

**2001 DRAFTING REQUEST**

**Assembly Joint Resolution**

Received: 11/17/2000

Received By: **dykmapj**

Wanted: **Soon**

Identical to LRB:

For: **Scott Suder (608) 267-0280**

By/Representing: **Thompson, Anne**

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: **JK  
JTK  
MES**

**Pre Topic:**

No specific pre topic given

**Topic:**

Supermajority vote on bills that would increase certain tax rates

**Instructions:**

See Attached AJR 83 (LRB 1124/2)

**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 11/17/2000	gilfokm 11/17/2000		_____			
/1	dykmapj 01/11/2001		martykr 11/20/2000	_____	lrb docadmin 11/20/2000	lrb docadmin 01/10/2001	
/2		gilfokm 01/11/2001	kfollet 01/11/2001	_____	lrb docadmin 01/11/2001	lrb docadmin 01/11/2001	

FE Sent For:

**<END>**

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Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Includes handwritten notes like '1/2-1/king 11-01' and 'kyl 1/11'.

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/?	dykmapj 11/17/2000	gilfokm 11/17/2000		_____			
/1			martykr 11/20/2000	_____	lrb_docadmin 11/20/2000		

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1?	dykmapj	1-11/17 King	11/17 King	11/20 King			

FE Sent For:

<END>

## 1999 ASSEMBLY JOINT RESOLUTION 83

November 2, 1999 – Introduced by Representatives SUDER, HUNDERTMARK, KESTELL, LEIBHAM, MONTGOMERY, PETROWSKI, PETTIS, RHOADES, ALBERS, AINSWORTH, DUFF, GARD, GROTHMAN, HAHN, HOVEN, HUEBSCH, JENSEN, JESKEWITZ, JOHNSRUD, KEDZIE, KELSO, LADWIG, F. LASEE, MUSSER, NASS, OWENS, PORTER, SERATTI, SKINDRUD, STONE, VRAKAS, WALKER and WIECKERT, cosponsored by Senators WELCH, DARLING, LAZICH and ZIEN. Referred to Committee on Judiciary and Personal Privacy.

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

1 the ~~question vote~~ shall be taken by yeas and nays, ~~which shall be duly~~ ayes and noes,  
2 and the names of the members voting for, and the names of the members voting  
3 against, passage of the bill shall be entered on the journal; and.

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

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

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

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



# 2001 ASSEMBLY JOINT RESOLUTION

*OPEN*  
*DATE*

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 2001 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  
9 tax or franchise tax, or creates a debt or charge, or makes, continues or renews an



1 appropriation of public or trust money, or releases, discharges or commutes a claim  
2 or demand of the state, ~~the question vote shall be taken by yeas and nays, which shall~~  
3 ~~be duly ayes and noes, and the names of the members voting for, and the names of~~  
4 ~~the members voting 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 broaden the base or increase the rate of the state sales tax or to increase any  
11 of the rates of the income tax or franchise tax requires the approval of two-thirds of  
12 the members present.

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14 8 of article VIII of the constitution created in this joint resolution shall be designated  
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16 before the ratification by the people of the amendment proposed in this joint  
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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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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

- 1093 | 1  
LRB-0065/P1dm  
PJD:kmg:km

September 21, 2000

~~This is 1999 AJR 10, which was 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  
General Counsel  
Phone: (608) 266-7098  
E-mail: peter.dykman@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1093/1dn  
PJD:kmg:km

November 17, 2000

This is 1999 AJR 10.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: peter.dykman@legis.state.wi.us



STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

November 20, 2000

### MEMORANDUM

To: Representative Suder

From: Attorney Peter J. Dykman, General Counsel

Re: LRB-1093 Supermajority vote on bills that would increase certain tax rates

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY     JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7098 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

**Dykman, Peter**

---

**From:** Thompson, Anne  
**Sent:** Thursday, January 11, 2001 9:19 AM  
**To:** Dykman, Peter  
**Subject:** LRB 1093

Peter,  
I noticed that the language for LRB 1093 is based on 1999 AJR 10. Could we get it based on AJR 83. Just mainly so the language doesn't included broadening the tax base.

Could we please have it changed and send over right away? I have the Jacket already for 1093, so I imagine the change would just be listed as 1093/2.

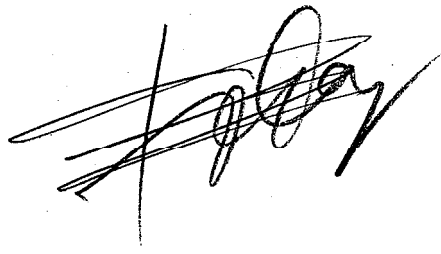
Thank you!  
Anne

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1093/1dn  
PJD:kmg:km

November 17, 2000

83



This is 1999 AJR 16.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: [peter.dykman@legis.state.wi.us](mailto:peter.dykman@legis.state.wi.us)

Now

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

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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1093/2dn  
PJD:kmg:kjf

January 11, 2001

This is 1999 AJR 83.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: peter.dykman@legis.state.wi.us