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TESTIMONY IN SUPPORT OF 2023 ASSEMBLY JOINT RESOLUTION 112

Chairman Swearingen and Members of the Assembly Committee on State Affairs,

My name is Kyle Koenen, I am the Policy Director with the Wisconsin Institute for Law & Liberty ("WILL"), and I am here today to testify in support of Assembly Joint Resolution 112. WILL is a nonpartisan not-for-profit law and policy center based out of Milwaukee.

Governors in Wisconsin have one of the most power line-item veto powers in the entire country. Governors of both political parties have used this power to recraft state budgets and other legislation time and time again. The people of Wisconsin have historically responded by amending the power in what seems like a game of whack-a-mole. In 1990, the constitution was amended to make clear that the governor may not create a new word by striking out individual letters and stringing together other letters (Vanna White veto). It was again amended in 2008 to prohibit governors from creating "a new sentence by combining parts of two or more sentences (Frankenstein veto). Needless to say, we are here again.

AJR 112 makes a relatively simple, but vitally important, amendment to our state constitution which will strengthen our separation of powers and protect taxpayers. Specifically, AJR 112 ensures that when the Governor wields their veto pen they cannot create or increase, or authorize the creation or increase, of any tax or fee. In reality, this means that when the Governor exercises a line-item veto, it may only be to lower a tax or fee, not increase it.

Preserving the separation of powers is crucial for maintaining a system of checks and balances that safeguards against the "tyrannical" concentration of power. Passing this constitutional amendment would further clarify our state constitution to ensure no individual Governor from either party has the authority to single-handedly raise taxes or fees. This is a simple reform ensures that every Governor is still able to effectively use the line-item veto, while simultaneously protecting taxpayers in our state.

Thank you for the opportunity to testify today. Please support AJR 112 and give voters the option to weigh in on this important topic. I would be happy to answer any questions.