

104TH CONGRESS
1ST SESSION

H. R. 2116

To establish a national advisory referendum on a flat income tax rate, and requiring a national vote to raise taxes at the general election of 1996.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1995

Mr. HOEKSTRA introduced the following bill; which was referred to the Committee on House Oversight

A BILL

To establish a national advisory referendum on a flat income tax rate, and requiring a national vote to raise taxes at the general election of 1996.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Voter Oppor-
5 tunity To Inform Congress Effectively on a Flat Tax and
6 a Cap on Tax Increases Act of 1995 (National VOICE
7 on a Flat Tax and Cap on Tax Increases Act of 1995)”.

8 **SEC. 2. FINDINGS AND PURPOSES.**

9 (a) FINDINGS.—The Congress finds that—

1 (1) the right of citizens of the United States to
2 vote is a fundamental right;

3 (2) the right of citizens of the United States to
4 have an effective voice in the decisionmaking proc-
5 esses of the Congress is grounded in the right to pe-
6 tition and is a fundamental part of American democ-
7 racy, and Congress should provide an opportunity
8 for citizens to express their views on important pub-
9 lic issues; and

10 (3) there is an increasing public sentiment and
11 demand for less taxation and a simplified tax code.

12 (b) PURPOSES.—The purposes of this Act are—

13 (1) to give the citizens of every State the oppor-
14 tunity to have a voice on whether or not Congress
15 should adopt a flat income tax system and amend
16 the Constitution to require a majority vote of the
17 American people to raise taxes; and

18 (2) to conduct a national nonbinding referen-
19 dum on a flat tax on income and requiring a na-
20 tional vote on tax increases at the 1996 general elec-
21 tion, thereby having an opportunity to study the fea-
22 sibility of conducting national nonbinding referenda
23 on other important issues in the future.

24 **SEC. 3. DEFINITIONS.**

25 As used in this Act—

1 (1) the term “nonbinding referendum” means
2 the placing on the general election ballot in every
3 congressional district and delegate or resident com-
4 missioner district in 1996 the advisory questions de-
5 fined below, the results of which shall be properly
6 tabulated and certified as described herein, but
7 which results shall not be legally binding on any per-
8 son or institution;

9 (2) the term “advisory questions” means the
10 National Advisory Referendum on a flat tax on in-
11 come and requiring a national vote on tax increases,
12 the language of which is contained in section 4(b) of
13 this Act;

14 (3) the term “general election” means the elec-
15 tion at which Federal officers are elected in 1996;
16 and

17 (4) the term “State election agency” means the
18 official agency of each State and territory charged
19 with the legal responsibility for conducting general
20 elections within that jurisdiction.

1 **SEC. 4. PROCEDURES FOR NATIONAL VOTER OPPORTUNITY**
 2 **TO INFORM CONGRESS EFFECTIVELY ON A**
 3 **FLAT TAX AND REQUIRING A NATIONAL VOTE**
 4 **ON TAX INCREASES NONBINDING REFEREN-**
 5 **DUM.**

6 (a) IN GENERAL.—This Act shall have the effect of
 7 placing on the 1996 general election ballot in every con-
 8 gressional district, and delegate and/or resident commis-
 9 sioner district, in the United States, the District of Colum-
 10 bia and the territories of the United States, the advisory
 11 questions under subsection (b).

12 (b) ADVISORY QUESTIONS; BALLOT TITLE AND LAN-
 13 GUAGE.—Not later than June 30, 1996, the Clerk of the
 14 United States House of Representatives and the Secretary
 15 of the United States Senate shall jointly certify to the ap-
 16 propriate State election agencies for inclusion on the 1996
 17 general election ballot in each congressional district, the
 18 following ballot title and questions:

“NATIONAL ADVISORY REFERENDUM ON A FLAT TAX ON
 INCOME AND REQUIRING A NATIONAL VOTE ON TAX
 INCREASES

“Question #1: Should Congress adopt a simple flat
 tax rate on income?

