



2011 ASSEMBLY JOINT RESOLUTION 46

June 21, 2011 - Introduced by Representatives JACQUE, BROOKS, BIES, CRAIG, ENDSLEY, LEMAHIEU, PETRYK, PRIDEMORE, RIVARD, TRANEL and WEININGER, cosponsored by Senators KAPANKE, GALLOWAY, LASEE and LEIBHAM. Referred to Committee on Urban and Local Affairs.

1 **To create** section 11 of article VIII of the constitution; **relating to:** funding in bills
2 placing requirements on local governmental units (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2011 legislature on first consideration, prohibits the legislature from passing any bill that places a requirement on a local governmental unit unless the bill contains an appropriation that reimburses the local governmental unit for the full cost of complying with the requirement. The amendment does not prohibit the governor from vetoing an appropriation contained in a bill that creates such a requirement.

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

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

4 **SECTION 1.** Section 11 of article VIII of the constitution is created to read:

5 [Article VIII] Section 11. The legislature may not pass any bill that places a
6 requirement on any city, village, town, or county, school district, or technical college
7 district or other local governmental unit unless the bill contains an appropriation

1 that reimburses the local governmental unit for the full cost of complying with the
2 requirement.

3 **SECTION 2. Numbering of new provisions.** If another constitutional
4 amendment ratified by the people creates the number of any provision created in this
5 joint resolution, the chief of the legislative reference bureau shall determine the
6 sequencing and the numbering of the provisions whose numbers conflict.

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

10 (END)