



2011 SENATE JOINT RESOLUTION 16

March 16, 2011 – Introduced by Senators HARS DORF, CARPENTER, MOULTON, SCHULTZ, RISSER and TAYLOR, cosponsored by Representatives BIES, MURSAU, NASS, PASCH, RIVARD, ROYS, SINICKI, SPANBAUER and STONE. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **To renumber** section 23a of article IV; and **to create** section 23a (2) of article IV of
2 the constitution; **relating to:** veto power of county executive over
3 appropriations (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2011 legislature for submittal to the voters in April 2011, was first considered by the 2009 legislature in 2009 Senate Joint Resolution 11, which became 2009 Enrolled Joint Resolution 27.

The proposed constitutional amendment provides that, in approving an appropriation in part, the chief executive of a county may not create a new word by rejecting individual letters in the words of the resolution or ordinance and may not create a new sentence by combining parts of two or more sentences of the resolution or ordinance. Currently, in exercising the partial veto power, the chief executive of a county may approve appropriations contained in resolutions or ordinances in whole or part without restriction.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before

the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2009 legislature in regular session considered a proposed
2 amendment to the constitution in 2009 Senate Joint Resolution 11, which became
3 2009 Enrolled Joint Resolution 27, and agreed to it by a majority of the members
4 elected to each of the 2 houses, which proposed amendment reads as follows:

SECTION 1. Section 23a of article IV of the constitution is renumbered 23a (1) of article IV of the constitution.

SECTION 2. Section 23a (2) of article IV of the constitution is created to read:

[Article IV] Section 23a (2) In approving an appropriation in part under sub. (1), the chief executive may not create a new word by rejecting individual letters in the words of the resolution or ordinance and may not create a new sentence by combining parts of 2 or more sentences of the resolution or ordinance.

SECTION 3. Numbering of new provisions. The new subsection (2) of section 23a of article IV of the constitution created in this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 23a of article IV of the constitution of this state. If one or more joint resolutions create a subsection (2) of section 23a of article IV simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

5 *Now, therefore, be it resolved by the senate, the assembly concurring,*
6 *That* the foregoing proposed amendment to the constitution is agreed to by the 2011
7 legislature; and, be it further

8 *Resolved, That* the foregoing proposed amendment to the constitution be

1 submitted to a vote of the people at the election to be held on the first Tuesday of April,
2 2011; and, be it further

3 ***Resolved, That*** the question concerning ratification of the foregoing proposed
4 amendment to the constitution be stated on the ballot as follows:

5 **QUESTION 1: “Partial veto.** Shall section 23a of article IV of the constitution
6 be renumbered to 23a (1) of article IV, and shall section 23a (2) of article IV of the
7 constitution be created, to provide that, in approving an appropriation in part, the
8 chief executive of a county may not create a new word by rejecting individual letters
9 in the words of a resolution or ordinance and may not create a new sentence by
10 combining parts of two or more sentences of the resolution or ordinance?”

11

(END)