

2009 DRAFTING REQUEST

Assembly Joint Resolution

Received: **01/14/2009**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Gary Tauchen (608) 266-3097**

By/Representing: **Doug**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments
State Finance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Tauchen@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Dissolution of state funds and certain accounts

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>
/?	rchampag 01/14/2009	bkraft 01/14/2009		_____			
/1			mduchek 01/15/2009	_____	mbarman 01/15/2009	lparisi 01/21/2009	

FE Sent For:

no

<END>

2009 DRAFTING REQUEST

Assembly Joint Resolution

Received: **01/14/2009**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Gary Tauchen (608) 266-3097**

By/Representing: **Doug**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments
State Finance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Tauchen@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Dissolution of state funds and certain accounts

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>
/?	rchampag 01/14/2009	bkraft 01/14/2009		_____			
/1			mduchek 01/15/2009	_____	mbarman 01/15/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Assembly Joint Resolution

Received: 01/14/2009

Received By: rchampag

Wanted: As time permits

Identical to LRB:

For: Gary Tauchen (608) 266-3097

By/Representing: Doug

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: Constitutional Amendments
State Finance - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Tauchen@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Dissolution of state funds and certain accounts

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>
/?	rchampag	1 bjk 1/4	MD	MDJF			
			1/14	1/15			

FE Sent For:

<END>

Taalen, Doug 6-3097

Redraft + 2007 AJR 34,

but add in AA1 ✓

change create by $\frac{2}{3}$ to

disseminate by $\frac{2}{3}$.



2007 ASSEMBLY JOINT RESOLUTION 34

March 19, 2007 - Introduced by Representatives HINES, ALBERS, BALLWEG, BIES, GUNDERSON, HAHN, JESKEWITZ, KERKMAN, F. LASEE, MURSAU, MUSSER, SUDER, TOWNSEND, VAN ROY and VUKMIR, cosponsored by Senators BRESKE, HARSDORF, DARLING, KAPANKE, OLSEN, PLALE, ROESSLER, SCHULTZ and WIRCH. Referred to Committee on Ways and Means.

- 1 **To create** section 11 of article VIII of the constitution; **relating to:** the creation of
2 state funds and accounts and prohibiting the state from changing the purpose
3 of any state fund or program revenue appropriation account (first
4 consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, permits the creation of a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein.

Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this amendment remains in effect until abolished by law, and the purpose for which the fund or account was created may not be changed by law.

The proposal also provides that a state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this amendment may not be lapsed, transferred, or expended in any manner that would conflict with the purpose of the fund or account. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

1 ***Resolved by the assembly, the senate concurring, That:***

2 **SECTION 1.** Section 11 of article VIII of the constitution is created to read:

3 [Article VIII] Section 11 (1) Beginning on the date of ratification of this
4 subsection, the legislature may create by law a state fund, or program revenue
5 appropriation account thereof, other than a fund or account related solely to the
6 issuance or payment of public debt or other obligation, only if two-thirds of all the
7 members elected to each house concur therein.

8 (2) Any state fund, or program revenue appropriation account thereof, created
9 by law before, on, or after the date of ratification of this subsection remains in effect
10 until abolished by law, and the purpose for which the fund or account was created
11 may not be changed by law.

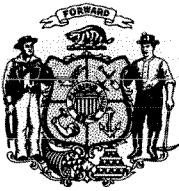
12 (3) Moneys in any state fund, or program revenue appropriation account
13 thereof, created before, on, or after the date of ratification of this subsection may not
14 be lapsed, transferred, or expended in any manner that would conflict with the
15 purpose for which the fund or account was created. If a state fund, or program
16 revenue appropriation account thereof, is abolished, all unencumbered moneys in
17 the fund or account as of the date the fund or account is abolished are transferred to
18 the general fund of the state.

19 **SECTION 2. Numbering of new provision.** The new section 11 of article VIII
20 of the constitution created in this joint resolution shall be designated by the next
21 higher open whole section number in that article if, before the ratification by the
22 people of the amendment proposed in this joint resolution, any other ratified
23 amendment has created a section 11 of article VIII of the constitution of this state.

