good Morning. As the President of the Wisconsin State Fire Chiefs Association, I want to thank you on behalf of our state's fire and emergency services leaders for allowing us the opportunity to speak, and hopefully provide some clarity and insight on the uncertain future of Wisconsin's Urban Search and Rescue Task Force, known as Wisconsin Task Force 1. The issues threatening the Task Force's current viability, ongoing sustainability, and most importantly, the impact on safety and the quality of life for Wisconsin's residents which will be realized in the absence of addressing these lingering issues.

As you likely know, since 2005 the State of Wisconsin has been fortunate enough to have Wisconsin Task Force 1 operating under Wisconsin Emergency Management (WEM) as a regionally deployable response asset within the State for complex technical search and rescue incidents. This team which is currently capable of responding to and operating entirely self-sufficiently for 12-hours to these types of disaster incidents is comprised of nearly 150 highly trained emergency response personnel from eleven participating fire departments including Antigo, Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh, and Superior. WI-TF1, their specialized personnel, and more than 120,000 pounds of equipment has been an instrumental resource in responding to and providing highly complex operational support to local jurisdictions during notable incidents in Wisconsin including the Cambria Mill Explosion.

With the vast majority of Wisconsin's fire and emergency responders being comprised of volunteers who selflessly serve their neighbors and communities, I want to reinforce just how critical this response capability is to our entire state. As many fire and ems departments continue to struggle with member recruitment and retention issues, it is simply unreasonable to expect most, if any of these already "lean" agencies to possess the level of proficiency and specialized equipment required to mitigate complex incidents ranging from high-angle rope rescues to building collapses. Wisconsin Task Force 1's regionally distributed personnel help to supplement that gap through their ability to quickly get these resources on scene within the state in the critical early hours of an incident, giving those in need the best chance of being rescued as opposed to recovered.

As Wisconsin continues to experience both natural and man-made disasters which can quickly overwhelm the capabilities of even the largest and most well-staffed fire and emergency services departments, while in an increasingly vulnerable position without the current ability to deploy this highly skilled and equipped team to provide lifesaving services at these incidents I implore you to partner with your emergency services community to ensure that Wisconsin Task Force 1 continues to stand ready to serve the needs of the people we swore to protect. Without the ongoing sustainability of Wisconsin Task Force 1 and the services they provide, the tragic nature of these events will only be magnified as those in need "wait" for help to arrive.

Yours in Public Service,

A handwritten signature in black ink, appearing to read "Timothy Bantes". The signature is fluid and cursive, written over a light blue vertical line.

Timothy Bantes, WSFCA President



"BETTER BY THE BAY"

Metro Fire Department
Administration

David W. Litton
Fire Chief

January 8, 2020

The Honorable John Spiros, Chair
Members of the Criminal Justice and Public Safety Committee

Dear Committee Members

First let me thank the Chair, Representative John Spiros and all of the members of the committee for holding this hearing and allowing us to address you today. My name is David Litton and I am the Fire Chief for the Green Bay Metro Fire Department as well as the 2nd Vice President of the Wisconsin State Fire Chief's Association.

We are here to offer our support for Assembly Bill #568 regarding legislation that will allow the amendment of the contract between the State of Wisconsin (Wisconsin Emergency Management Agency) and the member fire departments that provide personnel for the Wisconsin Urban Search and Rescue Team, commonly referred to as Wisconsin Task Force 1 (WI-TF 1). The member departments include Antigo, Appleton, Beloit, Chippewa Falls, Green Bay, Janesville, La Crosse, Menomonie, Neenah-Menasha, Oshkosh and Superior. As you can see from this list, we have the state covered from north to south, east to west and every area in between.

WI-TF 1 was initially authorized through legislation in 2005 as a "Structural Collapse Rescue" team. Over the years, the team's abilities have grown through extensive training and equipment procurement to become an "All Hazards" team. This means that along with structural collapse, their knowledge, skills and abilities have expanded to include trench, high angle, confined space, swift water, flood, cave and wide area search and rescue.

