



WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

April 8, 2021

The Honorable Josh Kaul
Attorney General
Wisconsin Department of Justice
17 W. Main Street
Madison, WI 53703

Attorney General:

Recently thirteen states have filed suit, led by West Virginia Attorney General Patrick Morrisey, against the federal government over the American Rescue Plan Act of 2021's (ARPA) requirement that states receiving this money must not cut taxes. ARPA appropriates a staggering 1.9 trillion dollars in federal tax money to a multitude of entities across the country suffering from the effects of the Covid-19 pandemic. The 50 states received approximately \$350 billion of these tax dollars directly. Unfortunately, the federal government overstepped its constitutional authority when it decided to "attach strings" to these funds by prohibiting states that receive said monies from reducing taxes on citizens.

A state's power to control its own budget and decide its state's tax burden is a core legislative function that is constitutionally protected. Over the past year the Wisconsin Legislature and Executive Branch worked hard to keep Wisconsin's budget balanced while still providing economic relief to the citizens of this state. ARPA's restriction that states may not reduce taxes—only raise them—is an unfair limitation on the sovereign authority of the states that acted responsibly and prudently during the trying times of this pandemic.

We urge you to join your thirteen fellow attorneys general and add Wisconsin to the list of states challenging the federal government's unconstitutional overreach. Wisconsin citizens deserve to have the ability to budget for themselves without the interference of bureaucrats a thousand miles away in Washington D.C.

As this is a time sensitive matter that affects all Wisconsinites we ask that you get back to us with your decision by April 21.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin J. Vos". The signature is fluid and cursive.

Robin J. Vos
Speaker of the Assembly

A handwritten signature in black ink, appearing to read "Devin LeMahieu". The signature is fluid and cursive.

Devin LeMahieu
Senate Majority Leader