

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 12/04/1998

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Scott Suder Call Rep. Handri

By/Representing: Rep.-Elect Suder

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters:

Subject: **Constitutional Amendments**
Tax - corp. inc. and fran.
Tax - individual income
Tax - sales

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Require a super majority to raise sales, income and franchise tax rates

Instructions:

Constitutional amendment to require a 2/3 vote in each house to raise income/franchise tax rates or sales tax rates. But the 2/3 requirement doesn't apply to income/franchise/sales tax rate increases that occur in the biennial budget

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>
/?	shoveme 12/15/1998 dykmapj 12/22/1998	gilfokm 12/22/1998		_____			
/1			hhagen 12/22/1998	_____	gretskl 12/22/1998	lrb_docadmin 12/29/1998	
/2	dykmapj	gilfokm	ismith	_____	lrb_docadmin	lrb_docadmin	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	09/03/1999	09/03/1999	09/03/1999	_____	09/03/1999	09/03/1999	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 12/4/98

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder Call Rep. Handri**

By/Representing: **Rep.-Elect Suder**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Constitutional Amendments
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Tax - individual income
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Extra Copies:

Topic:

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Instructions:

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/?	shoveme 12/15/98 dykmapj 12/22/98	gilfokm 12/22/98 <i>/2-9-3-99 Kmg</i>		_____			
/1			hhagen 12/22/98 <i>IS a/3</i>	_____	gretskl 12/22/98	lrh_docadmin 12/23/98	
				<i>IS/wj a/3</i>			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Joint Resolution

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Wanted: As time permits

Identical to LRB:

For: Scott Suder Call Rep. Handri

By/Representing: Rep.-Elect Suder

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters:

Subject: Constitutional Amendments
Tax - corp. inc. and fran.
Tax - individual income
Tax - sales

Extra Copies: RAC
JTK
MES

Topic:

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Constitutional amendment to require a 2/3 vote in each house to raise income/franchise tax rates or sales tax rates. But the 2/3 requirement doesn't apply to income/franchise/sales tax rate increases that occur in the biennial budget

Drafting History:

Table with 8 columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. It lists drafters like shoveme, dykmapj, gilfokm, hhagen, and gretskl with their respective dates and status markers.

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 12/4/98

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder Call Rep. Handri**

By/Representing: **Rep.-Elect Suder**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

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Topic:

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Constitutional amendment to require a 2/3 vote in each house to raise income/franchise tax rates or sales tax rates. But the 2/3 requirement doesn't apply to income/franchise/sales tax rate increases that occur in the biennial budget

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1?	shoveme	1-12-22 KMG	dykmapj	dykmapj			

FE Sent For:

<END>

1997 ASSEMBLY JOINT RESOLUTION

*introduced
by S/Kora*

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 expand the base of the sales tax (first consideration).

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 or to expand the base of the sales 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 expands the base of the
8 state sales tax, or increases the rate of the state sales tax or increases any of the rates
9 of the income tax or franchise tax, or creates a debt or charge, or makes, continues

1 or renews an appropriation of public or trust money, or releases, discharges or
2 commutes a claim or demand of the state, the ~~question vote~~ shall be taken by yeas
3 and nays, which shall be duly ayes and noes, and the names of the members voting
4 for, and the names of the members voting against, passage of the bill shall be entered
5 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 expand the base of the sales tax, to increase the rate of the state sales tax or
12 to increase any of the rates of the income tax or franchise tax requires the approval
13 of two-thirds of 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)

1997 ASSEMBLY JOINT RESOLUTION 55

May 20, 1997 - Introduced by Representative SCHNEIDER. Referred to Committee on Assembly Organization.

1 **To create joint rule 15; relating to:** voting on legislation that increases tax rates
2 and fees.

Analysis by the Legislative Reference Bureau

This joint resolution prohibits either house of the legislature from passing a bill increasing the rate of a tax, other than a tax on alcohol or tobacco, or increasing a fee unless the bill is approved by two-thirds of the members elected to the house.

3 ***Resolved by the assembly, the senate concurring. That:***

4 **SECTION 1.** Joint rule 15 is created to read:

5 **Joint Rule 15. Voting on legislation that increases tax rates and fees.**

6 Neither house of the legislature may pass a bill increasing the rate of a tax, other
7 than a tax on alcohol or tobacco, or increasing a fee unless the bill is approved by
8 two-thirds of the members elected to that house.

9 (END)

1997 ASSEMBLY RESOLUTION 5

May 15, 1997 - Introduced by Representative SCHNEIDER. Referred to Committee on Assembly Organization.

1 *To create* assembly rule 76 (1m); **relating to:** voting on legislation that increases
2 tax rates and fees.

