



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBs0390/1
MPG&RAC:cdc/cjs/skw

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY JOINT RESOLUTION 112**

February 15, 2022 - Offered by Representative WITTKÉ.

1 **To create** section 35 of article IV of the constitution; **relating to:** the appropriation
2 authority of the legislature and the allocation of moneys Wisconsin receives
3 from the federal government (first consideration).

Analysis by the Legislative Reference Bureau

Under current law under the statutes, the governor has authority to accept federal moneys on behalf of the state and to allocate federal moneys without the specific approval or participation of the legislature. This constitutional amendment, proposed to the 2021 legislature on first consideration, prohibits the legislature from delegating its sole power to determine how moneys shall be appropriated and provides that the governor may not allocate any federal moneys the governor accepts on behalf of the state without the approval of the legislature by joint resolution or as provided by legislative rule.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it becomes effective.

4 ***Resolved by the assembly, the senate concurring, That:***

5 **SECTION 1.** Section 35 of article IV of the constitution is created to read:

1 [Article IV] Section 35 (1) The legislature may not delegate its sole power to
2 determine how moneys shall be appropriated.

3 (2) The governor may not allocate any federal moneys the governor accepts on
4 behalf of the state without the approval of the legislature by joint resolution or as
5 provided by legislative rule.

6 **SECTION 2. Numbering of new provision.** If another constitutional
7 amendment ratified by the people creates the number of any provision created in this
8 joint resolution, the chief of the legislative reference bureau shall determine the
9 sequencing and the numbering of the provisions whose numbers conflict.

10 ***Be it further resolved, That*** this proposed amendment be referred to the
11 legislature to be chosen at the next general election and that it be published for three
12 months previous to the time of holding such election.

13 (END)