

## 2001 ASSEMBLY JOINT RESOLUTION 2

January 16, 2001 – Introduced by Representatives SUDER, HUNDERTMARK, JENSEN, STARZYK, HAHN, LOEFFELHOLZ, KESTELL, SYKORA, RHOADES, KEDZIE, J. FITZGERALD, JESKEWITZ, F. LASEE, LADWIG, MONTGOMERY, GUNDERSON, VRAKAS, NASS, HUEBSCH, GROTHMAN, PETTIS, LEIBHAM, OWENS, KREIBICH, ALBERS, AINSWORTH and HOVEN, cosponsored by Senators WELCH, ZIEN and DARLING. Referred to Committee on Tax and Spending Limitations.

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).

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### *Analysis by the Legislative Reference Bureau*

This proposed constitutional amendment, proposed to the 2001 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 proposed constitutional amendment requires adoption by 2 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 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.

