



2009 SENATE JOINT RESOLUTION 11

February 5, 2009 – Introduced by Senators CARPENTER, LEHMAN and HARSDORF, cosponsored by Representatives PASCH, VAN AKKEREN, LOTHIAN and TOWNSEND. Referred to Committee on Ethics Reform 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 (first consideration).

Analysis by the Legislative Reference Bureau

The constitution grants the chief executive of a county the power to approve appropriations contained in resolutions or ordinances in whole or part. This executive power is similar to that granted the governor with respect to appropriations bills. In fact, in 1984, the attorney general opined that the county executive's veto power over appropriations "is not dissimilar to that of the Governor" (OAG 27-84). This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, provides that, in approving an appropriation in part, the county 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 two or more sentences of the resolution or ordinance. These are the identical restrictions that are currently placed on the governor in the exercise of his or her veto power over appropriations bills.

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

4 **Resolved by the senate, the assembly concurring, That:**

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

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

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

8 **SECTION 3. Numbering of new provisions.** The new subsection (2) of section
9 23a of article IV of the constitution created in this joint resolution shall be designated
10 by the next higher open whole subsection number in that section in that article if,
11 before the ratification by the people of the amendment proposed in this joint
12 resolution, any other ratified amendment has created a subsection (2) of section 23a
13 of article IV of the constitution of this state. If one or more joint resolutions create
14 a subsection (2) of section 23a of article IV simultaneously with the ratification by
15 the people of the amendment proposed in this joint resolution, the subsections
16 created shall be numbered and placed in a sequence so that the subsections created
17 by the joint resolution having the lowest enrolled joint resolution number have the
18 numbers designated in that joint resolution and the subsections created by the other
19 joint resolutions have numbers that are in the same ascending order as are the
20 numbers of the enrolled joint resolutions creating the subsections.

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

24

(END)