

**1999 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: **01/25/1999**

Received By: **dykmapj**

Wanted: **As time permits**

Identical to LRB: **97-4314/1**

For: **Glenn Grothman (608) 264-8486**

By/Representing: **Maggie**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters: **shoveme**

Subject: **Constitutional Amendments  
Tax - miscellaneous**

Extra Copies: **MES  
JK**

**Pre Topic:**

No specific pre topic given

**Topic:**

Local approval of certain local taxes

**Instructions:**

1997 AJR 104

**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> |
|--------------|-----------------------|-----------------------|------------------------|----------------|----------------------------|----------------------------|-----------------|
| /?           | dykmapj<br>01/25/1999 | gilfokm<br>01/25/1999 |                        | _____          |                            |                            |                 |
| /1           |                       |                       | jfrantze<br>01/25/1999 | _____          | lrb_docadmin<br>01/25/1999 | lrb_docadmin<br>03/29/2000 |                 |

FE Sent For:

<END>

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|--------------|----------------|------------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/?          | dykmapj        | 1-1-25-99<br>kmg | 7/1/00       | 7/1/00<br>1/25 |                  |                 |                 |

FE Sent For:

<END>

-1979/1

1999-2000

1999

EMES

# 1997 ASSEMBLY JOINT RESOLUTION 104

open

February 10, 1998 - Introduced by Representatives GROTHMAN, J. LEHMAN, MUSSER, PLOUFF, VANDER LOOP, SPRINGER, SKINDRUD, SYKORA, R. YOUNG, F. LASEE, SCHAFFER, OLSEN, LADWIG and PORTER, cosponsored by Senators PLACHE, MOEN and ROESSLER. Referred to Committee on Elections and Constitutional Law.

- 1 **To create** section 35 of article IV of the constitution; **relating to:** requiring local
- 2 approval of certain local taxes and charges (first consideration).

### *Analysis by the Legislative Reference Bureau*

1999

This proposed constitutional amendment, proposed to the 1997 legislature on first consideration, requires, in order to create a tax or to allow a charge against another unit of government, the approval, by the boards of all of the affected counties, of all taxes that are imposed in, and of all charges against, fewer than all counties and the approval, by the governing bodies of all of the affected cities, villages or towns, of all taxes that are imposed in, and of all charges against, fewer than all cities, villages or towns.

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 35 of article IV of the constitution is created to read:

2003

5 [Article IV] Section 35. A law that is enacted after January 1, ~~2001~~, and that

6 would impose a tax over, or allow a charge against, at least one entire county but not

7 over all counties is not effective unless the law is approved by the board of each

8 county over which the tax is to be imposed or against which the charge is to be made.

2003

1 A law that is enacted after January 1, 2001, and that would impose a tax over, or  
2 allow a charge against, at least one entire city, village or town but not over all units  
3 of government of that kind is not effective unless the law is approved by the  
4 governing body of each city, village or town over which the tax is to be imposed or  
5 against which the charge is to be made.

6 **SECTION 2. Numbering of new section.** The new section 35 of article IV of  
7 the constitution created in this joint resolution shall be designated by the next higher  
8 open whole section number in that article if, before the ratification by the people of  
9 the amendment proposed in this joint resolution, any other ratified amendment has  
10 created a section 35 of article IV of the constitution of this state. If one or more joint  
11 resolutions create a section 35 of article IV simultaneously with the ratification by  
12 the people of the amendment proposed in this joint resolution, the sections created  
13 shall be numbered and placed in a sequence so that the sections created by the joint  
14 resolution having the lowest enrolled joint resolution number have the numbers  
15 designated in that joint resolution and the sections created by the other joint  
16 resolutions have numbers that are in the same ascending order as are the numbers  
17 of the enrolled joint resolutions creating the sections.

18 ***Be it further resolved, That*** this proposed amendment be referred to the  
19 legislature to be chosen at the next general election and that it be published for 3  
20 months previous to the time of holding such election.

21 (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:** 1/25/99

**To:** Representative Grothman

**Relating to LRB drafting number:** LRB-1979

**Topic**

Local approval of certain local taxes

**Subject(s)**

Constitutional Amendments, Tax - miscellaneous

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