2001 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AJR2)

Received: **01/30/2002**   Received By: **dykmapj**

Wanted: **Today**   Identical to LRB:

For: **Scott Jensen (608) 266-3387**   By/Representing: **him**

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

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Subject: **Constitutional Amendments**   Extra Copies: **JK**
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Submit via email: **YES**

Requester's email: **Rep.Jensen@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Proohibition based instead on net increase in revenues

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	dykmapj 01/30/2002	gilfokm 01/30/2002					
/1			rschluet 01/30/2002		lrb_docadmin 01/30/2002	lrb_docadmin 01/30/2002	

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FE Sent For:

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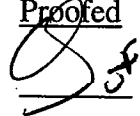**Pre Topic:**

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50305/1

AS A —

2001 ASSEMBLY JOINT RESOLUTION 2

TODAY

January 16, 2001 – Introduced by Representatives SUDER, HUNDERTMARK, JENSEN, STARZYK, HAHN, LOEFFELHOLZ, KESTELL, SYKORA, RHOADES, KEDZIE, J. FITZGERALD, JESKEWITZ, F. LASEE, LADWIG, MONTGOMERY, GUNDERSON, VRAKAS, NASS, HUEBSCH, GROTHMAN, PETTIS, LEIBHAM, OWENS, KREIBICH, ALBERS, AINSWORTH and HOVEN, cosponsored by Senators WELCH, ZIEN and DARLING. Referred to Committee on Tax and Spending Limitations.

Gen. Cat.

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 *revenues*

3 (first consideration). *by law for*

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 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 *provides a net increase in revenues*

7 any law ~~which~~ that imposes, continues or renews a tax, or ~~increases the rate of the~~ *from*

8 ~~state sales tax or increases any of the rates of the~~ income tax ~~or franchise tax~~ or *es and es*

9 creates a debt or charge, or makes, continues or renews an appropriation of public

provide by law for a new

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~~.   *Inrevenues from*

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.

2001 – 2002 Legislature   – 3 –   LRB–1093/2
PJD:kmg:kjf
SECTION 3

1   ***Be it further resolved, That*** this proposed amendment be referred to the

2 legislature to be chosen at the next general election and that it be published for 3

3 months previous to the time of holding such election.

4   **(END)**