

1999 DRAFTING REQUEST

Bill

Received: **09/10/98**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Coomber**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - courts/judges**

Extra Copies:

Topic:

DOA:.....Coomber - Court appropriations

Instructions:

See Attached-- 97-0280 plus DOA instructions

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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Page 2

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DOA:.....Coomber - Supreme court authority to create and abolish positions

Instructions:

See Attached-- 97-0280 plus DOA instructions

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1999 DRAFTING REQUEST

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Identical to LRB:

For: **Director of State Courts 7-0702**

By/Representing: **David Suchman**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - courts/judges**

Extra Copies:

Topic:

Supreme court authority to create and abolish positions

Instructions:

See Attached-- 97-0280

Drafting History:

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Extra Copies:

Topic:

Supreme court authority to create and abolish positions

Instructions:

See Attached-- 97-0280

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HH/km 10/29

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Instructions:

See Attached-- 97-0280

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with -0280/2

delete new language

rect cost reimbursements, as defined in s. 16.54 (9) (a) 2., by the cost to continue payment under this paragraph of salaries for all positions for the division of trust lands and investments at the beginning of that fiscal year, as affected by the applicable biennial budget act. Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same proportion to the total amount transferred to the trust funds that the gross receipts of that trust fund bears to the total gross receipts credited to this appropriation account during that fiscal year.

SECTION 710. 20.585 (2) (k) of the statutes is renumbered 20.507 (1) (k) and amended to read:

20.507 (1) (k) *Trust lands and investments — inter-agency and intra-agency assistance.* The amounts in the schedule to provide services to state agencies relating to trust lands and investments. All moneys received from the office of the state treasurer department of administration or any other state agency for services relating to trust lands and investments shall be credited to this appropriation account.

SECTION 711. 20.585 (2) (mg) of the statutes is renumbered 20.507 (1) (mg).

SECTION 712d. 20.625 (1) (km) of the statutes is created to read:

20.625 (1) (km) *Court interpreter fees.* The amounts in the schedule to pay court interpreter fees under s. 885.37 (4) (a) 2. All moneys transferred for this purpose from the appropriation account under s. 20.680 (2) (j) shall be credited to this appropriation account.

SECTION 712g. 20.660 (1) (k) of the statutes is created to read:

20.660 (1) (k) *Automated information systems.* The amounts in the schedule for the operation of the court of appeals automated information system. All moneys transferred for this purpose from the appropriation account under s. 20.680 (2) (j) shall be credited to this appropriation account.

SECTION 712j. 20.680 (1) (km) of the statutes is created to read:

20.680 (1) (km) *Automated information systems.* The amounts in the schedule for the operation of the supreme court automated information system. All moneys transferred for this purpose from the appropriation account under sub. (2) (j) shall be credited to this appropriation account.

SECTION 712m. 20.680 (2) (j) of the statutes is amended to read:

20.680 (2) (j) (title) *Circuit court automation systems* Court information systems and interpreters. The amounts in the schedule for the operation of circuit court automation automated systems under s. 758.19 (4), the court of appeals automated information system and the supreme court automated information system and for the

payment of interpreter fees under s. 885.37 (4) (a) 2. All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections shall be credited to this appropriation account. The supreme court may transfer moneys from this appropriation account to the appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).

SECTION 712r. 20.680 (2) (j) of the statutes, as affected by 1997 Wisconsin Act ... (this act), is repealed and recreated to read:

20.680 (2) (j) *Court information systems and interpreters.* The amounts in the schedule for the operation of circuit court automated systems under s. 758.19 (4), the court of appeals automated information system and the supreme court automated information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2. All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections and two-sevenths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account. The supreme court may transfer moneys from this appropriation account to the appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).

SECTION 714. 20.680 (2) (k) of the statutes is repealed.

SECTION 715. 20.680 (2) (kd) of the statutes is amended to read:

20.680 (2) (kd) *Court operations information technology.* All moneys transferred from the appropriation account under s. 20.505 (1) (ja) The amounts in the schedule to provide information technology development and management services to the court system. All moneys transferred from the appropriation account under s. 20.505 (1) (ja) shall be credited to this appropriation account.

SECTION 716. 20.680 (2) (ke) of the statutes is created to read:

20.680 (2) (ke) *Interagency and intra-agency automation assistance.* All moneys received from a court or any state agency for services provided to the court or state agency related to the circuit court automation system for automated justice information systems.

SECTION 716d. 20.765 (1) (d) of the statutes is amended to read:

20.765 (1) (d) (title) *Legislative documents; exhibit.* A sum sufficient to pay legislative expenses for acquisition, production, retention, sales and distribution of legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3) and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3) (em) and to establish and support production of the exhibit specified in 1997 Wisconsin Act ... (this act), section 9132 (2g).

out

Jx. Fin. (2 97 budget

Delete language

Delete new language



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0138/P1

RPN...kg...

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Done
Wed,
10/21

WPO:
proof all
amended
stats. w/ stats.

Don't
Gen. Cat.

AN ACT relating to: ???

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

(END)

✓



9/2

State of Wisconsin
1997-1998 LEGISLATURE
1999-2000

0138/p1
LRB-0280/2
RPN:mfd/lat

Wald
10/21

DOA:.....Kelly - Allowing the supreme court to create and abolish positions
FOR 1997-99 BUDGET - NOT READY FOR INTRODUCTION

authority of the supreme court to
create positions, fees charged by
courts and making
appropriations

Don't eat
Gen

- 1 , AN ACT to repeal 20.680 (2) (k), 758.19 (2) (b) and 758.19 (3); to renumber 758.19
- 2 (2) (a); to amend 16.505 (1) (intro.), 20.680 (2) (a), 20.680 (2) (h), 20.680 (2) (i),
- 3 20.680 (2) (j), 20.680 (4) (a) and 20.680 (4) (g); to repeal and recreate 20.680
- 4 (2) (kc); and to create 16.505 (2g) of the statutes; relating to: the budget.

**Analysis by the Legislative Reference Bureau
COURTS**

OTHER COURTS AND PROCEDURE

Under current law, no position may be created or abolished except by the legislature or the joint committee on finance (JCF), or by the governor, the University of Wisconsin (UW) Hospitals and Clinics Board or the board of regents of the UW System for positions funded from certain program or federal revenues. The UW Hospitals and Clinics Board and the board of regents of the UW System are required to notify the department of administration (DOA) and JCF of the number of positions created and abolished each quarter and the funding source for each of those positions. This bill authorizes the supreme court to create or abolish positions from revenues received from municipalities for municipal judge training and from the state bar of Wisconsin for attorney licensing and discipline. The bill requires the supreme court to report at the end of each year to DOA and JCF the number of positions that the supreme court created or abolished and the funding source for each of those positions.

