



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 227

**Senate Amendment 3 and
Assembly Amendment 1**

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Contact: Pam Shannon, Senior Staff Attorney 266-2680
Richard Sweet, Senior Staff Attorney 266-2982

2009 Senate Bill 227 contains provisions relating to: (1) emergency interim successors for legislators; (2) virtual meetings of the Legislature; and (3) emergency temporary locations for the Legislature. The bill is a product of the Joint Legislative Council's Special Committee on Emergency Management and Continuity of Government.

Senate Amendment 3 deletes from the bill the provisions relating to emergency interim successors for legislators.

Assembly Amendment 1 provides a mechanism for choosing interim successors for legislators if specified criteria are met. The provision in the amendment takes effect if there are nine more vacancies in the Senate at the same time or if there are 25 or more vacancies in the Assembly at the same time.

Under the provision for interim successors for Senators, the Senate leader of each political party for each vacant Senate seat that was last held by a member of his or her own party must request the state chairperson of that party to solicit nominations for an interim successor from county chairpersons of the party in each county that is at least partially within the Senate district. The Senate leader must request that the state chairperson select three to five potential interim successors from the nominees submitted by the county chairpersons and request that the state chairperson submit the names to the Senate leader of the party within seven days after the date on which the ninth Senate vacancy occurred. Within 14 days after the ninth vacancy occurred, the Senate leader of the political party must appoint an interim successor from the list of potential interim successors that is submitted by the state chairperson of the party. The bill lists the order in which persons are determined to be the Senate leader for the majority party and for the minority party.

A similar procedure is specified in the amendment for situations in which there are 25 or more vacancies in the Assembly at the same time.

The Senate and Assembly political party leaders may not appoint an interim successor who is unwilling, unable, or ineligible under the constitution and the statutes to serve as a legislator. Interim successors are required to take the oath of office immediately upon appointment, but may not be required, as a prerequisite to the exercise of the powers or discharge of the duties of a legislator, to comply with any other provision of the law relative to taking office. The chief clerk of each house or his or her deputy must notify the Secretary of State of all vacancies that are filled by interim successors. An interim successor must exercise the powers and discharge the duties of the office until the vacancy is filled by an election.

Legislative History

The Senate adopted Senate Amendment 3, and passed the bill as amended, both on voice votes.

The Assembly adopted Assembly Amendment 1, and concurred in the bill as amended, both on voice votes.

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