

2001 DRAFTING REQUEST

Assembly Joint Resolution

Received: 09/05/2000

Received By: dykmapj

Wanted: Soon

Identical to LRB: 99-0372/1

For: Robert Ziegelbauer (608) 266-0315

By/Representing: Tom Kelly

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: MES JK JTK

Pre Topic:

No specific pre topic given

Topic:

Supermajority votes required for certain votes on taxes

Instructions:

See Attached 1999 AJR 10

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>
/P1	dykmapj 09/21/2000	gilfokm 09/21/2000	martykr 09/22/2000	_____	lrb_docadmin 09/22/2000		
/1	dykmapj 11/14/2000	gilfokm 11/14/2000	pgreensl 11/15/2000	_____	lrb_docadmin 11/15/2000	lrb_docadmin 11/15/2000	

FE Sent For:

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1?	dykmapj	1/11-9-21 King	9/21	9/21 9/21			

FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU

BILL REQUEST FORM

Legal Section, 5th Floor, 100 N. Hamilton St.
(608) 266-3561

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.
Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: 7-11-00	Legislator or agency requesting this draft: Rep. Ziegelbauer
Name/phone number of person submitting request: Tom Kelly / 266-0315	
Persons to contact for questions about this draft (names and phone numbers please): Bob Ziegelbauer / (920) 684-6783 Tom Kelly or Luanne Kastelic / 266-0315	
Describe the problem, including any helpful examples. How do you want to solve the problem? Rep. Ziegelbauer would like to reintroduce 1999 AJR 10 (1999 LRB 0372) in the 2001-02 Legislative Session.	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67): 1999 AJR 10

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

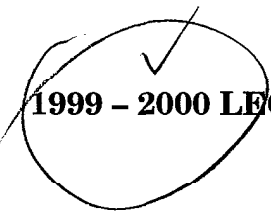
Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES NO If yes, please sign your name here:

0065/P1

2001



1999 ASSEMBLY JOINT RESOLUTION 10

SOON

January 14, 1999 – Introduced by Representatives ZIEGELBAUER, PLALE, MUSSER, F. LASEE and RYBA, cosponsored by Senator A. LASEE. Referred to Committee on Ways and Means.

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 ~~1999~~ 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

Prop
w/consultation

2001

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.

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.

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)

MEMORANDUM
FOR THE
ATTORNEY GENERAL
FROM THE
REFERENCE BUREAU

0065 P1
LRB-0372/P1dn
PJD:kmg:lp
↑

October 9, 1998 *Self 2000*

1999 AJR 10, which was

This is 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
Deputy Chief
266-7098~~

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0065/P1dn
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

redraft
am

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

2001 ASSEMBLY JOINT RESOLUTION

no obj

soon

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3 or broaden the base of the state sales tax (first consideration).

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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:

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7 any law which that imposes, continues or renews a tax, or broadens the base or
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1 tax or franchise tax, or creates a debt or charge, or makes, continues or renews an
2 appropriation of public or trust money, or releases, discharges or commutes a claim
3 or demand of the state, ~~the question vote shall be taken by yeas and nays, which shall~~
4 ~~be duly ayes and noes, and the names of the members voting for, and the names of~~
5 ~~the members voting against, passage of the bill shall be entered 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.

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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
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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)



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 15, 2000

MEMORANDUM

To: Representative Ziegelbauer

From: Attorney Peter J. Dykman, General Counsel

Re: LRB-0065 Supermajority votes required for certain votes on taxes

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.