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Testimony on Assembly Joint Resolution 99

Chairman Swearingen and members of the Assembly Committee on State Affairs, I want to thank you for your consideration on Assembly Joint Resolution 99 today. I look forward to telling you why this resolution is simple common sense legislation.

Currently, there is a clear line of succession and a continuity of government if an enemy attack were ever to take place and something tragic were to happen to our governor. Obviously in this case, the Lieutenant Governor would take over because of the attack on our government that took place. This line of succession makes sense. Senator Ballweg and I simply want to add a piece to this already existing piece of Wisconsin Constitution.

Strangely enough, there is no direct language in our constitution that states the clear line of succession in case of a medical emergency or other various personal or external emergencies. This seems weird to me and is what I would call a, "legislative oversight." Senator Ballweg and I with proposing this legislation would be editing the portion that states, "Emergency resulting from enemy action in the form of an attack", and replace it with just, "Emergency." (Article IV. Section 34). This would cover all of the bases in terms of emergencies and not just foreign attacks.

Without this specified language, I could unfortunately see something like this become a political issue. One party would claim that the other party had no authority to appoint their Lieutenant Governor because it was not specified in the constitution. The purpose of this resolution is to make sure that this line of thinking and processing never occurs. Lord willing, this portion of the constitution will not have to be referred too much but I believe it is better to be prepared than to be unprepared.

With that being said, I will welcome any questions from committee members.



**Assembly Joint Resolution 99: Continuity of Government
Assembly Committee on State Affairs
Testimony of Senator Joan Ballweg
January 17, 2024**

Good morning, Chair Swearingen and members of the committee. Thank you for hearing this important piece of legislation.

Assembly Joint Resolution 99 ensures continuity of state and local government during an emergency.

Currently, Wisconsin has a provision in our state constitution that allows for temporary succession of public officers and the powers and duties of public office. However, this provision is limited to emergencies resulting from enemy attack. As demonstrated the past few years, there are many other reasons why our state may need to quickly adapt to emergency situations.

In emergency situations, these public offices and officers are the ones who coordinate government services to individuals and local entities. Providing continuity of government is important and will ensure services can be carried out regardless of the emergency we may face. This constitutional amendment will allow for the continuity of state and local governments in the wake of all periods of emergency, not just for emergencies that are the result of an enemy attack.

This proposal was first authored by Joint Legislative Council after the work of the 2008 Special Committee on Emergency Management and Continuity of Government. As an Assembly Representative, I served as vice-chair of this committee with former Senator Bob Jauch, who served as chair. 2009 Assembly Joint Resolution 59 did pass both houses of the legislature but was not passed in the 2011 legislative session.

This is the first consideration of Assembly Joint Resolution 99. If this resolution is passed by each house of the legislature this session, it would need to be passed again next session before being considered by Wisconsin voters on a general election ballot.

Thank you for your consideration of Assembly Joint Resolution 99.