2011 SENATE JOINT RESOLUTION 8

February 1, 2011 – Introduced by Senators VUKMIR, LEIBHAM, HOPPER, LAZICH and KEDZIE, cosponsored by Representatives AUGUST, ZIEGELBAUER, KRAMER, STRACHOTA, VOS, NASS, PETERSEN, PRIDEMORE, JACQUE, FARROW, THIESFELDT, RIVARD, LEMAHIEU, KERKMAN and KLEEFISCH. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

To amend section 8 of article VIII; and to create section 8 (3) of article VIII of the constitution; relating to: the vote on bills that would increase certain tax rates (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.

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 8 of article VIII of the constitution is amended to read:

[Article VIII] Section 8 (1) On the passage in either house of the legislature of any law which imposes, continues, or renews a tax, or increases the rate of the state sales tax, or increases any of the rates of the income tax or franchise tax, or creates a debt or charge, or makes, continues, or renews an appropriation of public
or trust money, or releases, discharges, or commutes a claim or demand of the state, the question vote shall be taken by yeas and nays, which shall be duly ayes and noes, and the names of the members voting for, and the names of the members voting against, passage of the bill shall be entered on the journal; and,

(2) For any vote under sub. (1), three-fifths of all the members elected to such the current membership of each house shall in all such cases be required to constitute a quorum therein.

SECTION 2. Section 8 (3) of article VIII of the constitution is created to read:

[Article VIII] Section 8 (3) The passage in either house of the legislature of any law to increase the rate of the state sales tax or to increase any of the rates of the income tax or franchise tax requires the approval of two-thirds of the members present.

SECTION 3. Numbering of new provisions. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict and adjust any cross-references thereto.

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

(END)