

State of Misconsin 1995 - 1996 LEGISLATURE

ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1995 ASSEMBLY BILL 7

February 1, 1995 – Offered by COMMITTEE ON WAYS AND MEANS.

1	AN ACT to amend 16.46 (2); and to create 13.40 of the statutes; relating to: a
2	limitation upon state appropriations from general purpose revenue.
	The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
3	SECTION 1. 13.40 of the statutes is created to read:
4	13.40 Limitation on state appropriations from general purpose
5	revenue. (1) In this section:
6	(a) "Fiscal biennium" means a 2-year period beginning on July 1 of an
7	odd-numbered year.
8	(b) "General purpose revenue" has the meaning given for "general purpose
9	revenues" in s. 20.001 (2) (a).
10	(c) "Local governmental unit" has the meaning given in s. 16.97 (7).
11	(2) Except as provided in subs. (3) to (5), the amount appropriated from general
12	purpose revenue for each fiscal biennium excluding any amount appropriated under
13	sub. (3) (a) to (d), as determined under sub. (6), may not exceed the sum of:

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(a) The amount appropriated from general purpose revenue, excluding any 1 $\mathbf{2}$ amount appropriated under sub. (3) (a) to (d), for the 2nd fiscal year of the prior fiscal 3 biennium as reported under s. 16.46 (2), multiplied by the sum of 1.0 and the average 4 annual percentage change in this state's per capita personal income, expressed as a 5 decimal, as reported for the most recent 4 calendar years prior to the fiscal biennium 6 by the federal department of commerce.

7 (b) The amount determined under par. (a) multiplied by the sum of 1.0 and the 8 average annual percentage change in this state's per capita personal income, 9 expressed as a decimal, as reported for the most recent 3 calendar years prior to the 10 fiscal biennium by the federal department of commerce and as estimated by the 11 department of administration for the calendar year following those years no later than December 5 of each even-numbered year, except as provided in sub. (8). 12

13(3) The limitation under sub. (2) does not apply to any of the following:

- 14 (a) An appropriation for principal repayment and interest payments on public 15debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).
- (b) An appropriation to honor a moral obligation undertaken pursuant to ss. 16 1718.61 (5), 85.25 (5), 144.2415 (13m), 229.50 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 18 234.626 (7) and 234.93 (6).
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(c) An appropriation to make a payment to the United States that the building 20commission determines to be payable under s. 13.488 (1) (m).

21(d) An appropriation for a period prior to the 1997–98 fiscal year providing for 22state aids to any local governmental unit.

23(e) An appropriation that is enacted with the approval of at least three-fifths of the members of each house of the legislature. 24

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(4) Whenever in any fiscal biennium the federal government assumes fiscal
responsibility for a state program that was previously funded from general purpose
revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
by the amount allocated to that program for the most recently completed fiscal
biennium in which the state assumed fiscal responsibility for the program.

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6 (5) Whenever in any fiscal biennium the legislature terminates or reduces the 7 cost of administering a program administered by local governmental units that is 8 partially funded by the state from general purpose revenue, the limitation under sub. 9 (2) for the next fiscal biennium shall be reduced by the amount allocated by the state 10 to that program from general purpose revenue or by the amount of the reduced state 11 cost, from general purpose revenue, of administering that program for the most 12 recently completed fiscal biennium.

13 (6) For purposes of sub. (2), the computation of the amount appropriated from 14 general purpose revenue for any fiscal biennium to which sub. (2) applies shall be 15made by adding the applicable sum certain appropriations enacted by the legislature 16 from general purpose revenue and an estimate of amounts that will be expended 17under applicable appropriations, other than sum certain appropriations, that are 18 made from general purpose revenue for that fiscal biennium, including any amounts 19 estimated to be expended for payment of compensation increases for state employes 20 and for litigation expenses incurred in actions against the state or state officers, 21employes or agents, as determined by the legislative fiscal bureau no later than 22 December 5 of each even-numbered year, except as provided in sub. (8).

(7) For purposes of calculating the amount appropriated from a biennial
appropriation under sub. (2) (a), the amount shown in the schedule under s. 20.005
(3) for the 2nd year of any fiscal biennium is determinative.

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(8) No later than December 5 of each even-numbered year, the department of 1 $\mathbf{2}$ administration and legislative fiscal bureau shall report to the cochairpersons of the 3 joint committee on finance the estimates and determinations required to be made under subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of 4 the committee do not notify the secretary of administration and the director of the $\mathbf{5}$ 6 legislative fiscal bureau that the committee has scheduled a meeting for the purpose 7 of reviewing the estimates and determinations by December 15 following their 8 submittal, the estimates and determinations shall be effective. If, by December 15 9 following the submittal of the estimates and determinations, the cochairpersons of the committee notify the secretary and director that the committee has scheduled a 10 11 meeting for the purpose of reviewing the estimates and determinations, the 12estimates and determinations are not effective unless approved or approved with 13modifications by the committee.

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SECTION 2. 16.46 (2) of the statutes is amended to read:

15 16.46 (2) A summary of the actual and estimated <u>amounts appropriated and</u>
the actual and estimated disbursements of the state government from all operating
funds <u>during for each fiscal year of</u> the current <u>fiscal</u> biennium and of the requests
of agencies and the recommendations of the governor for the succeeding <u>fiscal</u>
biennium;

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(END)