

To: Legislative Colleagues
From: Rep. Joan Ballweg
Date: September 17, 2009
Re: AB 317-Legislative Succession, Temporary Seat of Government & Virtual Meetings

Legislative Succession

1.) This would only be implemented in a very unique situation. 25% of the Assembly (25) or Senate (9) seats would have to be vacant (deceased) for this provision to be implemented.

2.) Under current law, lists of successors are already used for local government officials and state officers. While the statutes list an order of succession for the Governor, the only option for dealing with legislative vacancies is a Special Election. The state constitution directs the legislature to plan for continuity of operations. By not having a succession plan, large portions of the state could be left without representation in Madison until the special election is completed.

3.) These are interim successors who would only serve until the Governor calls a special election and a duly elected replacement would take office.

- If the vacancy occurs before the 2nd Tuesday in May of an election year, then a special election should be held as soon as possible.

- The date for the special election shall be not less than 62 nor more than 77 days from the date of the order except when the special election is held on the day of the general election or spring election.

- After the election, a canvass must be completed within 18 days, and then the GAB certifies the election, except that a recount may be requested.

4.) Our goal in the Legislative Council Study Committee was not to change the majority that was in control prior to the disaster occurring, if one party had disproportionate losses in either house.

5.) Other states use lists of 3-7 successors for their legislators.

Temporary Seat of Government

This provision allows the legislature by joint rule to designate an alternate location for the legislature to meet, if the Capitol is not available.

Virtual Meetings

Rather than meeting in person, this provision would allow the legislature or its committees to meet electronically or virtually using available technology if specified conditions are met.