Wald
11

court automated information systems and interpreter fees.

and documents, and that charge is limited to actual costs

limiting

Under current law, the director of state courts may charge certain court-related agencies for the provision of data processing services. This bill removes the statutory language authorizing that charge. In addition, this bill converts certain appropriations to the supreme court from annual appropriations to continuing appropriations and repeals appropriations dealing with

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 SECTION 1. 16.50 (3) of the statutes is amended to read:
- 2 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
- 3 the legislature or the courts, may increase the pay of any employe, expend money or
- 4 incur any obligation except in accordance with the estimate that is submitted to the
- 5 secretary as provided in sub. (1) and approved by the secretary or the governor. No
- 6 change in the number of full-time equivalent positions authorized through the
- 7 biennial budget process or other legislative act may be made without the approval
- 8 of the joint committee on finance, except for position changes made by the governor
- 9 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
- 10 Board under s. 16.505 (2n), by the supreme court under s. 16.505 (2g) or by the board
- 11 of regents of the University of Wisconsin System under s. 16.505 (2m). The secretary
- 12 may withhold, in total or in part, the funding for any position, as defined in s. 230.03
- 13 (11), as well as the funding for part-time or limited term employes until such time
- 14 as the secretary determines that the filling of the position or the expending of funds
- 15 is consistent with s. 16.505 and with the intent of the legislature as established by
- 16 law or in budget determinations, or the intent of the joint committee on finance
- 17 creating or abolishing positions under s. 13.10, the intent of the governor creating
- 18 or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the supreme court

1 in creating or abolishing positions under s. 16.505 (2g) or the intent of the board of
2 regents of the University of Wisconsin System in creating or abolishing positions
3 under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification
4 for the position may not be undertaken. The secretary shall submit a quarterly
5 report to the joint committee on finance of any position changes made by the governor
6 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
7 within the pay ranges prescribed in the compensation plan or as provided in a
8 collective bargaining agreement under subch. V of ch. 111. At the request of the
9 secretary of employment relations, the secretary of administration may authorize
10 the temporary creation of pool or surplus positions under any source of funds if the
11 secretary of employment relations determines that temporary positions are
12 necessary to maintain adequate staffing levels for high turnover classifications, in
13 anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
14 or pool positions authorized by the secretary shall be reported quarterly to the joint
15 committee on finance in conjunction with the report required under s. 16.54 (8).

16 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

17 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m) and (2n), no
18 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
19 created or abolished unless authorized by one of the following:

20 **SECTION 3.** 16.505 (2g) of the statutes is created to read:

21 16.505 (2g) The supreme court may create or abolish a full-time equivalent
22 position or portion thereof from revenues appropriated under s. 20.680 (2) (i) or (3)
23 (g) or (h). No later than the last day of the month following completion of each year,
24 the supreme court shall report to the department and the cochairpersons of the joint
25 committee on finance concerning the number of full-time equivalent positions

1 created or abolished by the supreme court under this subsection during the
2 preceding year and the source of funding for each of those positions.

3 SECTION 4. 16.517 of the statutes is amended to read:

4 **16.517 Adjustments of program revenue positions and funding levels.**

5 No later than 30 days after the effective date of each biennial budget act, the
6 department shall provide to the joint committee on finance a report indicating any
7 initial modifications that are necessary to the appropriation levels established under
8 that act for program revenue and program revenue-service appropriations as
9 defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions
10 funded from program revenue and program revenue-service appropriations
11 authorized by that act to account for any additional funding or positions authorized
12 under s. 16.505 (2), (2g) or (2m) or 16.515 in the fiscal year immediately preceding
13 the fiscal biennium of the budget that have not been included in authorizations
14 under the biennial budget act but which should be included as continued budget
15 authorizations in the fiscal biennium of the budget. Such modifications shall be
16 limited to adjustment of the appropriation or position levels to the extent required
17 to account for higher base levels for the fiscal year immediately preceding the fiscal
18 biennium of the budget due to appropriation or position increases authorized under
19 s. 16.505 (2), (2g) or (2m) or 16.515 during the fiscal year immediately preceding the
20 fiscal biennium of the budget. If the cochairpersons of the committee do not notify
21 the secretary that the committee has scheduled a meeting for the purpose of
22 reviewing the proposed modifications within 14 working days after the date of
23 receipt of the department's report, the department may make the modifications
24 specified in the report. If, within 14 working days after the date of the department's
25 report, the cochairpersons of the committee notify the secretary that the committee

1 has scheduled a meeting for the purpose of reviewing the proposed modifications, the
2 department may not make the modifications specified in the report until the
3 committee approves the report.

Insert 5-3 ✓

4 SECTION 5. 20.680 (2) (a) of the statutes is amended to read:

5 20.680 (2) (a) *General program operations.* ~~The Biennially,~~ the amounts in the
6 schedule to carry into effect the functions of the director of state courts.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 6. 20.680 (2) (h) of the statutes is amended to read:

8 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
9 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
10 providing these services and selling documents under s. 758.19 (2) shall be credited
11 to this appropriation to provide services and sell documents related to uniform forms,
12 special reports, photocopies and pamphlets under s. 758.19 (2).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 SECTION 7. 20.680 (2) (i) of the statutes is amended to read:

14 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
15 ~~municipal judge training.~~ All moneys received from municipalities for municipal
16 judge training programs shall be credited to this appropriation to be used for
17 municipal judge training.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Fix Component

18 SECTION 8. 20.680 (2) (j) of the statutes is ~~amended~~ *repealed and recreated* to read:

19 20.680 (2) (j) *Circuit court automation systems.* ~~The amounts in the schedule~~
20 for the operation of circuit court automation systems under s. 758.19 (4). All moneys
21 received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this

1 appropriation account under those sections shall be credited to this appropriation
2 account for the operation of circuit court automation systems under s. 758.19 (4);

✓
insert 6-2 →

....NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 ~~SECTION 9. 20.680 (2) (k) of the statutes is repealed.~~

~~....NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

4 SECTION 10. 20.680 (2) (kc) of the statutes is repealed and recreated to read:

5 20.680 (2) (kc) *Central services*. All moneys transferred to the director of state
6 courts from pars. (i), (j) and (qm) and subs. (3) (g) and (h) and (4) (g) for the provision
7 of administrative, support and data processing services to the circuit court
8 automation program, to the board of bar examiners, to the board of attorneys
9 professional responsibility and to the mediation system under ch. 655, for the
10 provision of municipal judge training and for the provision of services by the state
11 law library.

....NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 SECTION 11. 20.680 (4) (a) of the statutes is amended to read:

13 20.680 (4) (a) *General program operations*. ~~The Biennially~~, the amounts in the
14 schedule for general program operations.

....NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 SECTION 12. 20.680 (4) (g) of the statutes is amended to read:

16 20.680 (4) (g) *Library collections and services*. ~~The amounts in the schedule for~~
17 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
18 ~~from optical disk or electronic storage, publication of books, computer services and~~
19 ~~other services provided by the state law library in carrying out its functions.~~ All
20 moneys received by the library as fees or other charges for photocopying, microfilm

1 copying, generation of copies of documents from optical disk or electronic storage,
2 computer services, sales of books and other services provided in carrying out the
3 functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation to~~
4 provide photocopying and microfilm copying of documents, generation of copies of
5 documents from optical disk or electronic storage, publication of books, computer
6 services and other services. ✓

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 13. 230.09 (2) (g) of the statutes is amended to read:
8 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
9 that the classification for a position is different than that provided for by the
10 legislature as established by law or in budget determinations, or as authorized by the
11 joint committee on finance under s. 13.10, or as specified by the governor creating
12 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
13 Clinics Board creating positions under s. 16.505 (2n), the supreme court creating
14 positions under s. 16.505 (2g) or the board of regents of the university of Wisconsin
15 system creating positions under s. 16.505 (2m), or is different than that of the
16 previous incumbent, the secretary shall notify the administrator and the secretary
17 of administration. The administrator shall withhold action on the selection and
18 certification process for filling the position. The secretary of administration shall
19 review the position to determine that sufficient funds exist for the position and that
20 the duties and responsibilities of the proposed position reflect the intent of the
21 legislature as established by law or in budget determinations, the intent of the joint
22 committee on finance acting under s. 13.10, the intent of the governor creating
23 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and

1 Clinics Board creating positions under s. 16.505 (2n), the intent of the supreme court
2 creating positions under s. 16.505 (2g) or the intent of the board of regents of the
3 university of Wisconsin system creating positions under s. 16.505 (2m). The
4 administrator may not proceed with the selection and certification process until the
5 secretary of administration has authorized the position to be filled.

6 SECTION 14. 758.19 (2) (a) of the statutes is renumbered 758.19 (2).

7 SECTION 15. 758.19 (2) (b) of the statutes is repealed.

8 ✓ SECTION 16. ~~758.19 (3)~~ of the statutes is repealed.

9

(END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0138/Plins
RPN.....

1 (insert 5-3)

2 SECTION 1. 20.625 (1) (km)[✓] of the statutes is repealed.

→ NOTE: BUD

3 SECTION 2. 20.660 (1) (k) of the statutes is repealed.

→ NOTE: BUD

4 SECTION 3. 20.680 (1) (km) of the statutes is repealed.

→ NOTE: BUD

*Typed -
not in
system*

Insert
of 6, line 2

~~CODE~~

✓
Typed-
not in system

~~20,580 (2)(i) Circuit court automation systems~~ All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections, two-sevenths of the moneys received under s. 814.635 (1) and \$2,500,000 from the moneys received under s. 814.634 for the operation of circuit court automation systems under s.758.19 (4).

Insert 6-2

wpo:
make this a comma

soon

1/p2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

STET

WPO: LTSB must take this back to a 1/p draft.

Don't Gen. Cat

1 **AN ACT** relating to: the authority of the supreme court to create positions; fees
2 charged by courts and making appropriations.

Analysis by the Legislative Reference Bureau

COURTS

OTHER COURTS AND PROCEDURE

Under current law, no position may be created or abolished except by the legislature or the joint committee on finance (JCF), or by the governor, the University of Wisconsin (UW) Hospitals and Clinics Board or the board of regents of the UW System for positions funded from certain program or federal revenues. The UW Hospitals and Clinics Board and the board of regents of the UW System are required to notify the department of administration (DOA) and JCF of the number of positions created and abolished each quarter and the funding source for each of those positions. This bill authorizes the supreme court to create or abolish positions from revenues received from municipalities for municipal judge training and from the State Bar of Wisconsin for attorney licensing and discipline. The bill requires the supreme court to report at the end of each year to DOA and JCF the number of positions that the supreme court created or abolished and the funding source for each of those positions.

Under current law, the director of state courts may charge for the provision of services and documents, and that charge is limited to actual costs. This bill removes the statutory language limiting that charge. In addition, this bill converts certain appropriations to the supreme court from annual appropriations to continuing

appropriations and repeals appropriations dealing with court automated information systems and interpreter fees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.50 (3) of the statutes is amended to read:

2 **16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES.** No department, except
3 the legislature or the courts, may increase the pay of any employe, expend money or
4 incur any obligation except in accordance with the estimate that is submitted to the
5 secretary as provided in sub. (1) and approved by the secretary or the governor. No
6 change in the number of full-time equivalent positions authorized through the
7 biennial budget process or other legislative act may be made without the approval
8 of the joint committee on finance, except for position changes made by the governor
9 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
10 Board under s. 16.505 (2n), by the supreme court under s. 16.505 (2g) or by the board
11 of regents of the University of Wisconsin System under s. 16.505 (2m). The secretary
12 may withhold, in total or in part, the funding for any position, as defined in s. 230.03
13 (11), as well as the funding for part-time or limited term employes until such time
14 as the secretary determines that the filling of the position or the expending of funds
15 is consistent with s. 16.505 and with the intent of the legislature as established by
16 law or in budget determinations, or the intent of the joint committee on finance
17 creating or abolishing positions under s. 13.10, the intent of the governor creating
18 or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the supreme court
19 in creating or abolishing positions under s. 16.505 (2g) or the intent of the board of
20 regents of the University of Wisconsin System in creating or abolishing positions
21 under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification

1 for the position may not be undertaken. The secretary shall submit a quarterly
2 report to the joint committee on finance of any position changes made by the governor
3 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
4 within the pay ranges prescribed in the compensation plan or as provided in a
5 collective bargaining agreement under subch. V of ch. 111. At the request of the
6 secretary of employment relations, the secretary of administration may authorize
7 the temporary creation of pool or surplus positions under any source of funds if the
8 secretary of employment relations determines that temporary positions are
9 necessary to maintain adequate staffing levels for high turnover classifications, in
10 anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
11 or pool positions authorized by the secretary shall be reported quarterly to the joint
12 committee on finance in conjunction with the report required under s. 16.54 (8).

13 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

14 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m) and (2n), no
15 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
16 created or abolished unless authorized by one of the following:

17 **SECTION 3.** 16.505 (2g) of the statutes is created to read:

18 16.505 (2g) The supreme court may create or abolish a full-time equivalent
19 position or portion thereof from revenues appropriated under s. 20.680 (2) (i) or (3)
20 (g) or (h). No later than the last day of the month following completion of each year,
21 the supreme court shall report to the department and the cochairpersons of the joint
22 committee on finance concerning the number of full-time equivalent positions
23 created or abolished by the supreme court under this subsection during the
24 preceding year and the source of funding for each of those positions.

25 **SECTION 4.** 16.517 of the statutes is amended to read:

1 16.517 Adjustments of program revenue positions and funding levels.

