



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0098/1
SRM:wlj:md

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE JOINT RESOLUTION 39**

September 3, 2009 – Offered by COMMITTEE ON SMALL BUSINESS, EMERGENCY
PREPAREDNESS, TECHNICAL COLLEGES, AND CONSUMER PROTECTION.

1 **To amend** section 34 of article IV of the constitution; **relating to:** continuity of
2 government (first consideration).

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, was prepared for the Joint Legislative Council's Special Committee on Emergency Management and Continuity of Government.

Article IV, section 34, of the Wisconsin Constitution provides that the legislature, to ensure continuity of state and local government operations in periods of emergency resulting from enemy attack, must provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may be unavailable to carry on the powers and duties of the offices. In addition, the legislature must adopt any other measures that may be necessary to obtain the objectives of that section of the constitution.

This substitute amendment amends that provision in article IV, section 34, of the Wisconsin Constitution to strike the phrase "enemy action in the form of an attack," and substitute "a severe or prolonged, natural or human-caused, occurrence that threatens life, health, or the security of the state," thereby providing for legislative action to ensure continuity in periods of emergency, whether resulting from enemy attack or from other causes.

A constitutional amendment requires adoption of two successive legislatures, and ratification by the people, before it can become effective.

3 **Resolved by the senate, the assembly concurring, That:**