“Yes

No.

“Question #2: Should Congress approve a constitutional amendment to require a majority vote of the American people to raise taxes?

“Yes No”.

1 (c) PREPARATION OF BALLOTS.—

2 (1) PROCEDURES.—The procedures for printing
3 and preparation of the ballots containing the advisory
4 questions shall be the same as provided in each
5 State and territory for conducting the elections of
6 the Members of the United States House of Rep-
7 resentatives and Senators, and Delegates or Resi-
8 dent Commissioners.

9 (2) ADVISORY QUESTIONS.—In each congres-
10 sional and delegate district, every general election
11 ballot shall include the advisory questions contained
12 in subsection (b). Should there be no general elec-
13 tion scheduled to be held in any particular congres-
14 sional or delegate district, a ballot shall nonetheless
15 be prepared for the voters of said district to be able
16 to participate in the nonbinding referendum in the
17 same manner as all other districts where a general
18 election is being held. States shall be reimbursed at
19 4 cents per voter, or an estimated \$5,000,000 for
20 the costs incurred in placing the questions in sub-
21 section (b) on the ballots in November 1996. There-

1 fore, this bill authorizes \$5,000,000 for these pur-
2 poses. All reimbursements to State election agencies
3 for the costs of conducting the nonbinding referen-
4 dum shall be made from the franking accounts of
5 the Congress, with equal amounts drawn from the
6 franking accounts of the House of Representatives
7 and the Senate in proportion to the total funds ap-
8 propriated to each House for franking, to reimburse
9 the States for such expenses. The Clerk of the
10 United States House of Representatives and the
11 Secretary of the United States Senate shall be re-
12 sponsible for ensuring the proper application for and
13 reimbursement of said expenses.

14 (d) TABULATION AND CERTIFICATION OF VOTING
15 RESULTS.—The State election agencies shall tabulate the
16 results of the voting on the advisory questions in the same
17 manner as is customary for tabulating the results of elec-
18 tions of the Members of the United States House of Rep-
19 resentatives and Senators. Said results shall be officially
20 certified pursuant to the customary laws and procedures
21 of each jurisdiction.

22 (e) TRANSMISSION OF CERTIFIED RESULTS TO THE
23 CONGRESS, ALL MEMBERS, AND COMMITTEES ON THE
24 JUDICIARY.—The official, certified election results of each
25 jurisdiction’s nonbinding referenda on the advisory ques-

1 tions shall be certified by the State election agency to the
2 Clerk of the United States House of Representatives and
3 the Secretary of the United States Senate in the same
4 manner and at the same time of the certification of elec-
5 tion of Members of the House of Representatives and Sen-
6 ate at the 1996 general election, said results to be certified
7 by county, congressional district and statewide totals. The
8 Clerk and the Secretary shall be responsible for transmit-
9 ting to each Member of the respective House of Congress
10 the results of the nonbinding referenda from all jurisdic-
11 tions. The results shall also be taken under advisement
12 by the Committee on Ways and Means of the House of
13 Representatives and the Committee on Finance of the
14 Senate, with recommendations for response reported back
15 to the full House and Senate within 6 months of the gen-
16 eral election.

17 (f) COMMENTS REGARDING PROCEDURES FOR FU-
18 TURE NONBINDING REFERENDA.—Within 90 days of the
19 date of the general election, the State election agencies
20 shall forward to the Clerk of the United States House of
21 Representatives and the Secretary of the United States
22 Senate their comments or suggestions regarding changes
23 or improvements in procedures for conducting national
24 nonbinding referenda in future general elections. All such
25 comments shall be referred to the respective committees

1 on the Judiciary of the House of Representatives and
2 Senate.

3 **SEC. 5. EFFECTIVE DATE.**

4 This Act shall take effect on the date of the enact-
5 ment of this Act.