2 No later than 30 days after the effective date of each biennial budget act, the
3 department shall provide to the joint committee on finance a report indicating any
4 initial modifications that are necessary to the appropriation levels established under
5 that act for program revenue and program revenue-service appropriations as
6 defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions
7 funded from program revenue and program revenue-service appropriations
8 authorized by that act to account for any additional funding or positions authorized
9 under s. 16.505 (2), (2g) or (2m) or 16.515 in the fiscal year immediately preceding
10 the fiscal biennium of the budget that have not been included in authorizations
11 under the biennial budget act but which should be included as continued budget
12 authorizations in the fiscal biennium of the budget. Such modifications shall be
13 limited to adjustment of the appropriation or position levels to the extent required
14 to account for higher base levels for the fiscal year immediately preceding the fiscal
15 biennium of the budget due to appropriation or position increases authorized under
16 s. 16.505 (2), (2g) or (2m) or 16.515 during the fiscal year immediately preceding the
17 fiscal biennium of the budget. If the cochairpersons of the committee do not notify
18 the secretary that the committee has scheduled a meeting for the purpose of
19 reviewing the proposed modifications within 14 working days after the date of
20 receipt of the department's report, the department may make the modifications
21 specified in the report. If, within 14 working days after the date of the department's
22 report, the cochairpersons of the committee notify the secretary that the committee
23 has scheduled a meeting for the purpose of reviewing the proposed modifications, the
24 department may not make the modifications specified in the report until the
25 committee approves the report.

1 **SECTION 5.** 20.625 (1) (km) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 6.** 20.660 (1) (k) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 7.** 20.680 (1) (km) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 8.** 20.680 (2) (a) of the statutes is amended to read:

5 20.680 (2) (a) *General program operations.* ~~The Biennially~~, the amounts in the
6 schedule to carry into effect the functions of the director of state courts.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 9.** 20.680 (2) (h) of the statutes is amended to read:

8 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
9 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
10 providing these services and selling documents under s. 758.19 (2) ~~shall be credited~~
11 ~~to this appropriation to provide services and sell documents related to uniform forms,~~
12 ~~special reports, photocopies and pamphlets under s. 758.19 (2).~~

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 10.** 20.680 (2) (i) of the statutes is amended to read:

14 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
15 ~~municipal judge training.~~ All moneys received from municipalities for municipal
16 judge training programs ~~shall be credited to this appropriation to be used for~~
17 ~~municipal judge training.~~

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 11.** 20.680 (2) (j) of the statutes is repealed and recreated to read:

1 20.680 (2) (j) *Circuit court automation systems.* All moneys received under ss.
2 814.61, 814.62 and 814.63 that are required to be credited to this appropriation
3 account under those sections, two-sevenths of the moneys received under s. 814.635
4 (1) and \$2,500,000 from the moneys received under s. 814.634 for the operation of
5 circuit court automation systems under s. 758.19 (4).

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 12.** 20.680 (2) (kc) of the statutes is repealed and recreated to read:

7 20.680 (2) (kc) *Central services.* All moneys transferred to the director of state
8 courts from pars. (i), (j) and (qm) and subs. (3) (g) and (h) and (4) (g) for the provision
9 of administrative, support and data processing services to the circuit court
10 automation program, to the board of bar examiners, to the board of attorneys
11 professional responsibility and to the mediation system under ch. 655, for the
12 provision of municipal judge training and for the provision of services by the state
13 law library.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 13.** 20.680 (4) (a) of the statutes is amended to read:

15 20.680 (4) (a) *General program operations.* The Biennially, the amounts in the
16 schedule for general program operations.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 14.** 20.680 (4) (g) of the statutes is amended to read:

18 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
19 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
20 ~~from optical disk or electronic storage, publication of books, computer services and~~
21 ~~other services provided by the state law library in carrying out its functions.~~ All

1 moneys received by the library as fees or other charges for photocopying, microfilm
2 copying, generation of copies of documents from optical disk or electronic storage,
3 computer services, sales of books and other services provided in carrying out the
4 functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation to~~
5 provide photocopying and microfilm copying of documents, generation of copies of
6 documents from optical disk or electronic storage, publication of books, computer
7 services and other services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 15.** 230.09 (2) (g) of the statutes is amended to read:

9 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
10 that the classification for a position is different than that provided for by the
11 legislature as established by law or in budget determinations, or as authorized by the
12 joint committee on finance under s. 13.10, or as specified by the governor creating
13 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
14 Clinics Board creating positions under s. 16.505 (2n), the supreme court creating
15 positions under s. 16.505 (2g) or the board of regents of the university of Wisconsin
16 system creating positions under s. 16.505 (2m), or is different than that of the
17 previous incumbent, the secretary shall notify the administrator and the secretary
18 of administration. The administrator shall withhold action on the selection and
19 certification process for filling the position. The secretary of administration shall
20 review the position to determine that sufficient funds exist for the position and that
21 the duties and responsibilities of the proposed position reflect the intent of the
22 legislature as established by law or in budget determinations, the intent of the joint
23 committee on finance acting under s. 13.10, the intent of the governor creating

1 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
2 Clinics Board creating positions under s. 16.505 (2n), the intent of the supreme court
3 creating positions under s. 16.505 (2g) or the intent of the board of regents of the
4 university of Wisconsin system creating positions under s. 16.505 (2m). The
5 administrator may not proceed with the selection and certification process until the
6 secretary of administration has authorized the position to be filled.

7 **SECTION 16.** 758.19 (2) (a) of the statutes is renumbered 758.19 (2).

8 **SECTION 17.** 758.19 (2) (b) of the statutes is repealed.

9 (END)

Bob Nelson

STATUTORY LANGUAGE REQUESTS

CIRCUIT COURT:

5103 – Language request to require salaries of Reserve judges to be equal to salary of a comparable sitting judge. *Low 141*

5104 – Language request to eliminate appropriation 20.625 (1)(km). *High ?*

COURT OF APPEALS:

4206 – Language request to eliminate appropriation 20.660 (1)(k). *High ?*

SUPREME COURT:

6003 – Language request to eliminate appropriation 20.680 (1)(km). *High ?*

- 1. Request change to allow continuation of benefits during developmental leave and to ensure the position remains "open" during the leave period. *- High 141*
- 2. Change Director of State Courts office and law library appropriations from annual to biennial. *- High ?*
- 3. Change the following sum certain appropriations from annual to continuing. a) Materials and services; b) Municipal judge training; c) Central services; d) Library collections and services; and e) Circuit Court automation program. *- med ?*
- 4. Provide courts the authority to create positions within the following PR appropriations without external approval. a) Board of Bar Examiners, b) Municipal judge training and c) Board of Attorneys Professional Responsibility. *- Low 138*
- 5. Create a new appropriation allowing the courts to charge Counties, collect fees and spend funds relating to Court Commissioner training. *- med 140*
- 6. Change language to transfer \$2,500,000 annually from GPR to the courts in order to support CCAP (the revenue would become program revenue to the courts). *- med ?*

* PLEASE CONVERT TO DOA BUDGET DRAFTS -

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DIVISION OF EXECUTIVE BUDGET AND FINANCE
DOA-5167 N(06/95)

FACSIMILE COVER MESSAGE

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TO Name JEFFREY JENSEN / BOB NELSON LRB		Facsimile Telephone Number 6-5648
Location	Room Number	Telephone Number
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Location 101 East Wilson Street, 10th Floor; Madison, WI 53702		Number of Pages Including This Cover Sheet 5 Telephone Number

COMMENTS / INSTRUCTIONS

HE. I HAVE FAXED INFORMATION ON THE STATUTORY REQUESTS FROM PUBLIC UT. AND THE COURTS. IF YOU HAVE ANY QUESTIONS PLEASE CALL. AS YOU CAN SEE, I HAVE PLACED A PRIORITY DESIGNATION WENT TO ~~THE~~ REQUEST.
P.S.
ALL DRAFTS SHOULD BE SENT TO ME. FOR CARRY OVER, WE ARE ^{YOUR} (DOA) BECOMING RESPONSIBLE FOR THE LANGUAGE DRAFTS.

