

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/12/2002**

Received By: **dykmapj**

Wanted: **Today**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Reinhardt**

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

Drafter: **dykmapj**

May Contact:

Adl. Drafters:

Subject: **Legislature - miscellaneous
Constitutional Amendments
Tax - corp. inc. and fran.
Tax - individual income
Tax - sales**

Extra Copics: **JK
JTK
RAC
RJM
MES**

Submit via email: **NO**

Pre Topic:

LFB:.....Reinhardt -

Topic:

Supermajority for passage of certain tax changes

Instructions:

See Attached
statutory changes based on ASA 1 to AJR 2, which would require a two-thirds vote to pass "any law to provide by law for a net increase in revenues from state sales taxes, income taxes and franchise taxes"

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>
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FE Sent For:

<END>

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1?	dykmapj	1 vs 3/12 02	3/12 ps	3/12 self			

FE Sent For:

<END>



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2480/1

PJD/.....

gjs

LFB:.....Reinhardt – Supermajority for passage of certain tax changes

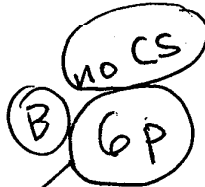
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

Anete



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

2 1. Page 5, line 4: after that line insert:

3 "SECTION ~~71~~ 13.085 of the statutes is created to read:

4 **13.085 Passage of bills increasing certain net revenues.** The passage in
 5 either house of the legislature of any law to provide by law for a net increase in
 6 revenues from state sales taxes, income taxes, and franchise taxes requires the
 7 approval of two-thirds of the members present."

8

(END)

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

LRBb2480/1dn

PJD

March 12, 2002

gjs

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.

Atty. Peter J. Dykman
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FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2480/1dn
PJD:cjs:pg

March 12, 2002

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State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2480/1
PJD:cjs:pg

LFB:.....Reinhardt – Supermajority for passage of certain tax changes
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 5, line 4: after that line insert:

3 “SECTION 6p. 13.085 of the statutes is created to read:

4 **13.085 Passage of bills increasing certain net revenues.** The passage in
5 either house of the legislature of any law to provide by law for a net increase in
6 revenues from state sales taxes, income taxes, and franchise taxes requires the
7 approval of two-thirds of the members present.”.

8 (END)