State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0312/1
MPG:amn

2025 ASSEMBLY JOINT RESOLUTION 8

February 17, 2025 - Introduced by Representatives ALLEN, PIWOWARCZYK, BEHNKE, BRILL, DITTRICH, GUNDRUM, HURD, KNODL, KREIBICH, MAXEY, MURPHY, MURSAU, O'CONNOR, PENTERMAN and WICHGERS, cosponsored by Senators TOMCZYK, BRADLEY and NASS. Referred to Committee on State Affairs.

To amend section 10 (1) (c) of article V of the constitution; **relating to:** restricting the governor's partial veto authority to only rejecting entire bill sections of an appropriation bill that are capable of separate enactment and reducing appropriations in a bill (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2025 legislature on first consideration, amends the Wisconsin Constitution to restrict the governor, in exercising his or her partial veto power over an appropriation bill, to only rejecting one or more entire bill sections of the enrolled bill capable of separate enactment as a complete, entire, and workable law and reducing appropriations in the enrolled bill. The governor may not partially veto an enrolled bill in any other way.

Currently, in exercising the partial veto power, the governor is limited only in that he or she may not create a new word by rejecting individual letters in the words of the enrolled bill and may not create a new sentence by combining parts of two or more sentences of the enrolled bill. In *Bartlett v. Evers*, 2020 WI 68, the Wisconsin Supreme Court further restricted the governor's partial veto power, but there was no agreement by the court on the reasons for the new restrictions. The new restriction on the governor's partial veto power contained in this resolution subsumes and expands on the current restrictions in the constitution.

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

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 10 (1) (c) of article V of the constitution is amended to read:

[Article V] Section 10 (1) (c) In approving an appropriation bill in part, the governor may ~~not create a new word by rejecting individual letters in the words of the enrolled bill, and may not create a new sentence by combining parts of 2 or more sentences~~ only reject one or more entire bill sections of the enrolled bill capable of separate enactment as a complete, entire, and workable law and reduce appropriations in the enrolled bill.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

(END)