Thank You Best For Your Assistance.

Bett Coomber

5024

DOA:.....Coomber - Supreme court authority to create and abolish positions

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Don't
GenCat

1

1 AN ACT ...; relating to: the authority of the supreme court to create positions; fees
2 charged by courts and making appropriations.

Analysis by the Legislative Reference Bureau

COURTS

OTHER COURTS AND PROCEDURE

Under current law, no position may be created or abolished except by the legislature or the joint committee on finance (JCF), or by the governor, the University of Wisconsin (UW) Hospitals and Clinics Board or the board of regents of the UW System for positions funded from certain program or federal revenues. The UW Hospitals and Clinics Board and the board of regents of the UW System are required to notify the department of administration (DOA) and JCF of the number of positions created and abolished each quarter and the funding source for each of those positions. This bill authorizes the supreme court to create or abolish positions from revenues received from municipalities for municipal judge training and from the State Bar of Wisconsin for attorney licensing and discipline. The bill requires the supreme court to report at the end of each year to DOA and JCF the number of positions that the supreme court created or abolished and the funding source for each of those positions.

In addition, this bill converts certain appropriations to the supreme court from annual appropriations to continuing appropriations and repeals appropriations dealing with court automated information systems and interpreter fees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.50 (3) of the statutes is amended to read:

2 **16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES.** No department, except
3 the legislature or the courts, may increase the pay of any employe, expend money or
4 incur any obligation except in accordance with the estimate that is submitted to the
5 secretary as provided in sub. (1) and approved by the secretary or the governor. No
6 change in the number of full-time equivalent positions authorized through the
7 biennial budget process or other legislative act may be made without the approval
8 of the joint committee on finance, except for position changes made by the governor
9 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
10 Board under s. 16.505 (2n), by the supreme court under s. 16.505 (2g) or by the board
11 of regents of the University of Wisconsin System under s. 16.505 (2m). The secretary
12 may withhold, in total or in part, the funding for any position, as defined in s. 230.03
13 (11), as well as the funding for part-time or limited term employes until such time
14 as the secretary determines that the filling of the position or the expending of funds
15 is consistent with s. 16.505 and with the intent of the legislature as established by
16 law or in budget determinations, or the intent of the joint committee on finance
17 creating or abolishing positions under s. 13.10, the intent of the governor creating
18 or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the supreme court
19 in creating or abolishing positions under s. 16.505 (2g) or the intent of the board of
20 regents of the University of Wisconsin System in creating or abolishing positions

1 under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification
2 for the position may not be undertaken. The secretary shall submit a quarterly
3 report to the joint committee on finance of any position changes made by the governor
4 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
5 within the pay ranges prescribed in the compensation plan or as provided in a
6 collective bargaining agreement under subch. V of ch. 111. At the request of the
7 secretary of employment relations, the secretary of administration may authorize
8 the temporary creation of pool or surplus positions under any source of funds if the
9 secretary of employment relations determines that temporary positions are
10 necessary to maintain adequate staffing levels for high turnover classifications, in
11 anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
12 or pool positions authorized by the secretary shall be reported quarterly to the joint
13 committee on finance in conjunction with the report required under s. 16.54 (8).

14 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

15 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m) and (2n), no
16 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
17 created or abolished unless authorized by one of the following:

18 **SECTION 3.** 16.505 (2g) of the statutes is created to read:

19 16.505 (2g) The supreme court may create or abolish a full-time equivalent
20 position or portion thereof from revenues appropriated under s. 20.680 (2) (i) or (3)
21 (g) or (h). No later than the last day of the month following completion of each year,
22 the supreme court shall report to the department and the cochairpersons of the joint
23 committee on finance concerning the number of full-time equivalent positions
24 created or abolished by the supreme court under this subsection during the
25 preceding year and the source of funding for each of those positions.

1 **SECTION 4.** 16.517 of the statutes is amended to read:

2 **16.517 Adjustments of program revenue positions and funding levels.**

3 No later than 30 days after the effective date of each biennial budget act, the
4 department shall provide to the joint committee on finance a report indicating any
5 initial modifications that are necessary to the appropriation levels established under
6 that act for program revenue and program revenue–service appropriations as
7 defined in s. 20.001 (2) (b) and (c) or to the number of full–time equivalent positions
8 funded from program revenue and program revenue–service appropriations
9 authorized by that act to account for any additional funding or positions authorized
10 under s. 16.505 (2), (2g) or (2m) or 16.515 in the fiscal year immediately preceding
11 the fiscal biennium of the budget that have not been included in authorizations
12 under the biennial budget act but which should be included as continued budget
13 authorizations in the fiscal biennium of the budget. Such modifications shall be
14 limited to adjustment of the appropriation or position levels to the extent required
15 to account for higher base levels for the fiscal year immediately preceding the fiscal
16 biennium of the budget due to appropriation or position increases authorized under
17 s. 16.505 (2), (2g) or (2m) or 16.515 during the fiscal year immediately preceding the
18 fiscal biennium of the budget. If the cochairpersons of the committee do not notify
19 the secretary that the committee has scheduled a meeting for the purpose of
20 reviewing the proposed modifications within 14 working days after the date of
21 receipt of the department’s report, the department may make the modifications
22 specified in the report. If, within 14 working days after the date of the department’s
23 report, the cochairpersons of the committee notify the secretary that the committee
24 has scheduled a meeting for the purpose of reviewing the proposed modifications, the

1 department may not make the modifications specified in the report until the
2 committee approves the report.

