

2009 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AJR59)

Received: **07/10/2009**

Received By: **smiller**

Wanted: **Soon**

Identical to LRB:

For: **Frederick Kessler (608) 266-5813**

By/Representing: **bob nelson**

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

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies: **Rep. Ballweg
Sen. Jauch
Pam Shannon (Leg. Council)**

Submit via email: **YES**

Requester's email: **Rep.Kessler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

continuity of government

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>
/?	smiller 07/10/2009	wjackson 07/14/2009		_____			
/1			rschluet 07/14/2009	_____	sbasford 07/14/2009	sbasford 07/14/2009	

FE Sent For:

<END>

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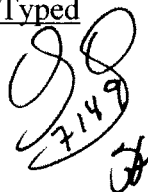
Topic:

continuity of government

Instructions:

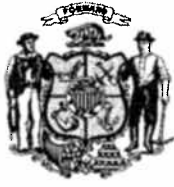
See attached

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FE Sent For:

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2009 ASSEMBLY JOINT RESOLUTION 59

June 16, 2009 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to 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 bill 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 joint resolution amends that provision in article IV, section 34, of the Wisconsin Constitution to strike the phrase "~~resulting from enemy action in the form of an attack~~," 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:**

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

5 [Article IV] Section 34. The legislature, in order to ensure continuity of state
6 and local governmental operations in periods of emergency ^{plain} ~~resulting from enemy~~

and added "

a severe or prolonged, natural or human-caused, occurrence that threatens life, health, or the security of the state
~~action in the form of an attack~~ shall (1) forthwith provide for prompt and temporary

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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.

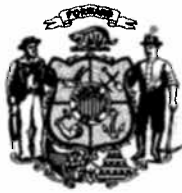
(END)

Kessler = Reg

copies - Ballweg

" Janch

" Pam Shannon



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs00877
SRM:1...

Wlj

to the 2009 legislature on first consideration,

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 2009 ASSEMBLY JOINT RESOLUTION 59

in July 10

Tuesday
please

soon

Gen Cat

1 Relating to: continuity of government (first consideration).

proposed constitutional amendment, proposed substitute amendment

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill 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 joint resolution 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 substituting "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.

substitute amendment
substitute *

A constitutional amendment requires adoption of two successive legislatures, and ratification by the people, before it can become effective.

2 Resolved by the assembly, the senate concurring, That:

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

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

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

13 (END)