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# ROBERT WITTKE

STATE REPRESENTATIVE • 62<sup>nd</sup> ASSEMBLY DISTRICT

TESTIMONY: ASSEMBLY COMMITTEE ON WAYS & MEANS

March 16, 2023

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Chairman Macco and Members,

Thank you for holding a public hearing on this important constitutional amendment, **AJR 6**, regarding expenditure of moneys Wisconsin receives from the federal government. This is the second consideration of the resolution.

As you are well aware, billions of federal dollars pour into our state in the last couple of years. These Supplemental Federal funds were important to our state's economic wellbeing, but only Governor Evers made the determination for allocation of all that money without legislative consideration. AJR 6 would amend the Wisconsin Constitution by prohibiting the governor from allocating federal moneys without the approval of the legislature by joint resolution or by legislative rule, and it also provides that the legislature may not delegate its sole power to determine how moneys shall be appropriated.

AJR 6 would restore a balance to how Wisconsin manages supplemental federal money we receive. It was back in the 1930's when the Legislature changed their role in the dispersing of federal dollars and granted authority to the governor. While I cannot speak to the intent of the Legislature at that time, I would imagine the decision had much to do with that point in history – the great depression. Times have changed and the influx of federal dollars calls for a different approach.

Passage of AJR 6 would mean a statewide referendum where voters would decide on two questions. First: Shall section 35 (1) of article IV of the constitution be created to provide that the legislature may not delegate its sole power to determine how moneys shall be appropriated? Second: Shall section 35 (2) of article IV of the constitution be created to prohibit the governor from allocating 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?

AJR 6 would provide the legislature with a seat at the decision making table on supplemental federal funds.

Thank you again for holding a hearing on **AJR 6**, I hope you'll move the resolution out of committee swiftly.



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# HOWARD MARKLEIN

STATE SENATOR • 17<sup>TH</sup> SENATE DISTRICT

**March 16, 2023**

**Assembly Committee on Ways & Means  
Testimony on Assembly Joint Resolution 6**

Good Morning!

Thank you Chairman Macco and committee members for hearing Assembly Joint Resolution (AJR) 6, which is second consideration of the Joint Resolution that amends the Wisconsin Constitution by prohibiting the governor from allocating any federal moneys the governor accepts on behalf of the state without the approval of the legislature by joint resolution or by legislative rule. It also provides that the legislature may not delegate its sole power to determine how moneys shall be appropriated.

This resolution increases accountability, efficiency, and transparency in the expenditure of funds received from the federal government by restoring the legislature's role in approving those expenditures.

The Wisconsin Constitution provides that the Legislature holds the power of the purse. Article VIII, Section 2 states in part, "No money shall be paid out of the treasury except in pursuance of an appropriation by law." The state Constitution clearly gives spending responsibility to the Assembly and Senate.

For much of Wisconsin's early history, lawmakers had the final say over the spending of all funds in the state treasury, no matter their source. However, legislators abandoned that important responsibility during the 1930s and 1940s as federal dollars began to compose a much larger share of state spending.

During that time, most authority over that growing pool of funds was given to the executive branch as past legislatures transferred to the governor unilateral authority to allocate funds received from the federal government through the enactment of several laws during and after the Great Depression era.

I believe the only permanent solution is to have the voters in Wisconsin approve an amendment to the state constitution that will restore the legislature's role in the allocation of federal funds.

Thank you again to the committee for hearing AJR 6 and your timely action on the resolution.

I respectfully ask for your support.