1 If one or more joint resolutions create a section 11 of article VIII simultaneously with
2 the ratification by the people of the amendment proposed in this joint resolution, the
3 sections created shall be numbered and placed in a sequence so that the sections
4 created by the joint resolution having the lowest enrolled joint resolution number
5 have the numbers designated in that joint resolution and the sections created by the
6 other joint resolutions have numbers that are in the same ascending order as are the
7 numbers of the enrolled joint resolutions creating the sections.

8 ***Be it further resolved, That*** this proposed amendment be referred to the
9 legislature to be chosen at the next general election and that it be published for 3
10 months previous to the time of holding such election.

11 (END)



2009 ASSEMBLY JOINT RESOLUTION

SAV

Insert

-replen. cat.

dissolution

1

To create section 11 of article VIII of the constitution; **relating to:** the ~~creation~~ of state funds and accounts and prohibiting the state from changing the purpose of any state fund or program revenue appropriation account (first consideration).

2
3
4

provides that the legislature may abolish by law

Analysis by the Legislative Reference Bureau

> This proposed constitutional amendment, proposed to the 2009 legislature on first consideration, ~~permits the creation of~~ a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein.

Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this amendment remains in effect until abolished by law, and the purpose ~~for which the fund or account was created~~ may not be changed by law.

The proposal also provides that a state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this amendment may not be lapsed, transferred, or expended in any manner that would conflict with the purpose of the fund or account. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11 (1) Beginning on the date of ratification of this subsection, the legislature may ~~create~~ ^{abolish} by law a state fund, or program revenue appropriation account thereof, other than a fund or account related solely to the issuance or payment of public debt or other obligation, only if two-thirds of all the members elected to each house concur therein.

(2) Any state fund, or program revenue appropriation account thereof, created by law before, on, or after the date of ratification of this subsection remains in effect until abolished by law, and the purpose ~~for which the fund or account was created~~ ^e ~~may not be changed by law~~.

(3) Moneys in any state fund, or program revenue appropriation account thereof, created before, on, or after the date of ratification of this subsection may not be lapsed, transferred, or expended in any manner that would conflict with the purpose ~~for which~~ ^{of} the fund or account ~~was created~~. If a state fund, or program revenue appropriation account thereof, is abolished, all unencumbered moneys in the fund or account as of the date the fund or account is abolished are transferred to the general fund of the state.

SECTION 2. Numbering of new provision. The new section 11 of article VIII of the constitution created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a section 11 of article VIII of the constitution of this state.

Insert 2-11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 If one or more joint resolutions create a section 11 of article VIII simultaneously with
2 the ratification by the people of the amendment proposed in this joint resolution, the
3 sections created shall be numbered and placed in a sequence so that the sections
4 created by the joint resolution having the lowest enrolled joint resolution number
5 have the numbers designated in that joint resolution and the sections created by the
6 other joint resolutions have numbers that are in the same ascending order as are the
7 numbers of the enrolled joint resolutions creating the sections.

8 ***Be it further resolved, That*** this proposed amendment be referred to the
9 legislature to be chosen at the next general election and that it be published for 3
10 months previous to the time of holding such election.

11 (END)



**ASSEMBLY AMENDMENT 1,
TO 2007 ASSEMBLY JOINT RESOLUTION 34**

December 11, 2007 - Offered by Representatives MASON, SHERMAN and KESSLER.

2-11

1 At the locations indicated, amend the joint resolution as follows:

2 **1.** Page 2, line 10: delete the material beginning with "for which" and ending
3 with "law" on line 11, and substitute "of the fund or account may not be changed by
4 law after the date of ratification of this section".

5 **2.** Page 2, line 15: delete "for which the fund or account was created" and
6 substitute "of the fund or account".

7 (END)

Parisi, Lori

From: Arrowood, Craig
Sent: Wednesday, January 21, 2009 10:35 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-1511/1 Topic: Dissolution of state funds and certain accounts

RUSH if Possible
Please Jacket LRB 09-1511/1 for the ASSEMBLY.