
HOUSE RESOLUTION

SUPPORTING THE CONCEPT OF REQUIRING THAT ALL LEGISLATION
PROPOSING TO INCREASE THE RATE OF ANY TAX COLLECTED BY THE
STATE OR TO ENACT A NEW TAX BE PASSED BY A TWO-THIRDS
SUPERMAJORITY VOTE.

1 WHEREAS, control of the purse strings is a crucial element
2 in a democratic government that governs by the consent of the
3 governed; and
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5 WHEREAS, in a democratic republic, it is the people who are
6 the ultimate authority in determining the expenditures of their
7 government and the extent to which they themselves shall be
8 taxed; and
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10 WHEREAS, responsible stewardship of the people's resources
11 requires that the people's elected representatives be
12 disinclined to increase the people's tax burdens without a
13 fuller consideration and justification; and
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15 WHEREAS, the power of the purse is one of the most
16 important powers of legislatures, and this ability to extract
17 and redistribute the resources of the people is a responsibility
18 that should be held to a higher standard; and
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20 WHEREAS, the permanent nature of taxation merits a
21 heightened standard from the Legislature and a supermajority
22 requirement is needed to give more voice to the taxpayers who
23 will be taxed; and
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25 WHEREAS, our nation's founding fathers recognized that a
26 simple majority is not meaningful enough to enact certain
27 policies and some issues require the expression of the will of
28 the supermajority of the people; and
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1 WHEREAS, the supermajority concept was endorsed by James
2 Madison, the author of the Bill of Rights; and
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4 WHEREAS, even a founding father like Alexander Hamilton, in
5 his writings in the Federalist Papers, concluded that a
6 supermajority requirement had its place in a democracy, writing
7 as he did in The Federalist No. 73 that the supermajority
8 requirement "establishes a salutary check upon the legislative
9 body, calculated to guard the community against the effects of
10 faction, precipitancy, or of any impulse unfriendly to the
11 public good, which may happen to influence a majority of that
12 body[;]" and
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14 WHEREAS, taxation has far-reaching effects on almost every
15 entity in society, and yet can be subjected to the specialized
16 interests of a limited number of members in society; and
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18 WHEREAS, polls attest to the fact that the public is
19 convinced that special interest lobbying dominates the public
20 policy agenda within the government, and it is the public's
21 concern that the specialized interests of these limited numbers
22 of members in society are using their influence with
23 legislatures to enact policies that tax these specialized
24 interests more lightly than the rest of the electorate, who then
25 must pay more to compensate for the exemptions enjoyed by these
26 specialized interests; and
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28 WHEREAS, currently, sixteen states require a supermajority
29 vote of their legislature to raise taxes; and
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31 WHEREAS, in February 2011, the legislature of Wisconsin
32 passed legislation requiring a supermajority vote to increase
33 taxes; and
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35 WHEREAS, the Legislature's tendency to increase the
36 people's tax burdens in the interim periods when representatives
37 are not confronted by upcoming elections can be ameliorated by
38 the supermajority requirement; now, therefore,
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40 BE IT RESOLVED by the House of Representatives of the
41 Twenty-sixth Legislature of the State of Hawaii, Regular Session



H.R. NO. 233

1 of 2011, that the Legislature supports the concept of requiring
 2 that all legislation proposing to increase the rate of any tax
 3 collected by the State or to enact a new tax be passed by a two-
 4 thirds supermajority vote; and

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 6 BE IT FURTHER RESOLVED that certified copies of this
 7 Resolution be transmitted to the Speaker of the House of
 8 Representatives, the President of the Senate, and the Governor.
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OFFERED BY: *[Signature]*

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