



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.

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.

4 ***Resolved by the senate, the assembly 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)