



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5486/1
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2021 ASSEMBLY JOINT RESOLUTION 112

January 18, 2022 - Introduced by Representatives WITKE, KURTZ, ARMSTRONG, STEFFEN, THIESFELDT, MURPHY, GUNDRUM, EDMING, PENTERMAN, JAMES, KNODL, MACCO, BEHNKE, SCHRAA and KUGLITSCH, cosponsored by Senators KOOYENGA, MARKLEIN, STROEBEL, DARLING and NASS. Referred to Committee on Constitution and Ethics.

AUTHORS SUBJECT TO CHANGE

- 1 **To create** section 35 of article IV of the constitution; **relating to:** expenditure of
2 moneys Wisconsin receives 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 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 federal moneys may be spent. The amendment further provides that no executive branch official or department may make an initial allocation of federal moneys without the approval of a joint committee of the legislature designated by legislative rule.

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

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- 3 **Resolved by the assembly, the senate concurring, That:**
4 **SECTION 1.** Section 35 of article IV of the constitution is created to read:
5 [Article IV] Section 35 (1) The legislature may not delegate its sole power to
6 determine how federal moneys shall be expended.

1 (2) No executive branch officer or department may make an initial allocation
2 of federal moneys made available to this state without the approval of a joint
3 committee of the legislature designated by legislative rule.

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

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

11 (END)