



## 2005 ASSEMBLY JOINT RESOLUTION 43

June 2, 2005 – Introduced by Representatives SUDER, ALBERS, GIELOW, GUNDERSON, HINES, HONADEL, JENSEN, KERKMAN, KREIBICH, F. LASEE, LEMAHIEU, McCORMICK, MUSSER, NASS, NISCHKE, OWENS, PETROWSKI, STRACHOTA, VOS, VUKMIR, WASSERMAN and WOOD, cosponsored by Senators ZIEN, GROTHMAN, KANAVAS, KEDZIE, A. LASEE, LAZICH, LEIBHAM and STEPP. 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  
3             revenues (first consideration).

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### *Analysis by the Legislative Reference Bureau*

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, requires a two-thirds vote in each house of the legislature to pass a bill that provides for a net increase in revenues from state sales taxes, income taxes, and franchise taxes.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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### ***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 provides by law for a net  
8             increase in revenues from state sales taxes, income taxes, and franchise taxes, or  
9             creates a debt or charge, or makes, continues or renews an appropriation of public  
10            or trust money, or releases, discharges or commutes a claim or demand of the state,

1 the ~~question~~ vote shall be taken by yeas and nays, ~~which shall be duly~~ ayes and noes,  
2 and the names of the members voting for, and the names of the members voting  
3 against, passage of the bill shall be entered on the journal; and.

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

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

8 [Article VIII] Section 8 (3) The passage in either house of the legislature of any  
9 law to provide by law for a net increase in revenues from state sales taxes, income  
10 taxes, and franchise taxes requires the approval of two-thirds of the members  
11 present.

12 **SECTION 3. Numbering of new provision.** The new subsection (3) of section  
13 8 of article VIII of the constitution created in this joint resolution shall be designated  
14 by the next higher open whole subsection number in that section in that article if,  
15 before the ratification by the people of the amendment proposed in this joint  
16 resolution, any other ratified amendment has created a subsection (3) of section 8 of  
17 article VIII of the constitution of this state. If one or more joint resolutions create  
18 a subsection (3) of section 8 of article VIII simultaneously with the ratification by the  
19 people of the amendment proposed in this joint resolution, the subsections created  
20 shall be numbered and placed in a sequence so that the subsections created by the  
21 joint resolution having the lowest enrolled joint resolution number have the numbers  
22 designated in that joint resolution and the subsections created by the other joint  
23 resolutions have numbers that are in the same ascending order as are the numbers  
24 of the enrolled joint resolutions creating the subsections.

