

State of Wisconsin



2009 Assembly Joint Resolution 59

ENROLLED JOINT RESOLUTION

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

Resolved by the assembly, the senate concurring, That:

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

[Article IV] Section 34. The legislature, in order to ensure continuity of state and local governmental operations in periods of emergency resulting from ~~enemy action in the form of an attack~~ a severe or prolonged, natural or human-caused, occurrence that threatens life, health, or the security of the state, shall (1) forthwith provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) adopt such other measures as may be necessary and proper for attaining the objectives of this section.

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

Senator Fred A. Risser
President of the Senate

Representative Michael J. Sheridan
Speaker of the Assembly

Date

Patrick E. Fuller
Assembly Chief Clerk

ASSEMBLY JOINT RESOLUTION 59 (LRB -2941)

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

2009

- 06-16. A. Introduced by **JOINT LEGISLATIVE COUNCIL**.
- 06-16. A. Read first time and referred to committee on State Affairs and Homeland Security 265
- 07-02. A. Public hearing held.
- 07-16. A. Executive action taken.
- 07-16. A. Assembly substitute amendment 1 offered by committee on State Affairs and Homeland Security (**LRB s0087**) 340
- 07-24. A. Report Assembly Substitute Amendment 1 adoption recommended by committee on State Affairs and Homeland Security, Ayes 7, Noes 0 341
- 07-24. A. Report adoption as amended recommended by committee on State Affairs and Homeland Security, Ayes 7, Noes 0 341
- 07-24. A. Referred to committee on Rules 341
- 09-15. A. Placed on calendar 9-17-2009 by committee on Rules.
- 09-17. A. Read a second time 387
- 09-17. A. Assembly substitute amendment 1 **adopted** 387
- 09-17. A. Ordered to a third reading 387
- 09-17. A. Rules suspended 387
- 09-17. A. Read a third time and **adopted**, Ayes 89, Noes 7 387
- 09-17. A. Ordered immediately messaged 388
- 09-18. S. Received from Assembly 313
- 09-21. S. Read first time and referred to committee on Senate Organization 314
- 09-21. S. Available for scheduling.
- 09-22. S. Rules suspended to withdraw from committee on Senate Organization and take up.
- 09-22. S. Read a second time.
- 09-22. S. Ordered to a third reading.
- 09-22. S. Rules suspended.
- 09-22. S. Read a third time and **concurred in**, Ayes 29, Noes 3.
- 09-22. S. Ordered immediately messaged.
- 09-22. A. Received from Senate concurred in.

2009

Joint Resolution Passed by Both Houses ✓

ENROLL JOINT RES

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ADOPTED DOCUMENTS:

Orig A SubAmdt 1 09S 0087/1 ✓

Amendments to above (if none, write "NONE"): None ✓

Corrections - show date (if none, write "NONE"): None ✓

Topic Rel

9-23-09
Date

[Signature]
Drafter

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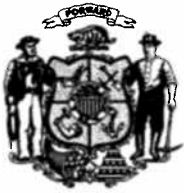
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY JOINT RESOLUTION 59**

July 16, 2009 – Offered by COMMITTEE ON STATE AFFAIRS AND HOMELAND SECURITY.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, was prepared for the Joint Legislative Council's Special Committee on Emergency Management and Continuity of Government.

Article IV section 34, of the Wisconsin Constitution provides that the legislature, to ensure continuity of state and local government operations in periods of emergency resulting from enemy attack, must provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may be unavailable to carry on the powers and duties of the offices. In addition, the legislature must adopt any other measures that may be necessary to obtain the objectives of that section of the constitution.

This substitute amendment amends that provision in article IV, section 34, of the Wisconsin Constitution to strike the phrase "enemy action in the form of an attack," and substitute "a severe or prolonged, natural or human-caused, occurrence that threatens life, health, or the security of the state," thereby providing for legislative action to ensure continuity in periods of emergency, whether resulting from enemy attack or from other causes.

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:**

