



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0105/1
MPG:jld

2017 SENATE BILL 872

March 14, 2018 - Introduced by Senator VINEHOUT. Referred to Joint Committee on Finance.

- 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; 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 must prepare a report, for submission to the cochairpersons of JCF, that identifies all nonfiscal policy items in the biennial budget bill. The LFB must also identify all nonfiscal policy items adopted in motions during JCF deliberations on the 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.

SENATE BILL 872

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)** In this section:

7 (a) Except as provided in par. (b), “nonfiscal policy item” means any of the
8 following:

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

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

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

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

16 (b) “Nonfiscal policy item” does not include any of the following:

17 1. An item that affects state program eligibility.

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

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