3 **SECTION 5.** 20.625 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 6.** 20.660 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 7.** 20.680 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 8.** 20.680 (2) (a) of the statutes is amended to read:

7 20.680 (2) (a) *General program operations.* The Biennially, the amounts in the
8 schedule to carry into effect the functions of the director of state courts.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 9.** 20.680 (2) (h) of the statutes is amended to read:

10 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
11 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
12 providing these services and selling documents under s. 758.19 (2) shall be credited
13 to this appropriation to provide services and sell documents related to uniform forms,
14 special reports, photocopies and pamphlets under s. 758.19 (2).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 10.** 20.680 (2) (i) of the statutes is amended to read:

16 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
17 ~~municipal judge training.~~ All moneys received from municipalities for municipal
18 judge training programs shall be credited to this appropriation to be used for
19 municipal judge training.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 11.** 20.680 (2) (j) of the statutes is repealed and recreated to read:

2 20.680 (2) (j) *Circuit court automation systems.* All moneys received under ss.
3 814.61, 814.62 and 814.63 that are required to be credited to this appropriation
4 account under those sections, two-sevenths of the moneys received under s. 814.635
5 (1) and \$2,500,000 from the moneys received under s. 814.634 for the operation of
6 circuit court automation systems under s. 758.19 (4).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 12.** 20.680 (2) (kc) of the statutes is repealed and recreated to read:

8 20.680 (2) (kc) *Central services.* All moneys transferred to the director of state
9 courts from pars. (i), (j) and (qm) and subs. (3) (g) and (h) and (4) (g) for the provision
10 of administrative, support and data processing services to the circuit court
11 automation program, to the board of bar examiners, to the board of attorneys
12 professional responsibility and to the mediation system under ch. 655, for the
13 provision of municipal judge training and for the provision of services by the state
14 law library.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 13.** 20.680 (4) (a) of the statutes is amended to read:

16 20.680 (4) (a) *General program operations.* ~~The Biennially,~~ the amounts in the
17 schedule for general program operations.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 14.** 20.680 (4) (g) of the statutes is amended to read:

19 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
20 ~~photocopying and microfilm copying of documents, generation of copies of documents~~

1 ~~from optical disk or electronic storage, publication of books, computer services and~~
2 ~~other services provided by the state law library in carrying out its functions. All~~
3 moneys received by the library as fees or other charges for photocopying, microfilm
4 copying, generation of copies of documents from optical disk or electronic storage,
5 computer services, sales of books and other services provided in carrying out the
6 functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation to~~
7 provide photocopying and microfilm copying of documents, generation of copies of
8 documents from optical disk or electronic storage, publication of books, computer
9 services and other services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 15.** 230.09 (2) (g) of the statutes is amended to read:

11 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
12 that the classification for a position is different than that provided for by the
13 legislature as established by law or in budget determinations, or as authorized by the
14 joint committee on finance under s. 13.10, or as specified by the governor creating
15 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
16 Clinics Board creating positions under s. 16.505 (2n), the supreme court creating
17 positions under s. 16.505 (2g) or the board of regents of the university of Wisconsin
18 system creating positions under s. 16.505 (2m), or is different than that of the
19 previous incumbent, the secretary shall notify the administrator and the secretary
20 of administration. The administrator shall withhold action on the selection and
21 certification process for filling the position. The secretary of administration shall
22 review the position to determine that sufficient funds exist for the position and that
23 the duties and responsibilities of the proposed position reflect the intent of the

11/25 Bret Coomber

LRB-0138 Revoke
sections 1, 2, 3, 4, 8, 11, 12,
13 and 15 of the
draft!



5009
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0138/A
RPN:kg:lp

2
JG

appropriations

DOA:.....Coomber - ~~Supreme court authority to create and abolish positions~~

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: ~~the authority of the supreme court to create positions, fees~~
2 ~~charged by courts and making appropriations.~~

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Under current law, no position may be created or abolished except by the legislature or the joint committee on finance (JCF), or by the governor, the University of Wisconsin (UW) Hospitals and Clinics Board or the board of regents of the UW System for positions funded from certain program or federal revenues. The UW Hospitals and Clinics Board and the board of regents of the UW System are required to notify the department of administration (DOA) and JCF of the number of positions created and abolished each quarter and the funding source for each of those positions. This bill authorizes the supreme court to create or abolish positions from revenues received from municipalities for municipal judge training and from the State Bar of Wisconsin for attorney licensing and discipline. The bill requires the supreme court to report at the end of each year to DOA and JCF the number of positions that the supreme court created or abolished and the funding source for each of those positions.

1999 - 2000 Legislature *program revenue*
related to

The bill also

LRB-0138/1
RPN:kg:lp

moneys

*transferred moneys from
one appropriation account*

program revenue

In addition, *The* bill converts certain appropriations *to* the supreme court from annual appropriations to continuing appropriations *and* repeals appropriations *that* dealing with court automated information systems and interpreter fees *to these repealed*

*accounts that
also related to those
same purposes*

FE-5

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.50 (3) of the statutes is amended to read:
2 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except
3 the legislature or the courts, may increase the pay of any employe, expend money or
4 incur any obligation except in accordance with the estimate that is submitted to the
5 secretary as provided in sub. (1) and approved by the secretary or the governor. No
6 change in the number of full-time equivalent positions authorized through the
7 biennial budget process or other legislative act may be made without the approval
8 of the joint committee on finance, except for position changes made by the governor
9 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics
10 Board under s. 16.505 (2n), by the supreme court under s. 16.505 (2g) or by the board
11 of regents of the University of Wisconsin System under s. 16.505 (2m). The secretary
12 may withhold, in total or in part, the funding for any position, as defined in s. 230.03
13 (11), as well as the funding for part-time or limited term employes until such time
14 as the secretary determines that the filling of the position or the expending of funds
15 is consistent with s. 16.505 and with the intent of the legislature as established by
16 law or in budget determinations, or the intent of the joint committee on finance
17 creating or abolishing positions under s. 13.10, the intent of the governor creating
18 or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the supreme court
19 in creating or abolishing positions under s. 16.505 (2g) or the intent of the board of
20 regents of the University of Wisconsin System in creating or abolishing positions

1 under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification
2 for the position may not be undertaken. The secretary shall submit a quarterly
3 report to the joint committee on finance of any position changes made by the governor
4 under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
5 within the pay ranges prescribed in the compensation plan or as provided in a
6 collective bargaining agreement under subch. V of ch. 111. At the request of the
7 secretary of employment relations, the secretary of administration may authorize
8 the temporary creation of pool or surplus positions under any source of funds if the
9 secretary of employment relations determines that temporary positions are
10 necessary to maintain adequate staffing levels for high turnover classifications, in
11 anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
12 or pool positions authorized by the secretary shall be reported quarterly to the joint
13 committee on finance in conjunction with the report required under s. 16.54 (8).

14 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

15 16.505 (1) (intro.) Except as provided in subs. (2), (2g), (2m) and (2n), no
16 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
17 created or abolished unless authorized by one of the following:

18 **SECTION 3.** 16.505 (2g) of the statutes is created to read:

19 16.505 (2g) The supreme court may create or abolish a full-time equivalent
20 position or portion thereof from revenues appropriated under s. 20.680 (2) (i) or (3)
21 (g) or (h). No later than the last day of the month following completion of each year,
22 the supreme court shall report to the department and the cochairpersons of the joint
23 committee on finance concerning the number of full-time equivalent positions
24 created or abolished by the supreme court under this subsection during the
25 preceding year and the source of funding for each of those positions.

