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State of Misconsin 2013 - 2014 LEGISLATURE



2013 ASSEMBLY JOINT RESOLUTION

To renumber section 8 of article VIII; and to create section 8 (2) of article VIII and section 8 (3) of article VIII of the constitution; relating to: requiring a supermajority for passage of tax increase legislation (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2013 legislature on first consideration, 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 proposed amendment, 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.

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

Resolved by the assembly, the senate concurring, That:

- 5 SECTION 1. Section 8 of article VIII of the constitution is renumbered section 8 (1) of article VIII.
- 7 Section 8 (2) of article VIII of the constitution is created to read:

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[Article VIII] Section 8 (2) Except as provided in sub. (3), no house of the legislature may pass 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.

Section 3. Section 8 (3) of article VIII of the constitution is created to read:

[Article VIII] Section 8 (3) Subsection (2) shall 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.

SECTION 4. Numbering of new provisions. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

17 (END)