

2011 DRAFTING REQUEST

Assembly Joint Resolution

Received: 11/11/2010

Received By: **smiller**

Wanted: **As time permits**

Companion to LRB:

For: **Travis Tranel (608) 266-1170**

By/Representing: **jeff curry**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Tranel@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of a fiscal responsibility fund

Instructions:

09-4252

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>
/?	smiller 11/11/2010	wjackson 11/19/2010		_____			
	smiller 11/29/2010	wjackson 12/01/2010		_____			
/1			jfrantze 12/02/2010	_____	cduerst 12/02/2010	lparisi 03/28/2011	

FE Sent For:

None

<END>

2011 DRAFTING REQUEST

Assembly Joint Resolution

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Wanted: As time permits

For: Travis Tranel (608) 266-1170

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By/Representing: **jeff curry**

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*changed
by
SRM*

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	11/11/2010	11/19/2010		_____			
	smiller	wjackson		_____			
	11/29/2010	12/01/2010		_____			
/1			jfrantze	_____	cduerst		
			12/02/2010	_____	12/02/2010		

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Assembly Joint Resolution

Received: 11/11/2010

Received By: **smiller**

Wanted: **As time permits**

Companion to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **denise solie**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

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Instructions:

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Wanted: **As time permits**

Companion to LRB:

For: **Mark Gottlieb (608) 267-2369**

By/Representing: **denise solie**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gottlieb@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

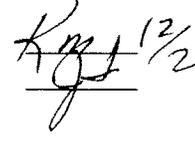
Creation of a fiscal responsibility fund

Instructions:

09-4252

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/?	smiller	1 12/11 WLJ					
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FE Sent For:

<END>

Miller, Steve

From: Solie, Denise
Sent: Thursday, November 11, 2010 7:49 AM
To: Miller, Steve
Cc: LRB.Legal
Subject: Drafting Request

0435

Please re-draft 2009 LRB 4252/4 for introduction in 2011.

This is a high priority.

Thank you. Feel free to call or email if you have any questions.

Denise Solie
Office of Rep. Mark Gottlieb
(608) 267-2370

Miller, Steve

From: Solie, Denise
Sent: Wednesday, December 01, 2010 12:40 PM
To: Miller, Steve
Subject: FW: Drafting request - Change to 0435

Importance: High

Attachments: tabor2.0.doc

Steve,

Mark has been working with Bob Lang on 2011 LRB0435 (the re-draft of 2009 LRB 4252/4).

Please incorporate the attached language.

Please call if you have any questions. Thanks.

denise

From: Lang, Bob
Sent: Tuesday, November 30, 2010 11:58 AM
To: Rep.Gottlieb
Cc: Solie, Denise
Subject:

See the attached. Give me a call if you want to go over this. Bob Lang



tabor2.0.doc (31 KB)

From: Miller, Steve
Sent: Thursday, November 11, 2010 8:47 AM
To: Solie, Denise
Subject: RE: Drafting Request

Thanks.
This is LRB # 0435.

From: Solie, Denise
Sent: Thursday, November 11, 2010 7:49 AM
To: Miller, Steve
Cc: LRB.Legal
Subject: Drafting Request

Please re-draft 2009 LRB 4252/4 for introduction in 2011.

This is a high priority.

Thank you. Feel free to call or email if you have any questions.

Denise Solie
Office of Rep. Mark Gottlieb
(608) 267-2370

In each fiscal year in which the balance of the fund as of the preceding June 30 was less than 10 percent of the actual general fund tax collections in the preceding fiscal year, the state shall deposit into the fund the greater of a) one-half of one percent of the actual general fund tax collections in the second preceding fiscal year; or b) the amount, if any, by which the actual general fund tax collections in the second preceding fiscal year exceeded 6.5% of state personal income in the calendar year in which the second preceding fiscal year began.



LRB-04352
SRM: /...
WLj

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~
2011 ASSEMBLY JOINT RESOLUTION

in Nov. 23

1

Gen Cat

the

(first consideration)

Relating to: creation of a fiscal responsibility fund

Analysis by the Legislative Reference Bureau

Currently, the state maintains a budget stabilization fund which is established and administered as required by statute. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires the legislature to establish a fiscal responsibility fund in the treasury and to deposit into the fund the greater of ~~1~~ 1 percent of the actual general fund tax collections in the second preceding fiscal year; or ~~the~~ the amount, if any, by which actual general fund tax collections in the second and third preceding fiscal years exceeded 6.5 percent of state personal income in the third and fourth preceding calendar years, respectively. The 6.5 percent threshold may be modified by law by a two-thirds vote of the legislature. The amendment would permit the legislature to appropriate moneys from the fund by a two-thirds vote or by a majority vote if the governor declares that the national real gross domestic product is projected to decline in either the current or succeeding fiscal year. In each fiscal year following a fiscal year in which the balance in the fiscal responsibility fund exceeded 10 percent of actual general fund tax collections in that fiscal year, the legislature shall appropriate by law from the fiscal responsibility fund the excess to be used for property tax relief in the same manner as the net proceeds of the state lottery under article IV, section 24 (6) (a) ^{of the constitution}.

