

2005 DRAFTING REQUEST

Senate Amendment (SA-SJR63)

Received: **02/15/2006**

Received By: **jkreye**

Wanted: **As time permits**

Identical to LRB:

For: **Tim Carpenter (608) 266-8535**

By/Representing: **stuart**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Carpenter@legis.state.wi.us**

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Revenue limits; paying for mandates, funding for schools and technical colleges, prohibiting new exemptions without reimbursement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 02/15/2006	wjackson 02/21/2006	jfrantze 02/21/2006	_____	Inorthro 02/21/2006	Inorthro 02/21/2006	

FE Sent For:

<END>

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/1	jkreye	11 wlj 2/21	Jb 2/21	Jg/Pg 2/21			

FE Sent For:

<END>

Kreye, Joseph

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 1:53 PM
To: LRB.Legal; Kreye, Joseph
Cc: Sen.Carpenter
Subject: Message for Joe Kreye

Joe Kreye

Hi Joe-

I see that you are the drafter for SJR 63/AJR 77. Tim would like an amendment that makes this resolution as follows:

- The state must pay for all current mandates (not just future mandates);
- The state must pay for 2/3 rds funding for all costs of education for k-12 education, including voucher programs;
- The state must pay for 1/3 rd the cost of Tech Colleges
- The state may make no new property tax or sales tax exemptions unless the state reimburses the local units of government for ALL revenue lost due to the tax exemptions.

If you have any questions or comments, please let me know.

Regards,

G. Stuart Ewy
Chief of Staff
Office of Senator Tim Carpenter
State Capitol 126 S
608.266.8535

Kreye, Joseph

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 3:39 PM
To: Kreye, Joseph
Subject: RE: Message for Joe Kreye

Hi Joe-
Retain the exclusion re federal law.
Thanks,
s

From: Kreye, Joseph
Sent: Wednesday, February 15, 2006 2:36 PM
To: Ewy, Stuart
Subject: RE: Message for Joe Kreye

Stuart,

With regard to the mandates, under the joint resolution, the state does not have to provide for the reasonable costs of complying with a mandate if the mandate is necessary to comply with a federal law requirement, including a requirement related to receiving federal aid. Do you want to retain this exclusion or should the state pay for these type of mandates as well?

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 1:53 PM
To: LRB.Legal; Kreye, Joseph
Cc: Sen.Carpenter
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G. Stuart Ewy
Chief of Staff
Office of Senator Tim Carpenter
State Capitol 126 S

608.266.8535

Kreye, Joseph

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 4:10 PM
To: Kreye, Joseph
Subject: RE: Message for Joe Kreye

That makes sense -- please have it excluded from the limit.

-S

From: Kreye, Joseph
Sent: Wednesday, February 15, 2006 4:04 PM
To: Ewy, Stuart
Subject: RE: Message for Joe Kreye

If the funding was from revenue that is excluded from the limit, then the state could pay for schools from a separate "pool", so to speak, and the rest of the budget would be subject to the limit. This could result in the state actually spending more under the limit, at least in the near future, than before the limit.

If the school funding is subject to the limit, then you have a potential "Colorado" problem where the state's commitment to school funding becomes a bigger and bigger piece of the budget (because it's a fixed percentage of costs) and less money is available for other purposes because of the limit.

Joseph T. Kreye

Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 3:55 PM
To: Kreye, Joseph
Subject: RE: Message for Joe Kreye

That you got me on. What are advantages and disadvantages? Tim's concern would be about full 2/3 funding. If that raises the limit, then that would be okay.

-S

From: Kreye, Joseph
Sent: Wednesday, February 15, 2006 2:53 PM
To: Ewy, Stuart
Subject: RE: Message for Joe Kreye

Would the 2/3 funding for K-12 and the 1/3 funding for technical college districts be included in the calculation of the state's revenue limit?

Joe

Joseph T. Kreye

Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

From: Ewy, Stuart
Sent: Wednesday, February 15, 2006 1:53 PM

To: LRB.Legal; Kreye, Joseph
Cc: Sen.Carpenter
Subject: Message for Joe Kreye

Joe Kreye

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G. Stuart Ewy
Chief of Staff
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State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2370/1

JK:.....

WLj

SENATE AMENDMENT ,
TO 2005 SENATE JOINT RESOLUTION 63

in 2-16-06
due filed 2-23-06

- 1 At the locations indicated, amend the joint resolution as follows:
- 2 ✓ **1.** Page 10, line 11: delete lines 11 to 17 and substitute:
- 3 “(9) (a) A local governmental unit need not comply with any state law or
- 4 administrative rule that requires the expenditure of money by the local
- 5 governmental unit unless the state provides for the payment to the local
- 6 governmental unit of an amount that is equal to the reasonable costs incurred by the
- 7 local governmental unit to comply with the law or rule, as determined by the
- 8 governing body of the local governmental unit.”.
- 9 ✓ **2.** Page 10, line 18: delete “subsection” and substitute “paragraph”.
- 10 ✓ **3.** Page 10, line 20: after that line insert:
- 11 “(b) No sales or use tax exemption may be enacted after the ratification of this
- 12 paragraph unless the state pays to each local governmental unit, for each year in
- 13 which the exemption is in effect, an amount that is equal to the difference between

1 the amount of sales and use tax revenue that the local governmental unit collected
2 and the amount of sales and use tax revenue that the local governmental unit would
3 have collected if the exemption had not been in effect.

4 (c) No property tax exemption may be enacted after the ratification of this
5 paragraph unless the state pays to each local governmental unit, for each year in
6 which the exemption is in effect, an amount that is equal to the amount of property
7 tax revenue that the local governmental unit would have collected from every
8 taxpayer located within the jurisdiction of the local governmental unit, for property
9 tax purposes, who is subject to the exemption if the exemption had not been in effect.

10 (d) In each fiscal year, beginning in 2010, the state shall pay two-thirds of the
11 costs of educating students in kindergarten through the 12th grade. Amounts paid
12 under this paragraph are excluded from the calculation of the state's revenue limit.

13 (e) In each fiscal year, beginning in 2010, the state shall pay one-third of the
14 cost of operating technical colleges in this state. Amounts paid under this paragraph
15 are excluded from the calculation of the state's revenue limit.”

16 (END)

public education
public education

including the costs of providing
a voucher program for students
to attend private schools