



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Joint Resolution 39**

**Senate Substitute  
Amendment 1**

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*Senate Joint Resolution 39* modifies article IV, section 34 of the Wisconsin Constitution. Under that current article, 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 attack, is required to provide for prompt and temporary succession to the powers and duties of public office, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on their powers and duties, and is required to adopt such other measures as may be necessary and proper for attaining the objectives of article IV, section 34. Senate Joint Resolution 39 modifies this constitutional provision by deleting the words “resulting from enemy action in the form of attack,” so that the Legislature is required to ensure governmental continuity in emergencies in addition to those that result from enemy attacks.

*Senate Substitute Amendment 1* delineates the nature of emergencies for which the Legislature must ensure continuity of governmental operations by stating that the emergencies must result from “a severe or prolonged, natural or human-caused, occurrence that threatens life, health, or the security of the state.”

### *Legislative History*

The Senate Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection recommended adoption of Senate Substitute Amendment 1, and adoption of the joint resolution as amended, by votes of Ayes, 4; Noes, 1.

RNS:PS:jal