



## 2025 SENATE JOINT RESOLUTION 116

December 30, 2025 - Introduced by Senators KAPENGA, BRADLEY, FEYEN, HUTTON, NASS, TOMCZYK and WANGGAARD, cosponsored by Representatives NEDWESKI, KNODL, KITCHENS, SORTWELL, ALLEN, AUGUST, BEHNKE, CALLAHAN, DITTRICH, DONOVAN, GOEBEN, GREEN, GUNDRUM, GUSTAFSON, B. JACOBSON, KREIBICH, KURTZ, MAXEY, MOSES, MURPHY, PENTERMAN, STEFFEN, SWEARINGEN, TUCKER, TUSLER and WICHGERS. Referred to Committee on Licensing, Regulatory Reform, State and Federal Affairs.

- 1     **To amend** section 10 (1) (c) of article V of the constitution; **relating to:** prohibiting  
2             the governor from using the partial veto to create or increase any tax or fee  
3             (second consideration).

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### *Analysis by the Legislative Reference Bureau*

#### EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2025 legislature for submittal to the voters in November 2026, was first considered by the 2023 legislature in 2023 Assembly Joint Resolution 112, which became 2023 Enrolled Joint Resolution 16.

This constitutional amendment provides that the governor, in exercising his or her partial veto power over an appropriation bill, may not create or increase or authorize the creation or increase of any tax or fee.

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 the amendment is in addition to the current restrictions in the constitution.

**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.

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1           Whereas, the 2023 legislature in regular session considered a proposed  
2 amendment to the constitution in 2023 Assembly Joint Resolution 112, which  
3 became 2023 Enrolled Joint Resolution 16, and agreed to it by a majority of the  
4 members elected to each of the two houses, which proposed amendment reads as  
5 follows:

**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 of the enrolled bill, and may not create or increase or authorize the creation or increase of any tax or fee.

6           *Now, therefore, be it resolved by the senate, the assembly concurring,*  
7 *That* the foregoing proposed amendment to the constitution is agreed to by the  
8 2025 legislature; and, be it further

9           *Resolved, That* the foregoing proposed amendment to the constitution be  
10 submitted to a vote of the people at the election to be held on the first Tuesday of  
11 November 2026; and, be it further

