1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: **09/25/98**

Wanted: **As time permits**

For: **Robert Ziegelbauer (608) 266-0315**

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

May Contact:

Subject: **Constitutional Amendments**
          Tax - miscellaneous

Received By: **dykmapj**

Identical to LRB:

By/Representing: **Ramirex**

Drafter: **dykmapj**

Alt. Drafters:

Extra Copies:

Topic:

Tax increases by 2/3 vote

Instructions:

1997 AJR 9 and also apply 2/3 requirement to expansion of the sales tax

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	dykmapj 10/7/98	gilfokm 10/8/98		———— ————			
/P1			lpaasch 10/9/98	———— ————	lrb_docadmin 10/12/98		
/1	dykmapj 10/20/98	gilfokm 10/20/98	ismith 10/21/98	———— ————	lrb_docadmin 10/21/98	lrb_docadmin 10/23/98	

FE Sent For:

<END>

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/?	dykmapj	/Pl- 10-8 Kmg	10-9 L.P.	10-9			
		/1-10-20 Kmg	IS 10/21	IS/ICH 10/21			
FE Sent For:							

Shovers, Marc

From:	Ramirex, Adrienne
Sent:	Monday, September 21, 1998 4:18 PM
To:	Shovers, Marc
Subject:	Drafting Request

1999 AJR, Peter — I think this is yours

Marc-

I understand that you are currently working on tax drafts for the 1999 Legislative Session.

Representative Ziegelbauer would like a redraft of 1998 AJR 46, however he would also like to add expansion of the sales tax base to the items requiring a 2/3 vote in each house.

Please feel free to contact me if you have any questions.

Thank you for your assistance.

Adrienne Ramirez

OFFICE of STATE REP. BOB ZIEGELBAUER

STATE CAPITOL:
PO Box 8953; Madison, WI 53708-8953
*** NEW ** TOLL FREE OFFICE PHONE NUMBER:*
1-888-529(LAW)-0025
PHONE: (608) 266-0315
FAX: (608) 266-0316 or (608) 282-3625
E-MAIL: BOB.ZIEGELBAUER@LEGIS.STATE.WI.US
STAFF: LUANNE.KOSTELIC@LEGIS.STATE.WI.US
ADRIENNE.RAMIREX@LEGIS.STATE.WI.US
HOME PAGE: www.legis.state.wi.us/assembly/asm25.html
DISTRICT:
1213 S. 8th Street, PO Box 325
Manitowoc, WI 54221-0325
PHONE: (920) 684-6783 OR (920) 684-4362

See also 97-STR-26 / 97-3352/1 Same as ↓ 97-0654/1 AJR9

See 1995 AJR41 or broadens the base

1

9 2000
1997 – 1999 LEGISLATURE

LRB-06547/1
PJD:kmg:km

-0372/p1

1999

1997 ASSEMBLY JOINT RESOLUTION 9

(D-NOTE)

January 21, 1997 – Introduced by Representatives SYKORA, LADWIG, DUFF, ZIEGELBAUER, FREESE, HUEBSCH, FOTI, PORTER, HAHN, WARD, ALBERS, OWENS, MUSSER, GROTHMAN, GREEN, WALKER, LAZICH, JENSEN, KELSO, KREIBICH, GUNDERSON, F. LASEE, SCHAFER, NASS, POWERS and KEDZIE, cosponsored by Senators WELCH and ZIEN. Referred to Committee on Ways and Means.

or broaden the base of the state sales tax

1 **To amend** section 8 of article VIII; and **to create** section 8 (3) of article VIII of the

2 constitution; **relating to:** the vote on bills that would increase certain tax rates

3 (first consideration).

broaden the base or 1999

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 1997 legislature on first consideration, requires a two–thirds vote in each house of the legislature to pass a bill to increase the rate of the state sales tax or any of the rates of the income tax or franchise tax. *to increase*

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

---

4 **Resolved by the assembly, the senate concurring, That:**

5 SECTION 1. Section 8 of article VIII of the constitution is amended to read:

6 [Article VIII] Section 8 (1) On the passage in either house of the legislature of

7 any law ~~which~~ that imposes, continues or renews a tax, or increases the rate of the

8 state sales tax or increases any of the rates of the income tax or franchise tax, or

9 creates a debt or charge, or makes, continues or renews an appropriation of public

or broadens the base

or trust money, or releases, discharges or commutes a claim or demand of the state,

the ~~question~~ vote shall be taken by yeas and nays, which shall be duly ayes and noes,

and the names of the members voting for, and the names of the members voting

against, passage of the bill shall be entered on the journal~~; and~~.

(2) For any vote under sub. (1), three–fifths of ~~all the members elected to such~~

the current membership of each house shall ~~in all such cases be required to~~ constitute

a quorum ~~therein.~~ — *broaden the base or*

SECTION 2. Section 8 (3) of article VIII of the constitution is created to read:

[Article VIII] Section 8 (3) The passage in either house of the legislature of any

law to increase the rate of the state sales tax or to increase any of the rates of the

income tax or franchise tax requires the approval of two–thirds of the members

present.

