

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/11/2002**

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Runde**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **Bonding - state**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Runde -

Topic:

Biennial state bonding limit

Instructions:

See Attached.

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	champra 03/12/2002	jdyer 03/12/2002	pgreensl 03/12/2002	_____	lrb_docadmin 03/12/2002		

FE Sent For:

<END>

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/1	champra	1 3/12 jld	3/12 pcg	3/12 sll			

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WORKING GROUP

Biennial State Bonding Limit

Effective with the 2003-05 biennium, establish a statutory limit on the level of non-refunding, GPR-supported borrowing that could be authorized by the Legislature in each biennium to 5% of the GPR tax revenues estimated to be received by the state in the even-numbered fiscal year of that biennium.



D-Not
State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2461/1

RAC: A:.....

Jld

LFB:.....Runde – Biennial state bonding limit

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

1 At the locations indicated, amend the substitute amendment[✓] as follows:

2 **1.** Page 11, line 18: after that line insert:

3 "SECTION 25[✓]p. 20.003[✓] (6m) of the statutes is created to read:

4 20.003 (6m) RESTRICTION ON GENERAL FUND SUPPORTED BORROWING. No bill may

5 be enacted by the legislature if the bill would cause the level of general fund

6 supported borrowing that is authorized in any fiscal biennium, excluding borrowing

7 for the purpose of refunding previous borrowing, to exceed an amount equal to 5%

8 of the amount designated as ^{fix} Estimated Taxes" for the first fiscal year of the fiscal

1 biennium in the summary under s. 20.005 (1), as published in the biennial budget
2 act or acts.”.

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2461/1dn

RAC:.....

JLD

Please note that this amendment creates a rule of procedure under article IV, section 8, of the constitution. The Wisconsin supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce this type of provision and this provision does not affect the validity of any enactment resulting from a procedure that may be viewed as contravening the provision.

Rick A. Champagne
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2461/1dn
RAC:jld:pg

March 12, 2002

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State of Wisconsin
2001 - 2002 LEGISLATURE
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