1 **SECTION 4.** 16.517 of the statutes is amended to read:

2 **16.517 Adjustments of program revenue positions and funding levels.**

3 No later than 30 days after the effective date of each biennial budget act, the
4 department shall provide to the joint committee on finance a report indicating any
5 initial modifications that are necessary to the appropriation levels established under
6 that act for program revenue and program revenue-service appropriations as
7 defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions
8 funded from program revenue and program revenue-service appropriations
9 authorized by that act to account for any additional funding or positions authorized
10 under s. 16.505 (2), (2g) or (2m) or 16.515 in the fiscal year immediately preceding
11 the fiscal biennium of the budget that have not been included in authorizations
12 under the biennial budget act but which should be included as continued budget
13 authorizations in the fiscal biennium of the budget. Such modifications shall be
14 limited to adjustment of the appropriation or position levels to the extent required
15 to account for higher base levels for the fiscal year immediately preceding the fiscal
16 biennium of the budget due to appropriation or position increases authorized under
17 s. 16.505 (2), (2g) or (2m) or 16.515 during the fiscal year immediately preceding the
18 fiscal biennium of the budget. If the cochairpersons of the committee do not notify
19 the secretary that the committee has scheduled a meeting for the purpose of
20 reviewing the proposed modifications within 14 working days after the date of
21 receipt of the department's report, the department may make the modifications
22 specified in the report. If, within 14 working days after the date of the department's
23 report, the cochairpersons of the committee notify the secretary that the committee
24 has scheduled a meeting for the purpose of reviewing the proposed modifications, the

1 department may not make the modifications specified in the report until the
2 committee approves the report.

3 **SECTION 5.** 20.625 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 6.** 20.660 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 7.** 20.680 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 8.** 20.680 (2) (a) of the statutes is amended to read:

7 ~~20.680 (2) (a) *General program operations.* The Biennially, the amounts in the~~
8 ~~schedule to carry into effect the functions of the director of state courts.~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 9.** 20.680 (2) (h) of the statutes is amended to read:

10 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
11 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
12 providing these services and selling documents under s. 758.19 (2) shall be credited
13 to this appropriation to provide services and sell documents related to uniform forms,
14 special reports, photocopies and pamphlets under s. 758.19 (2).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 10.** 20.680 (2) (i) of the statutes is amended to read:

16 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
17 ~~municipal judge training.~~ All moneys received from municipalities for municipal
18 judge training programs shall be credited to this appropriation to be used for
19 municipal judge training.

19
K. J. ...
5/19

INS
5-19

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

~~SECTION 11. 20.680 (2) (j) of the statutes is repealed and recreated to read:~~

~~20.680 (2) (j) *Circuit court automation systems.* All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections, two-sevenths of the moneys received under s. 814.635 (1) and \$2,500,000 from the moneys received under s. 814.634 for the operation of circuit court automation systems under s. 758.19 (4).~~

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

~~SECTION 12. 20.680 (2) (kc) of the statutes is repealed and recreated to read:~~

~~20.680 (2) (kc) *Central services.* All moneys transferred to the director of state courts from pars. (i), (j) and (qm) and subs. (3) (g) and (h) and (4) (g) for the provision of administrative, support and data processing services to the circuit court automation program, to the board of bar examiners, to the board of attorneys professional responsibility and to the mediation system under ch. 655, for the provision of municipal judge training and for the provision of services by the state law library.~~

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

~~SECTION 13. 20.680 (4) (a) of the statutes is amended to read:~~

~~20.680 (4) (a) *General program operations.* The Biennially, the amounts in the schedule for general program operations.~~

~~****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.~~

~~SECTION 14. 20.680 (4) (g) of the statutes is amended to read:~~

~~20.680 (4) (g) *Library collections and services.* The amounts in the schedule for photocopying and microfilm copying of documents, generation of copies of documents~~

1 from optical disk or electronic storage, publication of books, computer services and
2 other services provided by the state law library in carrying out its functions. All
3 moneys received by the library as fees or other charges for photocopying, microfilm
4 copying, generation of copies of documents from optical disk or electronic storage,
5 computer services, sales of books and other services provided in carrying out the
6 functions of the library under s. 758.01 (2) shall be credited to this appropriation to
7 provide photocopying and microfilm copying of documents, generation of copies of
8 documents from optical disk or electronic storage, publication of books, computer
9 services and other services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 ~~SECTION 15. 230.09 (2) (g) of the statutes is amended to read:~~

11 ~~230.09 (2) (g) When filling a new or vacant position, if the secretary determines~~
12 ~~that the classification for a position is different than that provided for by the~~
13 ~~legislature as established by law or in budget determinations, or as authorized by the~~
14 ~~joint committee on finance under s. 13.10, or as specified by the governor creating~~
15 ~~positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and~~
16 ~~Clinics Board creating positions under s. 16.505 (2n), the supreme court creating~~
17 ~~positions under s. 16.505 (2g) or the board of regents of the university of Wisconsin~~
18 ~~system creating positions under s. 16.505 (2m), or is different than that of the~~
19 ~~previous incumbent, the secretary shall notify the administrator and the secretary~~
20 ~~of administration. The administrator shall withhold action on the selection and~~
21 ~~certification process for filling the position. The secretary of administration shall~~
22 ~~review the position to determine that sufficient funds exist for the position and that~~
23 ~~the duties and responsibilities of the proposed position reflect the intent of the~~

1 legislature as established by law or in budget determinations, the intent of the joint
2 committee on finance acting under s. 13.10, the intent of the governor creating
3 positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and
4 Clinics Board creating positions under s. 16.505 (2n), the intent of the supreme court
5 creating positions under s. 16.505 (2g) or the intent of the board of regents of the
6 university of Wisconsin system creating positions under s. 16.505 (2m). The
7 administrator may not proceed with the selection and certification process until the
8 secretary of administration has authorized the position to be filled.

9 (END) ✓

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0138/2ins
RPN:kg:lp

1 insert 5-19:

2 SECTION 1. 20.680 (2) (j)^X of the statutes is amended to read:

3 20.680 (2) (j) *Court information systems and interpreters.* The amounts in the
4 schedule for the operation of circuit court automated systems under s. 758.19 (4), the
5 court of appeals automated information system and the supreme court automated
6 information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.
7 All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be
8 credited to this appropriation account under those sections and two-sevenths of the
9 moneys received under s. 814.635 (1) shall be credited to this appropriation account.

10 ~~The supreme court may transfer moneys from this appropriation account to the~~
11 ~~appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).~~

History: 1971 c. 125, 215; 1971 c. 254 s. 19; 1973 c. 90; 1975 c. 37; 1977 c. 26, 29; 1977 c. 187 s. 135; 1977 c. 418; Sup. Ct. Order, 88 W (2d) xiii (1979); 1979 c. 34; 1981 c. 20; 1983 a. 27, 158; 1985 a. 29, 340; 1987 a. 27, 399; 1989 a. 31; 1991 a. 32, 39, 269; 1993 a. 16, 491; 1995 a. 27; 1997 a. 27.



