



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 739

Assembly Amendment 1

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Assembly Amendment 1 makes the following changes in the bill. [Note: The items listed below are the numbered items in the amendment.]

Item 1. Section 13.39 (2), created in *the bill*, provides that if a committee of conference is convened on a biennial budget bill, a conference report may not contain any earmark, as defined in new s. 13.95 (1r) (a) 1., or nonfiscal policy item, as defined in new s. 13.95 (1r) (a) 2., that was not included in the executive budget bill or an amendment thereto that was passed by either house of the Legislature.

The *amendment* adds the following language to this provision: “The committee of conference, however, may reduce the amount of any earmark that requires a payment to a specific beneficiary or beneficiaries or may reduce the cost to the state of any earmark that is a tax deduction, credit, exclusion, or exemption.”

Item 2. In a provision created in the *bill* (s. 13.95 (1r)), relating to the duties of the Legislative Fiscal Bureau, the *amendment* replaces the definition of “earmark” in that provision with the following definition:

“Earmark” means a provision in a bill or amendment that is any of the following:

- a. 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.
- b. Is 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.

Thus, this amendment changes the definition of “earmark” in this provision to also include any tax deduction, credit, exclusion, or exemption for a specific beneficiary or beneficiaries.

Legislative History

In executive session on February 26, 2008, the Assembly Committee on State Affairs voted to adopt Assembly Amendment 1 (offered by Representative Zipperer) on a vote of Ayes, 10; Noes, 0. The committee then voted to recommend passage of the bill, as amended, on a vote of Ayes, 6; Noes, 4.

DLS:jal