



## 2009 ASSEMBLY JOINT RESOLUTION 94

November 3, 2009 – Introduced by Representative SHILLING. Referred to Committee on Rules.

1 **Relating to:** extending a state of public health emergency.

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### *Analysis by the Legislative Reference Bureau*

This joint resolution extends the state of public health emergency declared by the governor in Executive Order #280 in response to the H1N1 influenza virus for 120 days after final concurrence in this joint resolution. Under that order, the Department of Health Services is given authority as the lead agency to respond to the public health emergency, the Adjutant General is authorized to activate the Wisconsin National Guard as necessary and appropriate to assist in the response to the public health emergency, and other state agencies are required to assist as appropriate in the response to the public health emergency.

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2           Whereas, on April 26, 2009, the United States declared a public health  
3 emergency related to the presence of Swine Influenza A (swH1N1) in the United  
4 States; and

5           Whereas, on April 30, 2009, Governor Jim Doyle, by virtue of his constitutional  
6 authority and his authority under sections 166.03 (1) (b) and 321.39 (1) (a) of the  
7 statutes, issued Executive Order #280, proclaiming a state of public health  
8 emergency, and designated the Department of Health Services as the lead agency to  
9 respond to the public health emergency, and authorized the Adjutant General to

1 activate the Wisconsin National Guard as necessary and appropriate to respond to  
2 the public health emergency; and

3 Whereas, 2009 Wisconsin Act 42 replaced chapter 166 of the statutes with  
4 chapter 323 of the statutes, effective October 21, 2009; and

5 Whereas, section 323.10 of the statutes, as consolidated, renumbered, and  
6 amended from s. 166.03 (1) (b) (intro.) and 1. of the statutes by 2009 Wisconsin Act  
7 42, allows the governor to issue an executive order declaring a state of emergency  
8 related to public health and designate the Department of Health Services as the lead  
9 agency to respond to the emergency and provides that a state of emergency declared  
10 by the governor shall not exceed 60 days unless the state of emergency is extended  
11 by joint resolution of the legislature; now, therefore, be it

12 ***Resolved by the assembly, the senate concurring, That*** the state of public  
13 health emergency declared by the governor in Executive Order #280 is extended for  
14 120 days after final concurrence in this joint resolution.

15 (END)