Analysis by the Legislative Reference Bureau

This resolution prohibits the assembly from passing a bill increasing the rate of a tax, other than a tax on alcohol or tobacco, or increasing a fee unless the bill is approved by two-thirds of the members elected to the assembly.

3 *Resolved by the assembly, That:*

4 **SECTION 1.** Assembly rule 76 (1m) is created to read:

5 Assembly Rule 76 (1m) The assembly may not pass a bill increasing the rate
6 of a tax, other than a tax on alcohol or tobacco, or increasing a fee unless the bill is
7 approved by two-thirds of the members elected to the assembly.

8 (END)



State of Wisconsin
1997 - 1998 LEGISLATURE

LRB-4678/1
JS&PJD:kmg:jf

1997 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 expand the base of the
3 state sales tax (first consideration).

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 that would expand the base of the state sales 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:

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

5 [Article VIII] Section 8 (1) On the passage in either house of the legislature of
6 any law ~~which~~ that imposes, continues or renews a tax, or expands the base of the
7 state sales tax, or creates a debt or charge, or makes, continues or renews an
8 appropriation of public or trust money, or releases, discharges or commutes a claim
9 or demand of the state, ~~the question vote shall be taken by yeas and nays, which shall~~

1 ~~be duly ayes and noes, and the names of the members voting for, and the names of~~
2 ~~the members voting against, passage of the bill shall be entered on the journal; and~~

3 (2) For any vote under sub. (1), three-fifths of all the members elected to such
4 the current membership of each house shall in all such cases be required to constitute
5 a quorum therein.

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

7 [Article VIII] Section 8 (3) The passage in either house of the legislature of any
8 law to expand the base of the state sales tax requires the approval of two-thirds of
9 the members present.

10 **SECTION 3. Numbering of new provision.** The new subsection (3) of section
11 8 of article VIII of the constitution created in this joint resolution shall be designated
12 by the next higher open whole subsection number in that section in that article if,
13 before the ratification by the people of the amendment proposed in this joint
14 resolution, any other ratified amendment has created a subsection (3) of section 8 of
15 article VIII of the constitution of this state. If one or more joint resolutions create
16 a subsection (3) of section 8 of article VIII simultaneously with the ratification by the
17 people of the amendment proposed in this joint resolution, the subsections created
18 shall be numbered and placed in a sequence so that the subsections created by the
19 joint resolution having the lowest enrolled joint resolution number have the numbers
20 designated in that joint resolution and the subsections created by the other joint
21 resolutions have numbers that are in the same ascending order as are the numbers
22 of the enrolled joint resolutions creating the subsections.

1997 ASSEMBLY JOINT RESOLUTION

1 **AN ACT relating to:** the vote on bills that would increase certain state charges
2 (first consideration).

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 that would increase the rate of any state charge that is imposed only on particular classes of persons and is designed to fund benefits that the state provides to those classes of persons.

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

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

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

5 [Article VIII] Section 8 (1) On the passage in either house of the legislature of
6 any law ~~which~~ that imposes, continues or renews a tax, or increases the rate of any
7 state charge that is imposed only on particular classes of persons and is designed to
8 fund benefits that the state provides to those classes of persons, or creates a debt or
9 charge, or makes, continues or renews an appropriation of public or trust money, or

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

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 any state charge that is imposed only on particular classes
11 of persons and is designed to fund benefits that the state provides to those classes
12 of persons requires the approval of two-thirds of the members 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.

- 1124/1

Wed,
12/23

1999 ASSEMBLY JOINT RESOLUTION

The requirement does not apply to a bill designated a financial budget bill by the governor, the presiding officer of the senate and the presiding officer of the assembly.

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).

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.

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


2-12

This subsection does not apply to any law which is introduced at the request of the governor and which the governor, the presiding officer of the senate ^{and} the presiding officer of the assembly designate as a biennial budget bill.

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.

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
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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
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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
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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1124/1

PJD:kmg:hmh

2
redraft

1999 ASSEMBLY JOINT RESOLUTION

mm

Today, 9/3

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).

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. ~~The requirement does not apply to a bill designated a biennial budget bill by the governor, the presiding officer of the senate and the presiding officer of the assembly.~~

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

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.

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. This subsection does not apply to any law which is introduced at the request
13 of the governor and which the governor, the presiding officer of the senate and the
14 presiding officer of the assembly designate as a biennial budget bill.

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

**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: 12/22/98

To: Representative Suder

Relating to LRB drafting number: LRB-1124

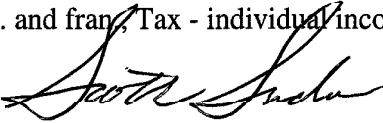
Topic

Require a super majority to raise sales, income and franchise tax rates

Subject(s)

Constitutional Amendments, Tax - corp. inc. and fran, Tax - individual income, Tax - sales

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 _____.

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