

ASSEMBLY BILL 5, JANUARY 2011 SPECIAL SESSION (LRB -0753)

An Act to create 13.085 of the statutes; relating to: requiring a supermajority for passage of tax increase legislation.

2011

- 01-04. A. Introduced by committee on **ASSEMBLY ORGANIZATION**, by request of Governor Scott Walker, Representative August, and Senator Vukmir.
- 01-04. A. Read first time and referred to committee on Ways and Means ..... 14
- 01-19. A. Public hearing held.
- 01-20. A. Executive action taken.
- 01-20. A. Report passage recommended by committee on Ways and Means, Ayes 7, Noes 4 ..... 42
- 01-20. A. Referred to committee on Rules ..... 42
- 01-20. A. Placed on calendar 1-25-2011 by committee on Rules.
- 01-25. A. Read a second time ..... 63
- 01-25. A. Placed at the foot of the calendar of 1-25-2011 ..... 63
- 01-25. A. Assembly amendment 1 offered by Representatives Steinbrink, Staskunas, Jorgensen and Hulsey (**LRB a0345**) ..... 65
- 01-25. A. Assembly amendment 1 laid on table, Ayes 57, Noes 37 ..... 65
- 01-25. A. Assembly amendment 2 offered by Representatives Grigsby, Toles, Molepske Jr, Pasch, Mason, Bernard Schaber, Pope-Roberts, Fields and Sinicki (**LRB a0332**) ..... 65
- 01-25. A. Assembly amendment 2 laid on table, Ayes 57, Noes 37 ..... 65
- 01-25. A. Assembly amendment 3 offered by Representatives Barca and Seidel (**LRB a0334**) ..... 66
- 01-25. A. Assembly amendment 3 laid on table, Ayes 56, Noes 38 ..... 66
- 01-25. A. Assembly amendment 4 offered by Representatives Turner and Barca (**LRB a0333**) ..... 66
- 01-25. A. Assembly amendment 4 laid on table, Ayes 56, Noes 38 ..... 66
- 01-25. A. Ordered to a third reading ..... 66
- 01-25. A. Rules suspended ..... 66
- 01-25. A. Read a third time and **passed**, Ayes 57, Noes 36, Paired 2 ..... 66
- 01-25. A. Ordered immediately messaged ..... 67
- 01-26. S. Received from Assembly ..... 64
- 01-26. S. Read first time and referred to committee on Senate Organization ..... 64
- 01-26. S. Available for scheduling.
- 02-07. S. Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e) ..... 98
- 02-07. S. Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e) ..... 98
- 02-07. S. Available for scheduling.
- 02-07. S. Senate amendment 1 offered by Senator Carpenter (**LRB a0479**) ..... 98
- 02-07. S. Senate amendment 2 offered by Senator Carpenter (**LRB a0480**) ..... 98
- 02-07. S. Senate amendment 3 offered by Senator Carpenter (**LRB a0481**) ..... 98
- 02-08. S. Rules suspended to withdraw from committee on Senate Organization and take up.
- 02-08. S. Read a second time.
- 02-08. S. Senate amendment 1 laid on table, Ayes 22, Noes 10.
- 02-08. S. Senate amendment 2 laid on table, Ayes 19, Noes 13.
- 02-08. S. Senate amendment 3 laid on table, Ayes 18, Noes 13.
- 02-08. S. Senate amendment 4 offered by Senator Erpenbach (**LRB f527**).
- 02-08. S. Senate amendment 4 laid on table, Ayes 19, Noes 13.
- 02-08. S. Senate amendment 5 offered by Senator Carpenter (**LRB f528**).
- 02-08. S. Point of order that Senate amendment 5 not germane well taken.
- 02-08. S. Ordered to a third reading.
- 02-08. S. Rules suspended.
- 02-08. S. Read a third time and **concurred in**, Ayes 20, Noes 12.
- 02-08. S. Ordered immediately messaged.
- 02-08. A. Received from Senate concurred in ..... 98

*MB*

**2011  
ENROLLED BILL**

JAN 2011 S.S.  
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**ADOPTED DOCUMENTS:**

Orig     Engr         SubAmdt     

11-0753/L

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

2-9-11  
Date

J. Miller  
Enrolling Drafter



## ASSEMBLY BILL 5

January 4, 2011 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION, by request of Governor Scott Walker, Representative August, and Senator Vukmir. Referred to Committee on Ways and Means.

1 **AN ACT to create** 13.085 of the statutes; **relating to:** requiring a supermajority  
2 for passage of tax increase legislation.

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### *Analysis by the Legislative Reference Bureau*

This bill prohibits either house of the legislature from passing a bill that increases the rate of the state sales tax or that increases any of the rates of the income tax or franchise tax unless the bill is approved by two-thirds of those members present and voting. The bill, however, specifies that this prohibition does not apply if the legislature passes a joint resolution requiring a statewide advisory referendum on the question of whether the legislature should authorize the tax increase provided in the bill and a majority of voters voting at the referendum vote to approve the tax increase.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 SECTION 1. 13.085 of the statutes is created to read:

4 **13.085 Bills increasing certain tax rates. (1)** Except as provided in sub.  
5 (2), no house of the legislature may pass a bill that increases the rate of the state sales  
6 tax or that increases any of the rates of the income tax or franchise tax unless the bill  
7 is approved by two-thirds of those members present and voting.

1           **(2)** Subsection (1) shall not apply if the legislature passes a joint resolution  
2           requiring a statewide advisory referendum on the question of whether the  
3           legislature should authorize the tax increase provided in the bill and a majority of  
4           voters voting at the referendum vote to approve the tax increase.

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**(END)**