3

4

5

6

7

8

9

10

LRB-2230/P2 RPN:kjf:ph

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1	AN ACT <i>to create</i> 166.218 and 895.483 (4) of the statutes; relating to: regional
2	structural collapse teams and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

Section 1. 166.218 of the statutes is created to read:

166.218 Structural collapse emergency response. (1) A regional structural collapse team shall assist in the emergency response to a structural collapse incident in a region of this state designated by the division. The division shall contract with local agencies, as defined in s. 166.22 (1) (c), to establish no more than 4 regional structural collapse teams. A member of a regional structural collapse team shall meet the highest standards for a structural collapse team under the National Fire Protection Association standards NFPA 1006 and 1670.

(2) The division shall reimburse a regional structural collapse team for costs
incurred by the team in responding to an emergency involving a structural collapse
incident if the team determines that a structural collapse emergency requiring a
response existed as provided under the rules promulgated under sub. (5).
Reimbursement under this subsection is limited to amounts collected under sub. (3).
Reimbursement under this subsection is available only if the regional structural
collapse team has done one of the following:

- (a) Made a good faith effort to identify the person responsible under sub. (3) and that person cannot be identified.
- (b) Identified the person responsible under sub. (3) and received reimbursement from that person to the extent that the person is financially able.
- (c) Identified the person responsible under sub. (3) and determined that the person does not have adequate money or other resources to reimburse the regional structural collapse team.
- (3) A person shall reimburse the division for costs incurred by a regional structural collapse team in responding to an emergency if the team determines under the rules promulgated under sub. (5) that an emergency requiring the team's response existed and that one of the following conditions applies:
- (a) The person possessed or controlled a structure that was involved in the structural collapse.
 - (b) The person caused the structural collapse.
- **(4)** A member of a regional structural collapse team who is acting under a contract under sub. (1) is considered an employee of the state for purposes of worker's compensation benefits.

(5) (a) The division shall promulgate rules establishing standards to be used
to determine all of the following:
1. If a regional structural collapse team has made a good faith effort to identify

a person responsible for the emergency involving a structural collapse.

- 2. If a regional structural collapse team has determined that a person responsible for the emergency involving structural collapse is financially able or has the money or resources necessary to reimburse the structural collapse team for the expenses incurred by that team in responding to the emergency.
- (b) The division shall promulgate rules that establish the procedures that a regional structural collapse team shall follow to determine if a structural collapse emergency requiring the team's response existed.

SECTION 2. 895.483 (4) of the statutes is created to read:

895.483 (4) A regional structural collapse team, a member of such a team, and a local agency, as defined in s. 166.22 (1) (c), that contracts with the division of emergency management in the department of military affairs for the provision of a regional structural collapse team, are immune from civil liability for acts or omissions related to carrying out responsibilities under a contract under s. 166.218 (1).

19 (END)