

May: Lawmakers abuse budget-fix motion

Written by By Larry Gallup



It's been nearly two years since Republicans in the state Legislature [tried to use](#) a secretive, last-minute measure just before the July 4 holiday weekend to [gut Wisconsin's open records law](#). This effort, once [publicized](#), was met with [public outrage](#) and [abandoned](#).

This was the most egregious but by no means only example of lawmakers trying to slip bad ideas into the state budget bill in the Legislature's Joint Finance Committee, under what is known as a 999 motion.

As lawmakers prepare to wrap up the 2017-19 state budget by July 1, the 999 motion remains a serious threat to open government and the public interest.

Originally intended to address technical issues and correct problems in the budget bill before it goes to the full Legislature, 999 motions have increasingly been used by both parties as a hiding spot for pet projects.

In the five budget bills before 2011, the 999 motion [averaged](#) five pages and 15 motions. But with the 2011-13 bill, the bill

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[expanded](#)

to 11 pages and 54 proposals. By 2015-17, it had

[ballooned](#)

to 24 pages and 81 proposals.

In 2013, the motion included a provision to boot the [Wisconsin Center for Investigative Journalism](#) from its space at the University of Wisconsin-Madison. Another provision would have legalized bail bond agents in five counties. Another created an income tax deduction for private-school tuition at an estimated cost to the state of \$30 million in the 2014-15 fiscal year.

Besides the open government provisions, the 2015 motion called for changing the makeup of the committee that oversees state legislators' retirement plan; replacing references to a "living wage" in state statutes to "minimum wage"; and expanding the types of products and services that payday lenders could provide.

"In many cases, it's used to put things into the budget that would never, ever stand the test of fresh air and sunlight," said former longtime Republican state Sen. Mike Ellis. "It doesn't meet the smell test for allowing the public to know exactly what the changes are going to be and the impact the changes will have on the taxpayers of Wisconsin."

The sort of things showing up in the 999 motion aren't technical fixes. They are spending measures that should be considered and debated during budget hearings. They are policy items that don't belong in the state budget at all. The goal is to skirt public scrutiny and even the scrutiny of many legislators who vote on the bill.

Worse, the process lets lawmakers submit items to this motion anonymously; they don't even have the guts to present their ideas openly. That should not be allowed: All rules, motions, bills or amendments should require a sponsor.

It's true that not all 999 motion items make it into the budget. But they don't belong in this instrument at all. The 999 motion was never meant to be a weaselly way for anonymous legislators to circumvent what is supposed to be an open process.

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Bring these measures into the light of day—with names attached.

Your Right to Know is a monthly column distributed by the [Wisconsin Freedom of Information Council](http://www.wisfoic.org) (www.wisfoic.org), a group dedicated to open government.

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