



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

January 28, 2009

TO: Representative Pedro Colón
Room 306 East, State Capitol

FROM: Bob Lang, Director

SUBJECT: Federal Funds

You asked what the role of the Legislature might be in determining the distribution of funds and overseeing programs which may result from the pending federal economic stimulus legislation.

Under s. 16.54 of the statutes, the Governor is authorized to accept federal funds on behalf of the state and direct those funds to the state agencies responsible for administering the funds. Thus, unless there are certain specific requirements under the federal legislation, the Governor would presumably exercise his authority under s. 16.54.

Under s. 115.295 of the statutes, the State Superintendent of Public Instruction is required to seek approval to expend funds for elementary and secondary education if federal funding will be 5% greater or less than that budgeted by the state in any fiscal year. Therefore, the current statutes would require review of K-12 federal funding under the economic stimulus legislation.

Finally, legislation could be enacted which could give the Legislature or its committees responsibility for the review and oversight of funds that the state receives under the federal legislation.

BL/sas