



2015 ASSEMBLY BILL 329

September 3, 2015 - Introduced by Representatives SHANKLAND, BARCA, JORGENSEN, ZAMARRIPA, BARNES, BERCEAU, BILLINGS, BOWEN, BROSTOFF, CONSIDINE, DANOU, DOYLE, GENRICH, GOYKE, HEBL, HESSELBEIN, JOHNSON, KAHL, KESSLER, KOLSTE, MEYERS, MILROY, OHNSTAD, POPE, RIEMER, SARGENT, SINICKI, SPREITZER, STUCK, SUBECK, C. TAYLOR, WACHS, YOUNG and ZEPNICK, cosponsored by Senator VINEHOUT. Referred to Committee on State Affairs and Government Operations.

- 1 **AN ACT to amend** 13.39 (title); and **to create** 13.40 of the statutes; **relating to:**
2 legislative consideration of nonfiscal policy items in the biennial budget bill.

Analysis by the Legislative Reference Bureau

This bill establishes a process for the removal of nonfiscal policy items from the biennial budget bill. Under the bill, a nonfiscal policy item is defined as an item that generally has no state fiscal effect or the policy implications of the item are greater than the state fiscal effect; an item that has been or is the subject of introduced legislation other than the biennial budget bill; an item that would be referred to a standing committee of the legislature, other than the Joint Committee on Finance (JCF); or an item that can be accomplished without legislation. Under the bill, however, nonfiscal policy items do not include those that affect state program eligibility; that, if prepared as a bill, would generally be referred to JCF; or that address a reorganization or transfer of state government operations or functions.

Under the bill, no later than 30 days after introduction of the biennial budget bill, the Legislative Fiscal Bureau (LFB) must prepare a report, for submission to the cochairpersons of JCF, that identifies all nonfiscal policy items. The LFB shall also identify all nonfiscal policy items adopted in motions during JCF deliberations on a biennial budget bill. Each nonfiscal policy item identified by the LFB must be referred to an appropriate standing committee in each house of the legislature. The chairperson of each standing committee must hold a hearing and an executive session on the nonfiscal policy item to make recommendations to the assembly or senate, whichever is appropriate.

ASSEMBLY BILL 329

Finally, under the bill, the cochairpersons of JCF must introduce bills in both houses of the legislature for each nonfiscal policy item identified by the LFB.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.39 (title) of the statutes is amended to read:

2 **13.39** (title) **Legislative consideration of biennial budget bill;**
3 **earmarks.**

4 **SECTION 2.** 13.40 of the statutes is created to read:

5 **13.40 Legislative consideration of biennial budget bill; nonfiscal**
6 **policy items. (1)** (a) In this section, except as provided in par. (b), “nonfiscal policy
7 item” means any of the following:

8 1. An item that generally has no state fiscal effect or the policy implications of
9 the item are greater than the state fiscal effect.

10 2. An item that has been or is the subject of introduced legislation other than
11 the biennial budget bill.

12 3. An item that would be referred to a standing committee of the legislature,
13 other than the joint committee on finance.

14 4. An item that can be accomplished without legislation.

15 (b) In this section, “nonfiscal policy item” does not include any of the following:

16 1. An item that affects state program eligibility.

17 2. An item that, if prepared as a bill, would generally be referred to the joint
18 committee on finance.

19 3. An item that addresses a reorganization or transfer of state government
20 operations or functions.

