
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ENACT A SUPERMAJORITY VOTING REQUIREMENT FOR PASSAGE OF LEGISLATION PROPOSING TO RAISE OR CREATE TAXES OR FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that control of
2 government spending is a crucial element in a democratic
3 government that governs by the consent of the governed. In a
4 democratic republic, it is the people who are the ultimate
5 authority in determining the expenditures of their government
6 and the extent to which they themselves shall be taxed.

7 The responsible stewardship of the people's resources
8 requires that the people's elected representatives be
9 disinclined to increase the people's tax burdens without a
10 fuller consideration and justification. The power to increase
11 taxes is one of the most important powers of the legislature,
12 and this ability to extract and redistribute the resources of
13 the people is a responsibility that should be held to a higher
14 standard.

15 The legislature also finds that the permanent nature of
16 taxation merits heightened scrutiny and a supermajority



1 available to the members of that house for at least forty-eight
2 hours.

3 Every bill when passed by the house in which it originated,
4 or in which amendments thereto shall have originated, shall
5 immediately be certified by the presiding officer and clerk and
6 sent to the other house for consideration.

7 Any bill pending at the final adjournment of a regular
8 session in an odd-numbered year shall carry over with the same
9 status to the next regular session. Before the carried-over
10 bill is enacted, it shall pass at least one reading in the house
11 in which the bill originated.

12 Passage of legislation proposing to increase the rates for
13 any tax collected by the State or to enact a new tax shall
14 require a two-thirds vote of all members to which each house is
15 entitled. Passage of legislation proposing to increase fees or
16 to create new fees that are charged by the State or any agency
17 or entity controlled by the State shall require a two-thirds
18 vote of all members to which each house is entitled."

19 SECTION 3. The question to be printed on the ballot shall
20 be as follows:



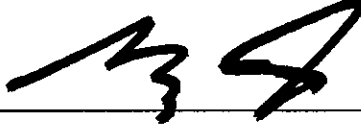

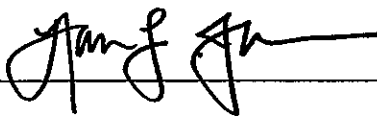

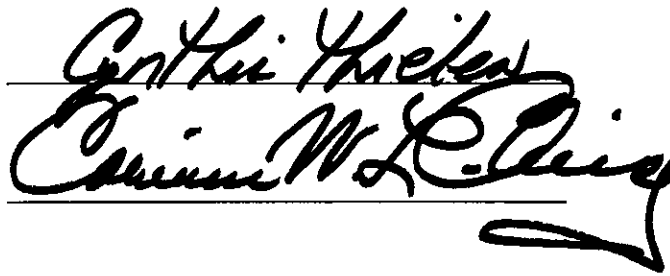


H.B. NO. 2205

1 "Shall the Constitution be amended to include a two-thirds
 2 supermajority voting requirement for the legislature to pass
 3 laws increasing or creating taxes or fees?"

4 SECTION 4. New constitutional material is underscored.

5 SECTION 5. This amendment shall take effect upon
 6 compliance with Article XVII, section 3, of the Constitution of
 7 the State of Hawaii.

8 INTRODUCED BY:

JAN 20 2012



H.B. NO. 2205

Report Title:

Taxation; constitutional amendment

Description:

Proposes a constitutional amendment to include a two-thirds supermajority voting requirement for the legislature to pass laws that increase or create taxes and fees.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