You may ask "Why are we here"? The answer is that over time, the team members identified issues in the contract that we needed clarification on, or we experienced problems in the manner of the process. Specifically, the legislation seeks to remedy four (4) issues:

1. Scope – As was already stated, the team's capabilities are greatly enhanced and they are more than a structural collapse team. Our concern is that if they operate outside of the authorized legislation, then we may be placing our individual agencies and our personnel in a position of liability.
2. Timely Reimbursement – As the team has been deployed, the individual member municipalities have waited as long as 18 months to be reimbursed for their personnel costs for salary and other expenses. This has placed an undo-

burden on the local fire departments because we all operate on either a calendar or fiscal year budget cycle. Because our expenses are incurred in one year, but reimbursed in another, this leaves a serious gap in our local finances to carry out our mandate to our taxpaying citizens.

3. Funding – The team currently receives funding through a grant from the Federal Department of Homeland Security. The grant is managed by the Wisconsin Emergency Management Agency. Over the years, the funding has dropped from \$1.2 million to a current level of \$700,000. We are asking that the State fund the gap of \$500,000 annually to support the training, and equipment necessary to keep the team in a state of readiness. These types of emergencies are considered low frequency yet high risk events.
4. Disability/Line of Duty Death to our personnel – The legislation seeks to clarify that the team members, (once activated for a response by Wisconsin Emergency Management), become an asset of the State for purposes of disability and line of duty death while deployed as a team member. We owe it as leaders to insure that the firefighters and their families are protected should an unfortunate accident occur that would render them unable to work and support their loved ones.

The eleven member departments have been working on these contract issues for well over 18 months and the team is not currently operational. It's not operational because we are unwilling to sign a contract that we have identified as having the above issues. These issues were called out in advance of the last contract expiring. Having said that, we are not here to point fingers but rather to get this team back up and operational so that the citizens of Wisconsin have this very important public safety asset! We've spent hundreds of hours collectively visiting the Capital, meeting with legislators, making phone calls and attending phone conferences all in the name of getting this team operational again. Make no mistake about it; all eleven members are committed to this team because it is, in our estimation, the most important public safety issue facing the state. Without this team, our citizens could endure suffering and long hardships until the necessary technical expertise and equipment arrives to start making things better for them. Without this team, this help will have to come from out of state.

The team is not only important on a statewide basis, but also to our local and regional fire chiefs and emergency managers. Because the team membership is spread around the state, these highly trained technical experts are available locally to solve emergency incidents that may not rise to the level of a statewide deployment. In Green Bay, for instance, we provide these services to all of Brown County/MABAS 112 as well as our surrounding counties such as Door, Oconto, Calumet and Outagamie. We are close, therefore more readily available on a time sensitive basis. Time is critical in limiting damage and loss of life in many circumstances. All of the other 10 members provide the same service in their areas.

I want to point out that none of us in this room are professional lobbyists. We are just dedicated, hard-working public servants who are trying to do the right thing for our citizens. We are truly concerned for the safety of all citizens in Wisconsin.

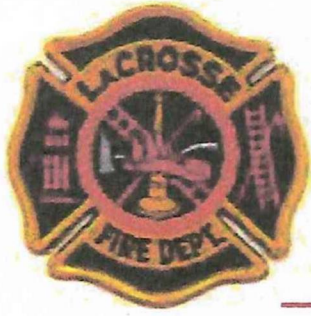
We have done the leg work, spent many hours of our time, and learned a few hard lessons along the way. I believe the hard work is evident in the fact that we have 21 of your fellow Representatives and 10 Senators from both sides of the aisle as sponsors or co-sponsors of this bill. This is not a partisan issue, but rather the most important public safety issue facing the state today.

Thank you for your time. We ask for your support to move this bill out of this committee and to gain the support of your fellow legislators in a vote on the floor.

