

1999 DRAFTING REQUEST

Bill

Received: **01/4/99**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

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

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Drunk Driving - penalties**

Extra Copies:

Topic:

DOA:.....Fossum - Remove driver improvement surcharge transfer to chemical testing services

Instructions:

See Attached

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> |
|--------------|---------------------|--------------------|--------------------|----------------|-------------------------|-----------------|-----------------|
| /1 | nelsorp1 01/7/99 | ygeller 01/7/99 | martykr 01/7/99 | _____ | lrb_docadmin 01/7/99 | | State |

FE Sent For:

<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1? | nelsorp1 | 1-1-5-99 kmg | kmk | DS km/7 | | | |

FE Sent For:

<END>

DRAFTING INSTRUCTIONS
DRIVER IMPROVEMENT SURCHARGE

Background

Under current law the Secretary of Administration must annually transfer 31.29% of the revenues credited to the appropriation under s. 20.435(6)(hx) to the appropriation under s. 20.395(5)(di).

Requested Change

1. Repeal the provision that requires the transfer of 31.29% of the revenues to s. 20.395(5)(di). The Secretary of Administration, after consulting with agency heads, will annually transfer revenues to s. 20.435(7)(hy), s. 20.255(1)(hm), s. 20.285(1)(ia), s. 20.395(5)(ci), and s. 20.395(5)(di) and s. 20.455(5)(h).
2. In a nonstatutory provision require the Secretary of Administration to lapse to the general fund, in FY00, \$850,000 of the revenues credited to s. 20.435(6)(hx).

State Budget Office Analyst: Gretchen A. Fossum (266-2288)

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: December 29, 1998

To: Steve Miller, Director
Legislative Reference Bureau

From: Gretchen A. Fossum, Budget Analyst
State Budget Office

SAF

Subject: Drafting Instructions for the 1999-01 Budget Bill

I have attached the drafting instructions for the following items to be included in the 1999-01 budget bill:

- 1. Driver Improvement Surcharge
- 2. Institutions for Mental Disease
- 3. Programs for Adolescents and Adolescent Parents
- 4. Woman's AODA Program

If you have any questions, please contact me at 266-2288.

395
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500
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1546/1

RPN...:.....
Kmy

DOA:.....Fossum - Remove driver improvement surcharge transfer to
chemical testing services

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

WPO:
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know Cat.

driver improvement
surcharge

1

AN ACT ... relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Currently, 31.29% of all moneys received by the state ~~that is collected~~ as a driver improvement surcharge from persons convicted of driving while under the influence of an intoxicant is transferred to an appropriation account to pay for chemical testing and services. The secretary of administration, after consulting with the secretaries of health and family services and transportation, the superintendent of public instruction, the attorney general and the president of the University of Wisconsin system, transfers the remaining moneys collected by the state as a driver improvement surcharge to programs related to drunk driving, such as for the purchase of breath screening devices. Under this bill, the separate 31.29% transfer is deleted and the chemical testing and services program is eligible for funding approved by the secretary of administration, after consultation, as are the other drunk-driving-related programs.

received

(UW)

a transfer

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. 20.395 (5) (di) of the statutes is amended to read:

2 20.395 (5) (di) *Chemical testing training and services, state funds.* From the
3 general fund, the amounts in the schedule for the chemical testing training and
4 services provided by the state traffic patrol. All moneys transferred from the
5 appropriation account under s. 20.435 (6) (hx) shall be credited to this appropriation
6 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this
7 appropriation account on June 30 of each year shall be transferred to the
8 appropriation account under s. 20.435 (6) (hx).

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322a to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.

9 SECTION 2. 20.435 (6) (hx) of the statutes is amended to read:

10 20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the
11 schedule for services related to drivers. All moneys received by the state treasurer
12 from the driver improvement surcharge on court fines and forfeitures authorized
13 under s. 346.655 shall be credited to this appropriation. ~~The secretary of~~
14 ~~administration shall annually transfer to the appropriation account under s. 20.395~~
15 ~~(5) (di) 31.29% of all moneys credited to this appropriation. The All~~ moneys
16 ~~remaining in this appropriation account~~ may be transferred to sub. (7) (hy) and ss.
17 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) and (di) and 20.455 (5) (h) by the
18 secretary of administration after consultation with the secretaries of health and
19 family services and transportation, the superintendent of public instruction, the
20 attorney general and the president of the university of Wisconsin system.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293.

21

SECTION 9223. Appropriation changes; health and family services

1 (1) DRIVER IMPROVEMENT SURCHARGE LAPSE. Notwithstanding section 20.001 (3)
2 (c) of the statutes, on June 30, 2000, there is lapsed to the general fund \$850,000 from
3 the appropriation account of the department of health and family services under
4 section 20.435 (6) (hx) of the statutes, as affected by the acts of 1999.

5

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1546/1
RPN:kmg:km

DOA:.....Fossum - Remove driver improvement surcharge transfer to
chemical testing services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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

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15 ~~(5) (di) 31.29% of all moneys credited to this appropriation. The~~ All moneys
16 remaining in this appropriation account may be transferred to sub. (7) (hy) and ss.
17 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) and (di) and 20.455 (5) (h) by the
18 secretary of administration after consultation with the secretaries of health and
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