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

INSERT 2-1 →

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

2 [Article VIII] Section 11. The legislature shall provide by law for the

3 establishment of ^{the} a fiscal responsibility fund in the state treasury. In each fiscal year

4 ending in an even-numbered calendar year, the state shall deposit into the fund the

5 greater of: a) 1 percent of the actual general fund tax collections in the second

6 preceding fiscal year; or b) the amount, if any, by which actual general fund tax

7 collections in the second and third preceding fiscal years exceeded 6.5 percent of state

8 personal income in the third and fourth preceding calendar years ending in the

9 second and third preceding fiscal years, respectively. The legislature may increase

10 or decrease the 6.5 percent threshold by law by a two-thirds vote of the members

11 present in each house of the legislature. In this section, general fund taxes mean

12 those taxes that were treated as general purpose revenue under the statutes in effect

13 on January 1, 2011, and new, increased, or expanded taxes or fees used to support

14 programs that derived a majority of their state funding from general purpose

15 revenue under those statutes. The legislature may appropriate or transfer from the

16 fiscal responsibility fund by law by a two-thirds vote of the members present in each

17 house of the legislature or by a majority vote of the members present in each house

18 of the legislature if the governor declares that the national real gross domestic

19 product or its successor index is projected to decline for two or more quarters in the

20 current or succeeding fiscal year. In each fiscal year following a fiscal year in which

21 the balance in the fiscal responsibility fund exceeded 10 percent of actual general

22 fund tax collections in that fiscal year, the legislature shall appropriate by law from

23 the fiscal responsibility fund the excess to be used for property tax relief in the same

24 manner as the net proceeds of the state lottery under article IV, section 24 (6) (a).

1

SECTION 2. Numbering of new provision. ~~Numbering of new provision.~~ If

2

another constitutional amendment ratified by the people creates the number of any

3

provision created in this joint resolution, the chief of the legislative reference bureau

4

shall determine the sequencing and the numbering of the provisions whose numbers

5

conflict.

6

Be it further resolved, That this proposed amendment be referred to the

7

legislature to be chosen at the next general election and that it be published for 3

8

months previous to the time of holding such election.

9

(END)

INSERT ANALYSIS

Not

This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires the legislature to establish the fiscal responsibility fund in the treasury, and to deposit into the fund the greater of 1) one-half of 1 percent of the actual general fund tax collections in the second preceding fiscal year; or 2) the amount, if any, by which the actual general fund tax collections in the second preceding fiscal year exceeded 6.5 percent of state personal income in the calendar year in which the second preceding fiscal year began.

INSERT 2-1

1 ~~SECTION #~~ Section 11 of article VIII of the constitution is created to read:

2 [Article VIII] Section 11 (1) In this section, "general fund tax collections" means
3 those taxes that were treated as general purpose revenue under the statutes in effect
4 on January 1, 2011, and new, increased, or expanded taxes or fees used to support
5 programs that derived a majority of their state funding from general purpose
6 revenue under those statutes.

7 (2) The legislature shall provide for the establishment of the fiscal
8 responsibility fund in the state treasury. In each fiscal year in which the balance of
9 the fund as of the preceding June 30 was less than 10 percent of the actual general
10 fund tax collections in the preceding fiscal year, the state shall deposit into the fund
11 the greater of the following:

12 (a) One-half of 1 percent of the actual general fund tax collections in the 2nd
13 preceding fiscal year.

14 (b) The amount, if any, by which the actual general fund tax collections in the
15 2nd preceding fiscal year exceeded 6.5 percent of state personal income in the
16 calendar year in which the 2nd preceding fiscal year began.

1 (3) The legislature may increase or decrease the 6.5 percent threshold under
2 sub. (2) (b) by a two-thirds vote of the members present in each house of the
3 legislature.

4 (4) The legislature may appropriate or transfer from the fiscal responsibility
5 fund by a two-thirds vote of the members present in each house of the legislature or
6 by a majority vote of the members present in each house of the legislature if the
7 governor declares that the national real gross domestic product or its successor index
8 is projected to decline for 2 or more quarters in the current or succeeding fiscal year.

9 (5) In each fiscal year following a fiscal year in which the balance in the fiscal
10 responsibility fund exceeded 10 percent of ^{the} actual general fund tax collections in that
11 fiscal year, the legislature shall appropriate from the fiscal responsibility fund the
12 excess to be used for property tax relief in the same manner as the net proceeds of
13 the state lottery under article IV, section 24 (6) (a).

Miller, Steve

From: Solie, Denise L - DOT [Denise.Solie@dot.wi.gov]
Sent: Monday, January 10, 2011 6:20 PM
To: Miller, Steve
Cc: Rep. Tranel; Bott, Eric; Gottlieb, Mark - DOT
Subject: Drafting

Steve,

11-0435

fiscal resp. fund

While closing Representative Gottlieb's office last week, I sent authorizations – on Mark's behalf – for certain legislators and staff to have access to the LRB draft and drafting files for several of Mark's bills (for example, Representative Petrowski on Transportation Fund Integrity and Senator Darling on Mediation Arbitration).

It appears that, unfortunately, I neglected to send you authorization that allows Representative Tranel access to the draft and file for Mark's Wisconsin ~~FIRST~~ amendment.

I know Mark would appreciate it if you would please allow that access to Rep. Tranel, his staff, Jeff Curry, and Eric Bott (Speaker Fitzgerald's office) for this draft. I do not have the LRB number with me, but believe you will know which assembly joint resolution I mean.

266-1170

Please contact me if you have any questions, or if you need to get authorization directly from Mark. Thanks, Steve.

Denise L. Solie
Administrator
Bureau of Business Management
Office: (608) 266-2090
Cell: (608) 239-6754

Jeff. Curry @ legis.wi.gov

3/28

Please jacket

11-0435

Rep. Travis Trammell