

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB739)**

Received: 02/21/2008

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Rich Zipperer (608) 266-5120**

By/Representing: **Chris Reader**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters: **rchampag**

Subject: **State Finance - bud generally**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Zipperer@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

AA to AB-739 (secs 1&2 of LRBa1301/1)

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**Instructions:**

Per Secs. 1 and 2 of LRBa1301/1.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 02/21/2008	bkraft 02/21/2008		_____			
/1			jfrantze 02/21/2008	_____	lparisi 02/21/2008	lparisi 02/21/2008	

FE Sent For:

<END>

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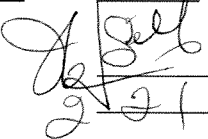
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**Instructions:**

Per Secs. 1 and 2 of LRBa1301/1.

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a 1354/1  
Stay  
+JTK

Wanted Fri 2/22 - Am

**ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 739**

bh ✓

✓

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 23: after "legislature." insert "The committee of conference,  
3 however, may reduce the amount of any earmark that requires a payment to a  
4 specific beneficiary or beneficiaries or may reduce the cost to the state of any earmark  
5 that is a tax deduction, credit, exclusion, or exemption."

6 **2.** Page 4, line 1: delete lines 1 to 4 and substitute:

7 "1. "Earmark" means a provision in a bill or amendment that is any of the  
8 following:

9 a. Authorizes or requires the payment of state moneys to a specific beneficiary  
10 or beneficiaries in a manner not determined by laws of general applicability for the  
11 selection of the beneficiary or beneficiaries.

1           b. Is a tax deduction, credit, exclusion, or exemption that applies to a specific  
2 beneficiary or beneficiaries in a manner not determined by laws of general  
3 applicability for the selection of the beneficiary or beneficiaries.”.

4           **3.** Page 5, line 13: delete lines 13 to 23.

5           **4.** Page 6, line 7: delete the material beginning with “state” and ending with  
6 “modification” on line 8 and substitute “budget earmark and non-fiscal policy”.

7           **5.** Page 6, line 12: delete lines 12 to 24 and substitute:

8           “**16.465 Biennial budget earmark and non-fiscal policy report. (1)** In  
9 this section:

10           (a) “Earmark” means a provision in the executive budget bill or bills that is any  
11 of the following:

12           1. Authorizes or requires the payment of state moneys to a specific beneficiary  
13 or beneficiaries in a manner not determined by laws of general applicability for the  
14 selection of the beneficiary or beneficiaries.

15           2. Is a tax deduction, credit, exclusion, or exemption that applies to a specific  
16 beneficiary or beneficiaries in a manner not determined by laws of general  
17 applicability for the selection of the beneficiary or beneficiaries.

18           (b) “Nonfiscal policy item” means a provision in the executive budget bill or bills  
19 that does not appropriate money, provide for revenue, or relate to taxation.

20           **(2)** The department shall prepare an earmark transparency report on the  
21 executive budget bill or bills. The report shall contain all of the following:

22           (a) A list of all earmarks and nonfiscal policy items.

23           (b) The cost of each earmark and nonfiscal policy item.

1 (c) The beneficiary of each earmark and nonfiscal policy item. If the beneficiary  
2 is an individual, the department shall identify the assembly and senate district in  
3 which the beneficiary resides. If the beneficiary is an entity, the department shall  
4 identify the assembly and senate district in which the beneficiary is located,  
5 incorporated, or organized. If the department cannot determine the identity of a  
6 beneficiary, the department shall note that fact in the report. If the earmark is a tax  
7 deduction, credit, exclusion, or exemption, all of the following shall apply:

8 1. All businesses and associations that are members of the same controlled  
9 group of corporations shall be treated as a single beneficiary.

10 2. All shareholders of a corporation, partners of a partnership, members of an  
11 association or organization, or beneficiaries of a trust or estate, respectively, shall be  
12 treated as a single beneficiary.

13 3. All employees of a single employer shall be treated as a single beneficiary.

14 4. All health or other benefit plans of an employer that are qualified under the  
15 federal Internal Revenue Code shall be treated as a single beneficiary.

16 5. All contributors to a charitable organization shall be treated as a single  
17 beneficiary.

18 6. All holders of the same bond or note issue shall be treated as a single  
19 beneficiary.

20 7. If a corporation, partnership, association or organization, or trust estate is  
21 the beneficiary, the shareholders of the corporation, the partners of the partnership,  
22 the members of the association or organization, or the beneficiaries of the trust or  
23 estate shall not be considered beneficiaries.”.

24 (END) ✓