

1999 ASSEMBLY JOINT RESOLUTION 28

March 4, 1999 – Introduced by Representatives SYKORA, ZIEGELBAUER, HAHN, RHOADES, RYBA, GROTHMAN, AINSWORTH, STONE, GOETSCH, SKINDRUD, SPILLNER, KELSO, MUSSER, OWENS, ALBERS, PORTER, PETROWSKI, POWERS, SERATTI, NASS, KREIBICH, GUNDERSON and KEDZIE, cosponsored by Senators WELCH, ZIEN and LAZICH. 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 or broaden the base of the state sales tax (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, requires a two-thirds vote in each house of the legislature to pass a bill to broaden the base or increase the rate of the state sales tax or to increase any of the rates of the income tax or franchise tax.

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

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 broadens the base or
 8 increases the rate of the state sales tax or increases any of the rates of the income
 9 tax or franchise tax, or creates a debt or charge, or makes, continues or renews an

1 appropriation of public or trust money, or releases, discharges or commutes a claim
2 or demand of the state, the ~~question vote~~ shall be taken by yeas and nays, which shall
3 ~~be duly ayes and noes, and the names of the members voting for, and the names of~~
4 ~~the members voting 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 broaden the base or increase the rate of the state sales tax or to increase any
11 of the rates of the income tax or franchise tax requires the approval of two-thirds of
12 the members present.

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

