



2019 SENATE JOINT RESOLUTION

1 **Relating to:** extending a state of public health emergency.

Analysis by the Legislative Reference Bureau

This joint resolution extends indefinitely the state of public health emergency declared by the governor on March 12, 2020, in Executive Order #72 in response to COVID-19 Coronavirus until revoked by a subsequent executive order or joint resolution. Under Executive Order #72, the Department of Health Services is given authority as the lead agency to respond to the public health emergency; any administrative rule is suspended if the secretary of health services determines that compliance with it would prevent, hinder, or delay necessary actions to respond to the emergency and increase the health threat; the adjutant general is authorized to activate the Wisconsin National Guard as necessary and appropriate to assist in the response to the public health emergency; all state agencies are directed to assist as appropriate in the ongoing response to the public health emergency; a period of abnormal economic disruption is proclaimed to exist in Wisconsin; and the Department of Agriculture, Trade and Consumer Protection is directed to enforce prohibitions against price gouging during an emergency.

2 Whereas, in January, 2020, the United States declared a public health
3 emergency related to COVID-19 Coronavirus in the United States; and

4 Whereas, on March 12, 2020, Governor Tony Evers, by virtue of his
5 constitutional authority and his authority under sections 100.305, 321.39, 323.10,

1 323.12, and 323.13 of the statutes, issued Executive Order #72, proclaiming a state
2 of public health emergency; designating the Department of Health Services as the
3 lead agency to respond to the public health emergency; directing the Department of
4 Health Services to take all necessary and appropriate measures to prevent and
5 respond to incidents of COVID-19 in the state; suspending the provisions of any
6 administrative rule, if the secretary of health services determines that compliance
7 with that rule would prevent, hinder, or delay necessary actions to respond to the
8 emergency and increase the health threat; authorizing the adjutant general to
9 activate the Wisconsin National Guard as necessary and appropriate to assist in the
10 state's response to the public health emergency; directing all state agencies to assist
11 as appropriate in the state's ongoing response to the public health emergency;
12 proclaiming that a period of abnormal economic disruption, as defined in section
13 100.305 of the statutes, exists in the state; and directing the Department of
14 Agriculture, Trade and Consumer Protection to enforce prohibitions against price
15 gouging during an emergency, as authorized under section 100.305 of the statutes
16 and Chapter ATCP 106 of the Wisconsin Administrative Code; and

17 Whereas, section 323.10 of the statutes allows the governor to issue an
18 executive order declaring a state of emergency related to public health and designate
19 the Department of Health Services as the lead agency to respond to the emergency
20 and provides that a state of emergency declared by the governor shall not exceed 60
21 days unless the state of emergency is extended by joint resolution of the legislature;
22 now, therefore, be it

23 ***Resolved by the senate, the assembly concurring, That*** the state of public
24 health emergency declared by the governor in Executive Order #72 is extended

1 indefinitely until it is revoked by a subsequent executive order of the governor or a
2 subsequent joint resolution of the legislature.

3 (END)