

1999 DRAFTING REQUEST

Bill

Received: **01/8/99**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Caucutt**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Military Affairs**

Extra Copies:

Topic:

DOΛ:.....Caucutt - Governor's authority to call national guard to active service

Instructions:

See Attached

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>
/1	nelsorp1 01/8/99	gilfokm 01/9/99	hhagen 01/12/99	_____	lrb_docadmin 01/12/99		State

FE Sent For:

<END>

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FE Sent For:

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21.11 Call To Active Service

95-96 Wis. Stats., page 582

21.11 Call to active service. (1) In case of war, insurrection, rebellion, riot, invasion, resistance to the execution of the laws of this state, or of the United States, or in the event of public disaster resulting from flood, conflagration or tornado, or when the governor otherwise deems it necessary for the protection of persons or property, or upon application of any marshal of the United States, the president of any village, the mayor of any city, the chairperson of any town board, or any sheriff in this state, the governor may order into active service all or any portion of the national guard.

1/7/98

To: Steve Miller

From: Dan Cancutt

Please draft for budget bill.



5004
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1671/1

RPN...*king*

DOA:.....Caucutt – Governor’s authority to call national guard to active service

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 *Don't
Call
Sen Cat*
AN ACT *;* relating to: the budget.

Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS

→ (insert anl) →

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:

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

3 ~~21.11 Call to active service.~~ (1) In case of war, insurrection, rebellion, riot,
4 invasion, ^{or} resistance to the execution of the laws of this state, or of the United States,
5 ^{or} in the event of public disaster resulting from flood, conflagration or tornado, when
;

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

History: 1979 c. 221; 1991 a. 316; 1993 a. 246.

17

(END)



1999 BILL

Insert
Ancl

1 AN ACT to renumber 21.11 (1); and to create 21.11 (1) (b) of the statutes;
2 relating to: authorizing the mobilization of the national guard for public
3 disasters related to the year 2000 computer issues.

~~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 for activation of the national guard for a public disaster resulting from a computer device's failure to recognize and respond correctly to the year 2000 or a subsequent year and in anticipation of such a public disaster.

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:

4 SECTION 1. 21.11 (1) of the statutes is renumbered 21.11 (1) (a).

5 SECTION 2. 21.11 (1) (b) of the statutes is created to read:

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Ancl

ing



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1671/1
RPN:kmg:hmh

DOA:.....Caucutt – Governor’s authority to call national guard to active service

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
VETERANS AND MILITARY AFFAIRS

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:

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

3 21.11 (1) In case of war, insurrection, rebellion, riot, invasion, or resistance to
4 the execution of the laws of this state, or of the United States, or; in the event of public

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)