

1999 DRAFTING REQUEST

Bill

Received: 12/01/1999

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Rodney Moen (608) 266-8546

By/Representing: Terry T

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Military Affairs

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Activation of the national guard

Instructions:

Same as 99s0006, with an analysis

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>
/?	nelsorp1 12/01/1999	jgeller 12/02/1999		_____			State
/1			kfollet 12/02/1999	_____	lrb_docadmin 12/02/1999	lrb_docadmin 12/03/1999	

FE Sent For:

<END>

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/?	nelsorp1	1/12/99 jg	kjf 12/2	kgf/km 12/2			

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<END>

B I L L
REQUEST FORM

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Senator Moen

Date: 12/1 Person submitting request (name, phone number): Terry Tuschen
266-8546

Persons to contact for questions about this draft (names, phone numbers): - same -

Describe the problem, including any helpful examples.

How do you want to solve the problem?

*Please draft the attached as
a Senate Bill.*

1999

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not re-typed) copy. 21.11

You may attach a marked-up (not re-typed) copy of any LRB draft, or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67): LRB-80006/1 : ASA 1 to AB-77

Requests are confidential unless stated otherwise.

- May we tell others that we are working on this for you? Yes No
- If yes: Anyone who asks? Yes No Any legislator? Yes No Only the following persons: _____

Do you consider this request urgent? Yes No If yes, please indicate why: _____

Should we give this request priority over any other pending request of this legislator, agency or body? Yes No If yes, sign your name here: _____

Yes No



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBs0006/1
RPN;jlg:lp

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 77

February 9, 1999 - Offered by COMMITTEE ON INFORMATION POLICY.

1 AN ACT to amend 21.11 (1) of the statutes; relating to: authorizing the
2 activation of the national guard.

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

4014/1
LRB-2698/2
RPN:jlg&kmg:km
↑ ↑
Stays

1999 BILL

Regen

1 **AN ACT to amend** 21.11 (1) of the statutes; **relating to:** the governor's power to
2 activate the national guard.

Analysis by the Legislative Reference Bureau

Under current law, in response to a war, insurrection, rebellion, riot or invasion, in the event of a public disaster resulting from a flood, conflagration or tornado, or upon application of certain public officials, the governor may order into active service all or any portion of the national guard. Current law also includes a procedure for activating the national guard if the governor is not able to do so.

This bill allows the governor to order the national guard into active service when the governor considers that activation necessary for the protection of persons or property.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

BILL

SECTION 1

1 disaster resulting from flood, conflagration or tornado; when the governor considers
2 the call to active service necessary for the protection of persons or property; or upon
3 application of any marshal of the United States, the president of any village, the
4 mayor of any city, the chairperson of any town board, or any sheriff in this state, the
5 governor may order into active service all or any portion of the national guard. If the
6 governor is absent, or cannot be immediately communicated with, any such civil
7 officer may, if the officer deems the occasion so urgent, make such application, which
8 shall be in writing, to the commanding officers of any company, battalion or regiment,
9 who may upon approval of the adjutant general, if the danger is great and imminent,
10 order out that officer's command to the aid of such civil officer. Such order shall be
11 delivered to the commanding officer, who shall immediately communicate the order
12 to each, and every subordinate officer, and every company commander receiving the
13 same shall immediately communicate the substance thereof to each member of the
14 company, or if any such member cannot be found, a notice in writing containing the
15 substance of such order shall be left at the last and usual place of residence of such
16 member with some person of suitable age and discretion, to whom its contents shall
17 be explained.

18 (END)

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 12/02/1999

To: Senator Moen

Relating to LRB drafting number: LRB-4014

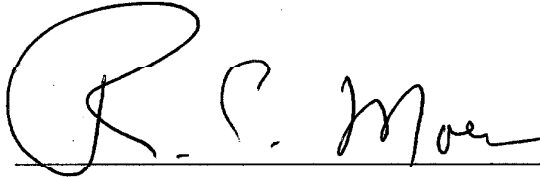
Topic

Activation of the national guard

Subject(s)

Military Affairs

1. **JACKET** the draft for introduction



in the **Senate** ___ or the **Assembly** ___ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney
Telephone: (608) 267-7511