

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Leek offered the following:

Amendment (with ballot and title amendments)

Remove everything after the enacting clause and insert:

That the following creation of Section 19 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 19. Supermajority vote required to impose, authorize, or raise state taxes or fees.-

(a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW STATE TAX OR FEE. No new state tax or fee may be imposed or authorized by the legislature except through legislation

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18 approved by two-thirds of the membership of each house of the
19 legislature and presented to the Governor for approval pursuant
20 to Article III, Section 8.

21 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
22 FEES. No state tax or fee may be raised by the legislature
23 except through legislation approved by two-thirds of the
24 membership of each house of the legislature and presented to the
25 Governor for approval pursuant to Article III, Section 8.

26 (c) APPLICABILITY. This section does not authorize the
27 imposition of any state tax or fee otherwise prohibited by this
28 Constitution, and does not apply to any tax or fee imposed by,
29 or authorized to be imposed by, a county, municipality, school
30 board, or special district.

31 (d) DEFINITIONS. As used in this section, the following
32 terms shall have the following meanings:

33 (1) "Fee" means any charge or payment required by law,
34 including any fee for service, fee or cost for licenses, and
35 charge for service.

36 (2) "Raise" means:

37 a. To increase or authorize an increase in the rate of a
38 state tax or fee imposed on a percentage or per mill basis;

39 b. To increase or authorize an increase in the amount of a
40 state tax or fee imposed on a flat or fixed amount basis; or

41 c. To decrease or eliminate a state tax or fee exemption
42 or credit.

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43 (e) SINGLE-SUBJECT. A state tax or fee imposed,
44 authorized, or raised under this section must be contained in a
45 separate bill that contains no other subject.

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48 **B A L L O T A M E N D M E N T**

49 Remove lines 58-65 and insert:

50 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE
51 STATE TAXES OR FEES.—Prohibits the legislature from imposing,
52 authorizing, or raising a state tax or fee except through
53 legislation approved by a two-thirds vote of each house of the
54 legislature in a bill containing no other subject. This proposal
55 does not authorize a state tax or fee otherwise prohibited by
56 the Constitution and does not apply to fees or taxes imposed or
57 authorized to be imposed by a county, municipality, school
58 board, or special district.

59 BE IT FURTHER RESOLVED that the following statement be
60 placed on the ballot if a court declares the preceding statement
61 defective and the decision of the court is not reversed:

62 CONSTITUTIONAL AMENDMENT

63 ARTICLE VII, SECTION 19

64 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE
65 STATE TAXES OR FEES.—Proposing the following amendment to the
66 State Constitution:

67 ARTICLE VII

68 FINANCE AND TAXATION

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69 SECTION 19. Supermajority vote required to impose,
70 authorize, or raise state taxes or fees.—

71 (a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
72 STATE TAX OR FEE. No new state tax or fee may be imposed or
73 authorized by the legislature except through legislation
74 approved by two-thirds of the membership of each house of the
75 legislature and presented to the Governor for approval pursuant
76 to Article III, Section 8.

77 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
78 FEES. No state tax or fee may be raised by the legislature
79 except through legislation approved by two-thirds of the
80 membership of each house of the legislature and presented to the
81 Governor for approval pursuant to Article III, Section 8.

82 (c) APPLICABILITY. This section does not authorize the
83 imposition of any state tax or fee otherwise prohibited by this
84 Constitution, and does not apply to any tax or fee imposed by,
85 or authorized to be imposed by, a county, municipality, school
86 board, or special district.

87 (d) DEFINITIONS. As used in this section, the following
88 terms shall have the following meanings:

89 (1) "Fee" means any charge or payment required by law,
90 including any fee for service, fee or cost for licenses, and
91 charge for service.

92 (2) "Raise" means:

93 a. To increase or authorize an increase in the rate of a
94 state tax or fee imposed on a percentage or per mill basis;

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95 b. To increase or authorize an increase in the amount of a
96 state tax or fee imposed on a flat or fixed amount basis; or

97 c. To decrease or eliminate a state tax or fee exemption
98 or credit.

99 (e) SINGLE-SUBJECT. A state tax or fee imposed,
100 authorized, or raised under this section must be contained in a
101 separate bill that contains no other subject.

102 -----
103
104 **T I T L E A M E N D M E N T**

105 Remove everything before the enacting clause and insert:
106 A joint resolution proposing the creation of section 19 of
107 Article VII of the State Constitution to provide that no state
108 tax or fee may be imposed, authorized, or raised by the
109 legislature except through legislation approved by two-thirds of
110 the membership of each house of the legislature and presented to
111 the Governor for approval; providing for applicability;
112 providing definitions; requiring any tax or fee imposed or
113 raised under this section to be contained in a separate bill
114 that contains no other subject.