5004
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0138/2
RPN:jg&kg:ijs

DOA:.....Coomber – Court appropriations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen
1 AN ACT ...; relating to: court appropriations.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

The bill converts certain appropriations for the supreme court from program revenue annual appropriations to program revenue continuing appropriations. The bill also repeals appropriations that transferred moneys from one appropriation account related to court automated information systems and interpreter fees to these repealed appropriation accounts that also related to those same purposes.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.625 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 2.** 20.660 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 3.** 20.680 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 4.** 20.680 (2) (h) of the statutes is amended to read:

3 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
4 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
5 providing these services and selling documents under s. 758.19 (2) shall be credited
6 to this appropriation to provide services and sell documents related to uniform forms,
7 special reports, photocopies and pamphlets under s. 758.19 (2).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 5.** 20.680 (2) (i) of the statutes is amended to read:

9 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
10 ~~municipal judge training.~~ All moneys received from municipalities for municipal
11 judge training programs shall be credited to this appropriation to be used for
12 municipal judge training.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 6.** 20.680 (2) (j) of the statutes is amended to read:

14 20.680 (2) (j) *Court information systems[✓] and interpreters.* The amounts in the
15 schedule for the operation of circuit court automated systems under s. 758.19 (4), the
16 court of appeals automated information system and the supreme court automated
17 ~~information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.~~
18 All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be
19 credited to this appropriation account under those sections and two-sevenths of the
20 moneys received under s. 814.635 (1) shall be credited to this appropriation account.

1 ~~The supreme court may transfer moneys from this appropriation account to the~~
2 ~~appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).~~

3 → NOTE: Bud
4 SECTION 7. 20.680 (4) (g) of the statutes is amended to read:

5 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
6 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
7 ~~from optical disk or electronic storage, publication of books, computer services and~~
8 ~~other services provided by the state law library in carrying out its functions.~~ All
9 moneys received by the library as fees or other charges for photocopying, microfilm
10 copying, generation of copies of documents from optical disk or electronic storage,
11 computer services, sales of books and other services provided in carrying out the
12 functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation to~~
13 provide photocopying and microfilm copying of documents, generation of copies of
14 documents from optical disk or electronic storage, publication of books, computer
15 services and other services.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

(END)



5007
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0138/8
RPN:jg&kg:ijs

D-Note

DOA:.....Coomber – Court appropriations

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: court appropriations.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

The bill converts certain appropriations for the supreme court from program revenue annual appropriations to program revenue continuing appropriations. The bill also repeals appropriations that transferred moneys from one appropriation account related to court automated information systems and interpreter fees to these repealed appropriation accounts that also related to those same purposes.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.625 (1) (km) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.660 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 3.** 20.680 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 4.** 20.680 (2) (h) of the statutes is amended to read:

3 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
4 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
5 providing these services and selling documents under s. 758.19 (2) ~~shall be credited~~
6 ~~to this appropriation to provide services and sell documents related to uniform forms,~~
7 ~~special reports, photocopies and pamphlets under s. 758.19 (2).~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 5.** 20.680 (2) (i) of the statutes is amended to read:

9 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
10 ~~municipal judge training.~~ All moneys received from municipalities for municipal
11 judge training programs ~~shall be credited to this appropriation to be used for~~
12 ~~municipal judge training.~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 6.** 20.680 (2) (j) of the statutes is amended to read:

14 20.680 (2) (j) *Court information systems and interpreters.* The amounts in the
15 schedule for the operation of circuit court automated systems under s. 758.19 (4), the
16 court of appeals automated information system and the supreme court automated
17 information system ~~and for the payment of interpreter fees under s. 885.37 (4) (a) 2.,~~
18 All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be
19 credited to this appropriation account under those sections and two-sevenths of the
20 moneys received under s. 814.635 (1) shall be credited to this appropriation account.

1 ~~The supreme court may transfer moneys from this appropriation account to the~~
2 ~~appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 7. 20.680 (4) (g) of the statutes is amended to read:

4 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
5 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
6 ~~from optical disk or electronic storage, publication of books, computer services and~~
7 ~~other services provided by the state law library in carrying out its functions. All~~
8 ~~moneys received by the library as fees or other charges for photocopying, microfilm~~
9 ~~copying, generation of copies of documents from optical disk or electronic storage,~~
10 ~~computer services, sales of books and other services provided in carrying out the~~
11 ~~functions of the library under s. 758.01 (2) shall be credited to this appropriation to~~
12 provide photocopying and microfilm copying of documents, generation of copies of
13 documents from optical disk or electronic storage, publication of books, computer
14 services and other services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15

(END)

D-Note

*Ⓜ This draft reconciles LRB-0138,
LRB-1036 and LRB-1039. All
three drafts should continue to
appear in the computed bill.
The treatment of s. 20.680 (2)(b)
is in LRB-1036/2.*

RPN

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0138/4dn
RPN:jg&kg:km

February 2, 1999

This draft reconciles LRB-0138, LRB-1036 and LRB-1037. All three drafts should continue to appear in the compiled bill. The treatment of s. 20.680 (2) (j) is in LRB-1036/2.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0138/4
RPN:jg&kg:km

DOA:.....Coomber – Court appropriations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** court appropriations.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

The bill converts certain appropriations for the supreme court from program revenue annual appropriations to program revenue continuing appropriations. The bill also repeals appropriations that transferred moneys from one appropriation account related to court automated information systems and interpreter fees to these repealed appropriation accounts that also related to those same purposes.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.625 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 2.** 20.660 (1) (k) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 3.** 20.680 (1) (km) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 4.** 20.680 (2) (h) of the statutes is amended to read:

3 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
4 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
5 providing these services and selling documents under s. 758.19 (2) ~~shall be credited~~
6 ~~to this appropriation to provide services and sell documents related to uniform forms,~~
7 ~~special reports, photocopies and pamphlets under s. 758.19 (2).~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 5.** 20.680 (2) (i) of the statutes is amended to read:

9 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
10 ~~municipal judge training.~~ All moneys received from municipalities for municipal
11 judge training programs ~~shall be credited to this appropriation to be used for~~
12 ~~municipal judge training.~~

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 6.** 20.680 (4) (g) of the statutes is amended to read:

14 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
15 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
16 ~~from optical disk or electronic storage, publication of books, computer services and~~
17 ~~other services provided by the state law library in carrying out its functions.~~ All
18 moneys received by the library as fees or other charges for photocopying, microfilm
19 copying, generation of copies of documents from optical disk or electronic storage,
20 computer services, sales of books and other services provided in carrying out the

1 functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation to~~
2 provide photocopying and microfilm copying of documents, generation of copies of
3 documents from optical disk or electronic storage, publication of books, computer
4 services and other services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5

(END)