

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 106**

February 16, 1999 – Offered by Representative SCHNEIDER.

1 **AN ACT** *to amend* 21.11 (1) of the statutes; **relating to:** the governor’s authority
2 to call the national guard to active service.

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

3 **SECTION 1.** 21.11 (1) of the statutes is amended to read:

4 21.11 (1) In case of war, insurrection, rebellion, riot, invasion, or resistance to
5 the execution of the laws of this state, or of the United States, ~~or~~; in the event of public
6 disaster resulting from flood, conflagration or tornado, when the governor considers
7 the call to active service necessary for the protection of persons or property; or upon
8 application of any marshal of the United States, the president of any village, the
9 mayor of any city, the chairperson of any town board, or any sheriff in this state, the
10 governor may order into active service all or any portion of the national guard. If the
11 governor is absent, or cannot be immediately communicated with, any such civil
12 officer may, if the officer deems the occasion so urgent, make such application, which

1 shall be in writing, to the commanding officers of any company, battalion or regiment,
2 who may upon approval of the adjutant general, if the danger is great and imminent,
3 order out that officer's command to the aid of such civil officer. Such order shall be
4 delivered to the commanding officer, who shall immediately communicate the order
5 to each, and every subordinate officer, and every company commander receiving the
6 same shall immediately communicate the substance thereof to each member of the
7 company, or if any such member cannot be found, a notice in writing containing the
8 substance of such order shall be left at the last and usual place of residence of such
9 member with some person of suitable age and discretion, to whom its contents shall
10 be explained.

11 (END)