SECTION 3. Numbering of new provision. The new subsection (3) of section

8 of article VIII of the constitution created in this joint resolution shall be designated

by the next higher open whole subsection number in that section in that article if,

before the ratification by the people of the amendment proposed in this joint

resolution, any other ratified amendment has created a subsection (3) of section 8 of

article VIII of the constitution of this state. If one or more joint resolutions create

a subsection (3) of section 8 of article VIII simultaneously with the ratification by the

people of the amendment proposed in this joint resolution, the subsections created

shall be numbered and placed in a sequence so that the subsections created by the

joint resolution having the lowest enrolled joint resolution number have the numbers

designated in that joint resolution and the subsections created by the other joint

resolutions have numbers that are in the same ascending order as are the numbers

of the enrolled joint resolutions creating the subsections.

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

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

3   months previous to the time of holding such election.

4   (END)

1) NOTE : This is 1997 AJR 9,
plus the change that you requested
to also cover laws that
broaden the base of the
state sales tax.

PJD

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

October 9, 1998

This is 1997 AJR 9, plus the change that you requested to also cover laws that broaden the base of the state sales tax.

Atty. Peter J. Dykman
Deputy Chief
266–7098

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

October 9, 1998

LRB–0372/P1dn
PJD:kmg:lp

This is 1997 AJR 9, plus the change that you requested to also cover laws that broaden the base of the state sales tax.

Atty. Peter J. Dykman
Deputy Chief
266–7098

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

1999 ASSEMBLY JOINT RESOLUTION

1   *To amend* section 8 of article VIII; and *to create* section 8 (3) of article VIII of the

2   constitution; **relating to:** the vote on bills that would increase certain tax rates

3   or broaden the base of the state sales tax (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, requires a two–thirds vote in each house of the legislature to pass a bill to broaden the base or increase the rate of the state sales tax or to increase any of the rates of the income tax or franchise tax.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

---

4   *Resolved by the assembly, the senate concurring, That:*

5   SECTION 1. Section 8 of article VIII of the constitution is amended to read:

6   [Article VIII] Section 8 (1) On the passage in either house of the legislature of

7   any law ~~which~~ that imposes, continues or renews a tax, or broadens the base or

8   increases the rate of the state sales tax or increases any of the rates of the income

1   tax or franchise tax, or creates a debt or charge, or makes, continues or renews an

2   appropriation of public or trust money, or releases, discharges or commutes a claim

3   or demand of the state, the ~~question~~ vote shall be taken by ~~yeas and nays, which shall~~

4   ~~be duly~~ ayes and noes, and the names of the members voting for, and the names of

5   the members voting against, passage of the bill shall be entered on the journal~~; and~~.

6   (2) For any vote under sub. (1), three–fifths of ~~all the members elected to such~~

7   the current membership of each house shall ~~in all such cases be required to~~ constitute

8   a quorum ~~therein~~.

9   SECTION 2. Section 8 (3) of article VIII of the constitution is created to read:

10   [Article VIII] Section 8 (3) The passage in either house of the legislature of any

11   law to broaden the base or increase the rate of the state sales tax or to increase any

12   of the rates of the income tax or franchise tax requires the approval of two–thirds of

13   the members present.

14   SECTION 3. **Numbering of new provision.** The new subsection (3) of section

15   8 of article VIII of the constitution created in this joint resolution shall be designated

16   by the next higher open whole subsection number in that section in that article if,

17   before the ratification by the people of the amendment proposed in this joint

18   resolution, any other ratified amendment has created a subsection (3) of section 8 of

19   article VIII of the constitution of this state. If one or more joint resolutions create

20   a subsection (3) of section 8 of article VIII simultaneously with the ratification by the

21   people of the amendment proposed in this joint resolution, the subsections created

22   shall be numbered and placed in a sequence so that the subsections created by the

23   joint resolution having the lowest enrolled joint resolution number have the numbers

24   designated in that joint resolution and the subsections created by the other joint

1   resolutions have numbers that are in the same ascending order as are the numbers

2   of the enrolled joint resolutions creating the subsections.

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

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

5   months previous to the time of holding such election.

6   **(END)**

October 21, 1998

This is 1997 AJR 9, plus the change that you requested to also cover laws that broaden the base of the state sales tax.

Atty. Peter J. Dykman
Deputy Chief
266–7098

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 10/21/98

To: Representative Ziegelbauer

Relating to LRB drafting number: LRB-0372

Topic
Tax increases by 2/3 vote

Subject(s)
Constitutional Amendments, Tax - miscellaneous

1. **JACKET** the draft for introduction _____ *for Bob Ziegelbauer*

   in the **Senate** _____ or the **Assembly** _✓_ (check only one). Only the requester under whose name the

   drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please

   allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

   A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

   If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or

   increases or decreases existing appropriations or state or general local government fiscal liability or

   revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to

   introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon

   introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to

   introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions

relating to the attached draft, please feel free to call me.

Attorney Peter J. Dykman, Deputy Chief
Telephone: (608) 266-7098