2011 ASSEMBLY JOINT RESOLUTION 9

February 2, 2011 – Introduced by Representatives August, Ziegelbauer, Kramer, Strachota, Farrow, Jacque, Kerkman, Kleefisch, LeMahieu, Nass, Petersen, Pridemore, Rivard, Thiesfeldt and Vos, cosponsored by Senators Vukmir, Leibham, Hopper, Lazich and Kedzie. 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   (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2011 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 constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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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 increases the rate of the

8   state sales tax, or increases any of the rates of the income tax or franchise tax, or

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

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~~.

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 provisions.** If another constitutional

14   amendment ratified by the people creates the number of any provision created in this

15   joint resolution, the chief of the legislative reference bureau shall determine the

16   sequencing and the numbering of the provisions whose numbers conflict and adjust

17   any cross–references thereto.

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

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

20   months previous to the time of holding such election.

21   **(END)**