

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 12/9/98

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB: 97-0654/1

For: **Tom Sykora (608) 266-1194**

By/Representing: **Sara**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Constitutional Amendments**

Extra Copies: **MES**

Topic:

Votes on bill that would increase tax rates

Instructions:

1997 AJR 9

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			hhagen 12/9/98	_____	lrb_docadmin 12/9/98		
/2	dykmapj 12/10/98	gilfokm 12/10/98	martykr 12/10/98	_____	lrb_docadmin 12/10/98		
/3	dykmapj 12/15/98			_____			
/4		gilfokm 12/15/98		_____			
/5				_____	lrb_docadmin 12/15/98		
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/7				_____		lrb_docadmin	

Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Required

02/2/99

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FE Sent For:

<END>

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/1		12-12-10 kmg	hhagen 12/9/98	DH kmg 12/10	lrb_docadmin 12/9/98		

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FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU**BILL REQUEST FORM**

Legal Section, 5th Floor, 100 N. Hamilton St.
 (608) 266-3561

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.
 Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: 12/9/98	Legislator or agency requesting this draft: Rep Tom Sykora (67th AD)
Name/phone number of person submitting request: Tom Sykora 266-1194	
Persons to contact for questions about this draft (names and phone numbers please): Sara Jermstad	
Describe the problem, including any helpful examples. How do you want to solve the problem?	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

Bonnie Ladwig

Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES NO If yes, please sign your name here:

sent Direct to WPD

- 1175/11

1999

SOON

1997 ASSEMBLY JOINT RESOLUTION 9

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.

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).

proposed 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.

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

Resolved by the assembly, the senate concurring, That:

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

[Article VIII] Section 8 (1) On the passage in either house of the legislature of any law which that imposes, continues or renews a tax, or increases the rate of the state sales tax or increases any of the rates of the income tax or franchise tax, or creates a debt or charge, or makes, continues or renews an appropriation of public

Prop of constitution

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

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: 12/9/98

To: Representative Sykora

Relating to LRB drafting number: LRB-1175

Topic

Votes on bill that would increase tax rates

Subject(s)

Constitutional Amendments

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

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 Tom Sykora.

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



ret of
LWR

1999 ASSEMBLY JOINT RESOLUTION

broader the base or of
Today

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). or broaden the base of the state sales tax

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 increase the rate of the state sales tax or 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.

Resolved by the assembly, the senate concurring, That:

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

[Article VIII] Section 8 (1) On the passage in either house of the legislature of any law which that imposes, continues or renews a tax, or broadens the base or increases the rate of the state sales tax or increases any of the rates of the income tax or franchise tax, or creates a debt or charge, or makes, continues or renews an appropriation of public

1 or trust money, or releases, discharges or commutes a claim or demand of the state,
2 ~~the question vote shall be taken by yeas and nays, which shall be duly ayes and noes,~~
3 ~~and the names of the members voting for, and the names of the members voting~~
4 ~~against, passage of the bill shall be entered on the journal; and.~~

5 (2) For any vote under sub. (1), ~~three-fifths of all the members elected to such~~
6 ~~the current membership of each house shall in all such cases be required to constitute~~
7 a quorum ~~therein.~~ *broaden the base or*

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

9 [Article VIII] Section 8 (3) The passage in either house of the legislature of any
10 law to increase the rate of the state sales tax or to increase any of the rates of the
11 income tax or franchise tax requires the approval of two-thirds of the members
12 present.

13 **SECTION 3. Numbering of new provision.** The new subsection (3) of section
14 8 of article VIII of the constitution created in this joint resolution shall be designated
15 by the next higher open whole subsection number in that section in that article if,
16 before the ratification by the people of the amendment proposed in this joint
17 resolution, any other ratified amendment has created a subsection (3) of section 8 of
18 article VIII of the constitution of this state. If one or more joint resolutions create
19 a subsection (3) of section 8 of article VIII simultaneously with the ratification by the
20 people of the amendment proposed in this joint resolution, the subsections created
21 shall be numbered and placed in a sequence so that the subsections created by the
22 joint resolution having the lowest enrolled joint resolution number have the numbers
23 designated in that joint resolution and the subsections created by the other joint
24 resolutions have numbers that are in the same ascending order as are the numbers
25 of the enrolled joint resolutions creating the subsections.

**SUBMITTAL
FORM**

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Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

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: 12/10/98

To: Representative Sykora

Relating to LRB drafting number: LRB-1175/a

Topic

Votes on bill that would increase tax rates

Subject(s)

Constitutional Amendments

1. **JACKET** the draft for introduction Tom Sykora
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.

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