

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 1, As Amended

BY STATE AFFAIRS COMMITTEE

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 15, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE MANNER OF PASSING BILLS; TO PROVIDE THAT NO BILL OR RESOLUTION SHALL BECOME LAW WITHOUT THE CONCURRENCE OF TWO-THIRDS OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE IF THE BILL OR RESOLUTION CREATES A NEW TAX OR FEE, OR INCREASES AN EXISTING TAX OR FEE OR REDUCES OR ELIMINATES A DEDUCTION, EXEMPTION, CREDIT OR OTHER DEVICE USED TO COMPUTE TAX OR FEE LIABILITY AND TO PROVIDE THAT SUCH TWO-THIRDS CONCURRENCE SHALL NOT BE REQUIRED IF A BILL OR RESOLUTION WOULD NOT RESULT IN INCREASED REVENUE; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

Be It Resolved by the Legislature of the State of Idaho:

SECTION 1. That Section 15, Article III, of the Constitution of the State of Idaho be amended to read as follows:

SECTION 15. MANNER OF PASSING BILLS. (1) No law shall be passed except by bill, nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same shall have been read on three several days in each house previous to the final vote thereon: provided, in case of urgency, two-thirds of the house where such bill may be pending may, upon a vote of the yeas and nays, dispense with this provision. On the final passage of all bills, they shall be read at length, section by section, and the vote shall be by yeas and nays upon each bill separately, and shall be entered upon the journal, ~~and no.~~

(2) (a) Except as provided in subsection (2) (b) of this section, no bill or resolution described in this section shall become a law without the concurrence of a majority two-thirds of the members present of each house if such bill or resolution:

(i) Creates a new tax or fee; or

(ii) Increases an existing tax or fee; or

(iii) Reduces or eliminates a deduction, exemption, credit or other device used to compute tax or fee liability.

(b) Two-thirds concurrence shall not be required if a bill or resolution containing any combination of subsections (2) (a) (i), (2) (a) (ii) and (2) (a) (iii) of this section would not result in increased revenue.

1 SECTION 2. The question to be submitted to the electors of the State of
2 Idaho at the next general election shall be as follows:

3 "Shall Section 15, Article III, of the Constitution of the State of
4 Idaho be amended to provide that no bill or resolution shall become law
5 without the concurrence of two-thirds of the members of each house of the
6 legislature if the bill or resolution creates a new tax or fee, or increases
7 an existing tax or fee or reduces or eliminates a deduction, exemption,
8 credit or other device used to compute tax or fee liability and to provide
9 that such two-thirds concurrence shall not be required if a bill or resolu-
10 tion would not result in increased revenue?"

11 SECTION 3. The Legislative Council is directed to prepare the state-
12 ments required by Section 67-453, Idaho Code, and file the same.

13 SECTION 4. The Secretary of State is hereby directed to publish this
14 proposed constitutional amendment and arguments as required by law.