

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AJR104)**

Received: 03/15/2000

Received By: dykmapj

Wanted: Today

Identical to LRB:

For: Jeff Stone (608) 266-8590

By/Representing: Mike

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters:

Subject: Memorials - Congress to

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

delete page 3 lines 16 to 18

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**Instructions:**

See Attached

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**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	dykmapj 03/15/2000	gilfokm 03/15/2000	haugeca 03/15/2000	_____	lrb_docadmin 03/15/2000	lrb_docadmin 03/15/2000	

FE Sent For:

<END>

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY JOINT RESOLUTION 104**

March 14, 2000 – Offered by Representatives STONE and SUDER.

1     **Relating to:** urging a study of whether electronic commerce should be taxed and the  
2             extension of the federal moratorium on the taxation.

3             Whereas, America's current unprecedented economic expansion is being  
4     driven, in large part, by the explosive growth of Internet companies and electronic  
5     commerce; and

6             Whereas, the robust development of electronic commerce has attracted the  
7     attention of government officials committed to establishing tax authority over  
8     Internet transactions; and

9             Whereas, in 1998 Congress, in a move to protect the further development of this  
10    emerging technology and marketplace, instituted a 3-year moratorium on state  
11    taxation of charges for Internet access and discriminatory taxes on electronic  
12    commerce; and

13            Whereas, electronic commerce is considered an engine for future economic  
14    prosperity; and

1           Whereas, electronic commerce provides entrepreneurs and small businesses  
2 the ability to expand their markets and reach out to customers across the globe; and

3           Whereas, current tax policy could subject electronic commerce transactions to  
4 multiple taxation from multiple jurisdictions; and

5           Whereas, the U.S. Supreme Court has consistently ruled that the U.S.  
6 Constitution places strict limits on the ability of state and local governments to  
7 require a seller to collect sales and use taxes on goods sold in the state unless the  
8 seller has nexus in the state; and

9           Whereas, absent these constitutional limitations, the ability of entrepreneurs  
10 and small businesses to compete in the global marketplace would be severely limited;  
11 and

12           Whereas, significant amounts of electronic commerce transactions would be  
13 exempt under traditional existing sales tax policy, such as transactions for services  
14 or business-to-business transactions; and

15           Whereas, state and local governments are currently experiencing a period of  
16 strong revenue growth and record budget surpluses; and

17           Whereas, businesses operating in the global electronic marketplace are  
18 currently subject to a number of other state and local taxes; and

19           Whereas, independent studies have concluded that the current revenue loss to  
20 state governments from the nontaxation of the Internet is less than one-half of 1%;  
21 and

22           Whereas, the average working American family already faces the highest tax  
23 burden in our nation's history, paying close to 40% of its income in local, state and  
24 federal taxes; and

1           Whereas, the Internet Tax Freedom Act has laid the foundation for the  
2 explosive and revolutionary growth of a vital sector of the economy; and

3           Whereas, the Internet Tax Freedom Act will expire in 2001; and

4           Whereas, Congress has empaneled the Advisory Commission on Electronic  
5 Commerce to study all aspects of electronic commerce and the Internet; now,  
6 therefore, be it

7           ***Resolved by the assembly, the senate concurring, That*** the Internet Tax  
8 Freedom Act should be extended to allow a thorough examination of all aspects of  
9 electronic commerce; and, be it further

10          ***Resolved, That*** the members of the senate and assembly support study by the  
11 Advisory Commission on Electronic Commerce on the issues of tax and technological  
12 neutrality among all forms of commerce; and, be it further

13          ***Resolved, That*** members of the senate and assembly support efforts geared  
14 toward tax simplification and comprehensive tax reduction wherever possible,  
15 including the extension of the Internet Tax Freedom Act; and be it further

16          ***Resolved, That*** all state governments refrain from imposing new taxes on  
17 electronic commerce and allow it to continue to grow in an unfettered environment;  
18 and, be it further

19          ***Resolved, That*** the assembly chief clerk shall provide a copy of this joint  
20 resolution to the president and secretary of the U.S. senate, to the speaker and clerk  
21 of the U.S. house of representatives, to each member of the congressional delegation  
22 from this state, to the chief clerk of each state legislative body in this country and to  
23 governor of each state attesting the adoption of this joint resolution by the 1999  
24 legislature of the state of Wisconsin.

25

(END)

1999

Date (time) needed

now

LRB a 1864, 1

AMENDMENT

RDP: King

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa 1),

TO S A SUBSTITUTE AMENDMENT 1 (LRBs 1),

TO 1999 SB SJR SR AB AJR AR 104 (LRB- 1)

At the locations indicated, amend the sub amdt as follows:

(fill ONLY if "engrossed ...." or "as shown by .....")

#. Page 3, line 16: Delete lines 16 to 18.

#. Page . . . . ., line . . . . .: (End)

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