

2009 DRAFTING REQUEST

Assembly Amendment (AA-SB227)

Received: 02/25/2010

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Joan Ballweg (608) 266-8077

By/Representing: Vince

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters: rnelson2

Subject: Military Affairs - emerg govt

Extra Copies:

Submit via email: YES

Requester's email: Rep.Ballweg@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Interim successors for legislators

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rryan 02/25/2010	jdyer 02/25/2010		_____			
/1			mduchek 02/25/2010	_____	lparisi 02/25/2010	lparisi 02/25/2010	

FE Sent For:

<END>

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/?	rryan	1/25jld	2/25	135 2/25			

FE Sent For:

<END>



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa16812
RLR&RPN:.....

TODAY

1
Jld & Wlj
RMNR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT,
TO 2009 SENATE BILL 227

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 1, line 3: before "meetings" insert "interim successors for legislators," ✓

3 2. Page 6, line 10: before that line insert: ✓

(nw) → 2m
125
X
10

4 "SECTION 1m. 13.41 of the statutes is created to read:

✓ INS A →
✓ INS B →
✓ INS C → (9)

6 3. Page 9, line 1: before that line insert: ✓

✓ INS →

7

(END)



LPS-Inserts
out of
ORDER

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 317

INSERTS for a1681

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 2: delete the material beginning with that line and ending with
3 page 4, line 3, and substitute:

INS

4 A

13.41 Interim successors for legislators. (1) (a) If, during an emergency
5 resulting from enemy action, there are 9 or more vacancies in the senate at the same
6 time, as determined under s. 17.03, the senate leader of each political party, as
7 specified in pars. (b) and (c), shall, for each vacant senate seat that was last held by
8 a member of his or her party, do all of the following:

9 1. Request that the state chairperson of the party solicit nominations for an
10 interim successor from the county chairpersons of the party in each county that is
11 at least partially within the senate district.

12 2. Request that the state chairperson of the party select at least 3 and not more
13 than 5 potential interim successors from the nominees under subd. 1.



INSA
cont

1 3. Request that the state chairperson of the party submit the names of the
2 potential interim successors selected under subd. 2.✓ to the senate leader of the party
3 within 7 days after the date on which the 9th vacancy occurred.✓

4 4. Within 14 days after the 9th vacancy occurred, appoint an interim successor
5 from the list of potential interim successors submitted under subd. 3.✓

6 (b) The person holding the highest position, ranked in the following order, that
7 is not vacant, is the senate leader for the majority party under par. (a):✓

- 8 1. The senate majority leader.
- 9 2. The president of the senate.
- 10 3. The president pro tempore of the senate.
- 11 4. The assistant senate majority leader.
- 12 5. The senate majority caucus chairperson.
- 13 6. The senate majority caucus vice chairperson.
- 14 7. The senate majority caucus sergeant at arms.

15 (c) The person holding the highest position, ranked in the following order, that
16 is not vacant, is the senate leader for the minority party under ✓ par. (a):

- 17 1. The senate leader of the party.
- 18 2. The senate assistant leader of the party.
- 19 3. The senate caucus chairperson of the party.
- 20 4. The senate caucus vice chairperson of the party.
- 21 5. The senate caucus sergeant at arms of the party.

22 (2) (a) If, during an emergency resulting from enemy action, there are 25 or
23 more vacancies in the assembly at the same time, as determined under s. 17.03, ✓ the
24 assembly leader of each political party, as specified in pars. (b)✓ and (c)✓, shall, for each



INSA
CONT

1 vacant assembly seat that was last held by a member of his or her party, do all of the
2 following:

3 1. Request that the state chairperson of the party solicit nominations for an
4 interim successor from the county chairpersons of the party in each county that is
5 at least partially within the assembly district. ✓

6 2. Request that the state chairperson of the party select at least 3 and not more
7 than 5 potential interim successors from the nominees under subd. 1. ✓

8 3. Request that the state chairperson of the party submit the names of the
9 potential interim successors selected under subd. 2. ✓ to the assembly leader of the
10 party within 7 days after the date on which the 25th vacancy occurred.

11 4. Within 14 days after the 25th vacancy occurred, appoint an interim successor
12 from the list of potential interim successors submitted under subd. 3. ✓

13 (b) The person holding the highest position, ranked in the following order, that
14 is not vacant, is the assembly leader for the majority party under par. (a): ✓

- 15 1. The speaker of the assembly.
- 16 2. The assembly majority leader.
- 17 3. The speaker pro tempore of the assembly.
- 18 4. The assistant assembly majority leader.
- 19 5. The assembly majority caucus chairperson.
- 20 6. The assembly majority caucus vice chairperson.
- 21 7. The assembly majority caucus secretary.
- 22 8. The assembly majority caucus sergeant at arms.

