



**ASSEMBLY AMENDMENT 3,
TO 2009 ASSEMBLY BILL 317**

February 18, 2010 – Offered by Representatives BALLWEG, KESSLER and SCHNEIDER.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 2: delete the material beginning with that line and ending with
3 page 4, line 3, and substitute:

4 **“13.41 Interim successors for legislators. (1)** (a) If, during an emergency
5 resulting from enemy action, there are 9 or more vacancies in the senate at the same
6 time, as determined under s. 17.03, the senate leader of each political party, as
7 specified in pars. (b) and (c), shall, for each vacant senate seat that was last held by
8 a member of his or her party, do all of the following:

9 1. Request that the state chairperson of the party solicit nominations for an
10 interim successor from the county chairpersons of the party in each county that is
11 at least partially within the senate district.

12 2. Request that the state chairperson of the party select at least 3 and not more
13 than 5 potential interim successors from the nominees under subd. 1.

1 3. Request that the state chairperson of the party submit the names of the
2 potential interim successors selected under subd. 2. to the senate leader of the party
3 within 7 days after the date on which the 9th vacancy occurred.

4 4. Within 14 days after the 9th vacancy occurred, appoint an interim successor
5 from the list of potential interim successors submitted under subd. 3.

6 (b) The person holding the highest position, ranked in the following order, that
7 is not vacant, is the senate leader for the majority party under par. (a):

8 1. The senate majority leader.

9 2. The president of the senate.

10 3. The president pro tempore of the senate.

11 4. The assistant senate majority leader.

12 5. The senate majority caucus chairperson.

13 6. The senate majority caucus vice chairperson.

14 7. The senate majority caucus sergeant at arms.

15 (c) The person holding the highest position, ranked in the following order, that
16 is not vacant, is the senate leader for the minority party under par. (a):

17 1. The senate leader of the party.

18 2. The senate assistant leader of the party.

19 3. The senate caucus chairperson of the party.

20 4. The senate caucus vice chairperson of the party.

21 5. The senate caucus sergeant at arms of the party.

22 **(2)** (a) If, during an emergency resulting from enemy action, there are 25 or
23 more vacancies in the assembly at the same time, as determined under s. 17.03, the
24 assembly leader of each political party, as specified in pars. (b) and (c), shall, for each

1 vacant assembly seat that was last held by a member of his or her party, do all of the
2 following:

3 1. Request that the state chairperson of the party solicit nominations for an
4 interim successor from the county chairpersons of the party in each county that is
5 at least partially within the assembly district.

6 2. Request that the state chairperson of the party select at least 3 and not more
7 than 5 potential interim successors from the nominees under subd. 1.

8 3. Request that the state chairperson of the party submit the names of the
9 potential interim successors selected under subd. 2. to the assembly leader of the
10 party within 7 days after the date on which the 25th vacancy occurred.

11 4. Within 14 days after the 25th vacancy occurred, appoint an interim successor
12 from the list of potential interim successors submitted under subd. 3.

13 (b) The person holding the highest position, ranked in the following order, that
14 is not vacant, is the assembly leader for the majority party under par. (a):

- 15 1. The speaker of the assembly.
- 16 2. The assembly majority leader.
- 17 3. The speaker pro tempore of the assembly.
- 18 4. The assistant assembly majority leader.
- 19 5. The assembly majority caucus chairperson.
- 20 6. The assembly majority caucus vice chairperson.
- 21 7. The assembly majority caucus secretary.
- 22 8. The assembly majority caucus sergeant at arms.

23 (c) The person holding the highest position, ranked in the following order, that
24 is not vacant, is the assembly leader for a minority party under par. (a):

- 25 1. The assembly leader of the party.

- 1 2. The assembly assistant leader of the party.
- 2 3. The assembly caucus chairperson of the party.
- 3 4. The assembly caucus vice chairperson of the party.
- 4 5. The assembly caucus secretary of the party.
- 5 6. The assembly caucus sergeant at arms of the party.

6 **(3)** The senate and assembly political party leaders may not appoint an interim
7 successor who is unwilling, unable, or ineligible under the constitution and the
8 statutes to serve as a legislator.”.

9 **2.** Page 4, line 4: delete “(3) or (4)” and substitute “(1) or (2)”.

10 **3.** Page 4, line 5: after “office” insert “immediately upon appointment”.

11 **4.** Page 4, line 13: delete “or the emergency resulting from the enemy action
12 has ended”.

13 **5.** Page 4, line 15: delete the material beginning with that line and ending with
14 page 5, line 9, and substitute:

15 “**SECTION 2m.** 13.41 (1) (a) (intro.) and (2) (a) (intro.) of the statutes, as created
16 by 2009 Wisconsin Act (this act), are amended to read:

17 13.41 **(1)** (a) (intro.) ~~If, during an emergency resulting from enemy action,~~ there
18 are 9 or more vacancies in the senate at the same time, as determined under s. 17.03,
19 the senate leader of each political party shall, for each vacant senate seat that was
20 last held by a member of his or her party, do all of the following:

21 **(2)** (a) (intro.) ~~If, during an emergency resulting from enemy action,~~ there are
22 25 or more vacancies in the assembly at the same time, as determined under s. 17.03,
23 the assembly leader of each political party shall, for each vacant assembly seat that
24 was last held by a member of his or her party, do all of the following:”.