Respectfully

A handwritten signature in blue ink, appearing to read "D. W. Litton". The signature is fluid and cursive, with a large initial "D" and "L".

David W. Litton
Fire Chief



La Crosse Fire Department

Firefighting, Rescue, and Community Risk Management
Fire Chief Ken Gilliam

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January 9, 2020

RE: Assembly Bill 569, Wisconsin Task Force 1 USAR

Wisconsin Legislators,

I am writing in support of Assembly Bill 568, regarding the Wisconsin Task Force 1 Urban Search and Rescue Team. This statewide emergency response task force is coordinated by Wisconsin Emergency Management (WEM) and made possible by the partnership and commitment of numerous municipalities and fire service personnel from across the state of Wisconsin.

This task force is capable of providing technical rescue services that far exceed the local abilities of the vast majority of emergency services agencies in the state. The legislative changes for which we are seeking your support more clearly define the team's scope of work and abilities.

The proposed legislation further provides a more stable and dedicated operating budget to ensure the longevity of this state task force which has, to date, been largely supported by grants since its inception in 2004 and in response to significant events that occurred across our nation in September of 2001. Additionally, in this era of public scrutiny and fiscal transparency, this enhanced legislation better protects the fiscal health of the local municipalities who have committed personnel and resources to support this larger statewide mission.

Most importantly, your support of these changes better protects our first responders on the task force by classifying them as "protective occupation participants" when they are deployed by WEM as a coordinated asset of the State of Wisconsin. This legislative clarification better protects the task force members, as they choose to serve Wisconsin communities across the state during complex incidents caused by natural and manmade disasters.

This task force is a statewide, non-partisan, cost-effective, and collaborative venture made up of highly trained and capable emergency responders. The state has invested in this task force for more than a decade and I urge you to support the state's fire service and the Wisconsin Task Force 1 with your support of Assembly Bill 569.

Respectfully,

Fire Chief Ken Gilliam

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Superior Fire Department

Scott Gordon, Fire Chief
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Wisconsin Legislators,

I am writing today in full support of bill LRB3472/1. As the Fire Chief in one of the municipalities that is part of Wisconsin Task Force 1 I cannot stress enough the importance of having a well-trained and coordinated all hazard team that can stand up in a short period of time for emergency responses. The bill would broaden the statute to allow the team to fully utilize the training we have in structural collapse, trench, high angle rope, confined space, and swift water rescue, flood response as well as cave and wide angle search. The funding provided by this bill is crucial for the team for several reasons. Currently this is funded through Homeland Security but that is not guaranteed. WI should be preparing for the inevitability that this funding will not be in place forever. The additional \$500,000 in the bill would enable WI to support a Type 1 Urban Search and Rescue team. The combination of the current Homeland Security funding and the support from this bill will enable the Team to be properly trained, staffed and equipped to continue performing the skills that we are trained to do. This bill will enable supporting agencies to be reimbursed for their responses alongside the team within the calendar year to make them whole after their operations. This bill is also necessary to allow for the classification of the team members as Protective Occupations Participants. It will ensure that the men and women who respond to the disasters will have the protection necessary should they are injured, disabled or killed in the line of duty. It would afford them the protections of the Public Employee Trust Fund.

There is an additional and significant benefit to the residents of the State of WI as a result of the team maintaining a state of readiness. Team members are very highly trained and most all of the members are firefighters. The training and skill set they work for and acquire as a team member is brought back to their communities. Through their day to day responsibilities on their home departments and mutual aid agreements to surrounding communities Team Members protect most all of the residents of the State of WI. This is crucial especially for communities that have limited emergency response. Without the training received through participation in the team thousands of Wisconsinites would not have access to these critical resources when needed.

I urge to vote in support of this critical legislation for all of Wisconsin. Thank you

Scott Gordon
Fire Chief, City of Superior