



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2011 Wisconsin Act 220**  
[2011 Senate Bill 114]

**Legislative Consideration of a  
Biennial Budget Bill**

2011 Wisconsin Act 220 directs the Legislative Fiscal Bureau (LFB) to prepare an “earmark transparency report” on the biennial budget bill and on any amendment to it. The Act defines “earmark” as a provision in a bill or an amendment that does any of the following:

- Authorizes or requires the payment of state moneys to a specific beneficiary or beneficiaries in a manner not determined by laws of general applicability for the selection of the beneficiary or beneficiaries.
- Creates or modifies a tax deduction, credit, exclusion, or exemption that applies to a specific beneficiary or beneficiaries in a manner not determined by laws of general applicability for the selection of the beneficiary or beneficiaries.

The earmark transparency report must contain the following information:

- A list of all earmarks.
- The cost of each earmark.
- The beneficiary of each earmark. If the beneficiary is an individual, the report must identify the Assembly and Senate district in which the beneficiary resides. If the beneficiary is an entity, the report must identify the Assembly and Senate district in which the beneficiary is located, incorporated, or organized. If the LFB cannot determine the identity of a beneficiary, the report must note that fact.
- For an earmark contained in an amendment, the name of the Representative to the Assembly or Senator who proposed the earmark.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

Under the Act, the Joint Committee on Finance may not vote to recommend passage of the biennial budget bill or an amendment to it until the LFB has distributed the report to all members of the Legislature and has posted the report on the Legislature's Internet site. Similarly, neither house of the Legislature may pass the bill until the LFB has prepared an earmark transparency report on the bill as amended and distributed that report to all members of the Legislature and posted the report on the Legislature's Internet site.

The Act also provides that, if a conference committee is convened on a biennial budget bill, the conference report may not include any earmark that is not included in the bill as originally introduced or in any amendment adopted and passed by either house of the Legislature, but that the conference report may reduce an earmark.

***Effective date:*** April 20, 2012.

***Prepared by:*** David Lovell, Senior Analyst

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