23 (c) The person holding the highest position, ranked in the following order, that
24 is not vacant, is the assembly leader for a minority party under par. (a): ✓

25 1. The assembly leader of the party.



INS A
cont

- 1 2. The assembly assistant leader of the party.
- 2 3. The assembly caucus chairperson of the party.
- 3 4. The assembly caucus vice chairperson of the party.
- 4 5. The assembly caucus secretary of the party.
- 5 6. The assembly caucus sergeant at arms of the party.

6 **(3)** The senate and assembly political party leaders may not appoint an interim
 7 successor who is unwilling, unable, or ineligible under the constitution and the
 8 statutes to serve as a legislator." ✓

END INS A

- 9 ~~2. Page 4, line 4: delete "(3) or (4)" and substitute "(1) or (2)".~~
- 10 ~~3. Page 4, line 5: after "office" insert "immediately upon appointment".~~
- 11 ~~4. Page 4, line 13: delete "or the emergency resulting from the enemy action~~
 12 ~~has ended".~~
- 13 ~~5. Page 4, line 15: delete the material beginning with that line and ending with~~
 14 ~~page 5, line 9, and substitute:~~

15 SECTION 2m. 13.41 (1) (a) (intro.) and (2) (a) (intro.) of the statutes, as created
 16 by 2009 Wisconsin Act (this act), are amended to read:

17 13.41 (1) (a) (intro.) If, during an emergency resulting from enemy action, there
 18 are 9 or more vacancies in the senate at the same time, as determined under s. 17.03,
 19 the senate leader of each political party shall, for each vacant senate seat that was
 20 last held by a member of his or her party, do all of the following:

21 (2) (a) (intro.) If, during an emergency resulting from enemy action, there are
 22 25 or more vacancies in the assembly at the same time, as determined under s. 17.03,
 23 the assembly leader of each political party shall, for each vacant assembly seat that
 24 was last held by a member of his or her party, do all of the following: ← plain

END INS C

SENATE BILL 227

immediately upon appointment

1 the order of succession specified. The presiding officer may not appoint an interim
2 successor who is unwilling, unable, or ineligible under the constitution and statutes
3 to serve as a legislator.

4 (5) Interim successors appointed under sub. (3) or (4) shall take the oath of
5 office, but may not be required, as a prerequisite to the exercise of the powers or
6 discharge of the duties of a legislator, to comply with any other provision of law
7 relative to taking office.

8 (6) The chief clerk of each house, or if he or she is unavailable, his or her deputy,
9 shall notify the secretary of state of all vacancies that are filled by interim successors
10 under this section.

11 (7) An interim successor taking office under this section shall exercise the
12 powers and discharge the duties of the office until the vacancy is filled under s. 17.19
13 or the emergency resulting from enemy action has ended. All votes taken by an
14 interim successor shall be as valid as if taken by an elected legislator.

15 SECTION 2. 13.41 (3), (4) and (7) of the statutes, as created by 2009 Wisconsin

16 Act (this act), are amended to read:

17 13.41 (3) If, during an emergency resulting from enemy action, there are more
18 than 9 vacancies in the senate at the same time, as determined under s. 17.03, the
19 presiding officer, or his or her designee, shall appoint interim successors to fill the
20 vacancies from the list under sub. (1) for the legislators whose seats are vacant, in
21 the order of succession specified. The presiding officer may not appoint an interim
22 successor who is unwilling, unable, or ineligible under the constitution and statutes
23 to serve as a legislator.

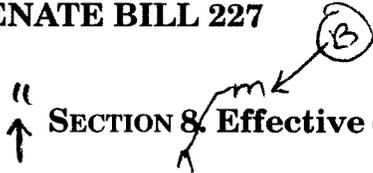
24 (4) If, during an emergency resulting from enemy action, there are more than
25 25 vacancies in the assembly at the same time, as determined under s. 17.03, the

END INS B

INSERT
D

SENATE BILL 227

INS D



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SECTION 8. Effective dates. This act takes effect on the day after publication,
except as follows:

(1)(a)(intro.) and (2)(a)(intro.)

(1) INTERIM SUCCESSORS FOR LEGISLATORS. The amendment of section 13.41 (3),
(4), and (7) of the statutes takes effect on the day after the secretary of state notifies
the legislature that an amendment to the Wisconsin Constitution has been approved
that requires the legislature to provide for temporary succession to the powers and
duties of public offices for the period of an emergency resulting from a cause other
than an enemy action.

" ✓
↑↑

(END)

END INS D