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1995 SENATE JOINT RESOLUTION 35

September 19, 1995 - Introduced by Senators Petak, Farrow and Darling, cosponsored by Representatives Walker, Wirch, Plache, Ladwig, Porter, Schneiders, Harsdorf, Musser, Goetsch, Lorge, Duff, Ainsworth, Freese, Nass, Hahn, Silbaugh, Ziegelbauer, Lazich, Kreibich, Dobyns, Grothman, Gunderson and Huebsch. Referred to Committee on Judiciary.

To amend section 8 of article VIII; and **to create** section 8 (3) of article VIII of the constitution; **relating to:** the vote on certain bills that would increase taxes (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 1995 legislature on first consideration, requires a two-thirds vote in each house of the legislature to pass a bill to create a new tax or increase the rate of an existing tax.

As a constitutional amendment, the proposal requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

Section 1. Section 8 of article VIII of the constitution is amended to read:

[Article VIII] Section 8 (1) On the passage in either house of the legislature of any law which that imposes, continues or renews a tax, broadens the base or increases the rate of an existing tax, or creates a debt or charge, or makes, continues or renews an appropriation of public or trust money, or releases, discharges or commutes a claim or demand of the state, the question vote shall be taken by yeas and nays, which shall be duly ayes and noes, and the names of the members voting for or against passage of the bill shall be entered on the journal; and.

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1	(2) For any vote under sub. (1), three-fifths of all the members elected to such
2	the current membership of each house shall in all such cases be required to constitute
3	a quorum therein .
4	Section 2. Section 8 (3) of article VIII of the constitution is created to read:
5	[Article VIII] Section 8 (3) The passage in either house of the legislature of any
6	law to impose a new tax or increase the rate of an existing tax requires the approval
7	of two-thirds of the members present.
8	Section 3. Numbering of new provision. The new subsection (3) of section
9	8 of article VIII of the constitution created in this joint resolution shall be designated
10	by the next higher open whole subsection number in that section if, prior to or
11	simultaneously with the ratification by the people of the amendment proposed in this
12	joint resolution, any other ratified amendment has created a subsection (3) of section
13	8 of article VIII of the constitution of this state. If several joint resolutions
14	simultaneously create a subsection (3) of section 8 of article VIII, the chief of the
15	legislative reference bureau shall determine the sequence and the numbering.
16	Be it further resolved, That this proposed amendment be referred to the
17	legislature to be chosen at the next general election and that it be published for 3
18	months previous to the time of holding such election.

(END)