



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5190/1
RAC:wlj

2023 ASSEMBLY JOINT RESOLUTION 99

December 8, 2023 - Introduced by Representatives PRONSCHINSKE, ARMSTRONG, EDMING, GUNDRUM, ROZAR, SCHMIDT and KITCHENS, cosponsored by Senator BALLWEG. Referred to Committee on State Affairs.

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

Analysis by the Legislative Reference Bureau

Currently, the Wisconsin Constitution provides that the legislature, in order to ensure the continuity of state and local governments during an emergency resulting from enemy attack, must provide for the temporary succession to the powers and duties of public office of any public officer who is unavailable to exercise the powers and duties of office.

This constitutional amendment, proposed to the 2023 legislature on first consideration, requires the legislature to provide for the temporary succession to the powers and duties of public office of any public officer who is unavailable to exercise the powers and duties of office during any emergency—not just an emergency resulting from enemy attack.

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

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

4 **SECTION 1.** Section 34 of article IV of the constitution is amended to read:

5 [Article IV] Section 34. The legislature, in order to ensure continuity of state
6 and local governmental operations in periods of emergency ~~resulting from enemy~~

1 ~~action in the form of an attack~~, shall (1) forthwith provide for prompt and temporary
2 succession to the powers and duties of public offices, of whatever nature and whether
3 filled by election or appointment, the incumbents of which may become unavailable
4 for carrying on the powers and duties of such offices, and (2) adopt such other
5 measures as may be necessary and proper for attaining the objectives of this section.

6 ***Be it further resolved, That*** this proposed amendment be referred to the
7 legislature to be chosen at the next general election and that it be published for 3
8 months previous to the time of holding such election.

9 (END)