

1999 DRAFTING REQUEST

Bill

Received: **01/7/99**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-0777**

By/Representing: **Caucutt**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies:

Topic:

DOA:.....Caucutt - Transfer of funding for certain DOA positions between appropriation paragraphs

Instructions:

Per LRB - 0405/1.

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> |
|--------------|---------------------|---------------------|----------------------|----------------|--------------------------|-----------------|-----------------|
| /? | kuesejt 01/12/99 | jgeller 01/12/99 | | _____ | | | State |
| /1 | | | jfrantze 01/13/99 | _____ | lrb_docadmin 01/13/99 | | State |
| /2 | kuesejt 01/28/99 | jgeller 01/28/99 | hhagen 01/29/99 | _____ | lrb_docadmin 01/29/99 | | State |
| /3 | kuesejt 02/5/99 | jgeller 02/5/99 | jfrantze 02/5/99 | _____ | lrb_docadmin 02/5/99 | | |

FE Sent For:

<END>

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| /2 | kuesejt 01/28/99 | jgeller 01/28/99 | hhagen 01/29/99 | _____ | lrb_docadmin 01/29/99 | | |
| 13 | kuesejt 2/5 | 13 2/5 jg | 2/5 | _____ | | | |

FE Sent For: *kuesejt*
2/5

13 2/5 jg
2/5

END

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| /? | kuesejt 01/12/99 | jgeller 01/12/99 | | _____ | | | State |
| /1 | kuesejt 1/28/99 | 12/1/98 jlg | jfrantze 01/13/99 | _____ | lrb_docadmin 01/13/99 | | |
| | | | 1/29 | 1/29 | | | |

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/1 | kuesejt | 1/12 jlg | 1/13 | 1/13 KM | | | |

FE Sent For:

<END>

1999

Date (time) needed

SOON

LRB - 1679, 1

DOA BUDGET DRAFT

D-NOTE

JTR: jlg:

Use the appropriate components and routines developed for bills.

>>FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: ~~the budget~~

.....
.....
.....
.....
.....

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: create → anal: → title: → head

For the subheading [old =S], execute: create → anal: → title: → sub

For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

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

SECTION #.



1999 BILL

1 **AN ACT to repeal** 16.505 (4) (d); **to amend** 16.505 (1) (intro.), 16.505 (4) (b) and
 2 16.505 (4) (b); and **to create** 16.505 (4) (d) of the statutes; **relating to:** transfer
 3 of funding for certain positions in the department of administration between
 4 appropriation paragraphs.

head
 ↳ STATE GOVERNMENT
 ↳ OTHER STATE GOVERNMENT
 ↳ Sub

Analysis by the Legislative Reference Bureau

Currently, with limited exceptions, no state agency for which full-time equivalent positions have been authorized may change the funding source for any position that was provided by the legislature, the joint committee on finance (JCF) or the governor at the time the position was authorized or at the time the funding source was last changed.

This bill permits the department of administration (DOA), during the period beginning on the day on which the bill becomes law and ending on June 30, 2001, to change the funding source for any position authorized for DOA to carry out its functions with respect to supervision and management, the land information board, risk management, facilities management, housing assistance or gaming regulation if the position is currently funded from program revenue (whether received from inside or outside of state government) and the funding for the position would remain funded from program revenue that is collected by DOA to carry out one of these functions. The bill also directs the secretary of administration to report quarterly to the cochairpersons of JCF concerning the positions for which the funding source has been changed under the bill.

BILL

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

2 16.505 (1) (intro.) Except as provided in subs. (2), (2m) ~~and~~, (2n) and (4), no
3 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
4 created or abolished unless authorized by one of the following:

5 **SECTION 2.** 16.505 (4) (b) of the statutes is amended to read:

6 16.505 (4) (b) Except as provided in ~~par. pars.~~ (c) and (d), no agency may change
7 the funding source for a position authorized under this section unless the position
8 is authorized to be created under a different funding source in accordance with this
9 section.

10 **SECTION 3.** 16.505 (4) (b) of the statutes, as affected by 1999 Wisconsin Act
11 (this act), is amended to read:

12 16.505 (4) (b) Except as provided in ~~pars. par.~~ (c) and (d), no agency may change
13 the funding source for a position authorized under this section unless the position
14 is authorized to be created under a different funding source in accordance with this
15 section.

16 **SECTION 4.** 16.505 (4) (d) of the statutes is created to read:

17 16.505 (4) (d) During the period beginning on the effective date of this
18 paragraph [revisor inserts date], and ending on June 30, 2001, the department
19 may change the funding source for any position that is funded in whole or in part
20 from program revenues or program revenues-service under any paragraph specified
21 in s. 20.505 (1), (2), (5), (7) or (8) to any other paragraph specified in s. 20.505 (1), (2),

BILL

1 (5), (7) or (8) that is funded from program revenues or program revenues-service. No
 2 later than the last day of the month following the completion of each calendar
 3 quarter, the secretary of administration shall report to the cochairpersons of the joint
 4 committee on finance concerning any positions for which the funding source has been
 5 changed under this paragraph during the preceding calendar quarter. The report
 6 shall include, for each position, the position type and the previous and current
 7 paragraph from which the position is funded.

8 **SECTION 5.** 16.505 (4) (d) of the statutes, as created by 1999 Wisconsin Act
 9 (this act), is repealed.

Fix
Component

10 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
 11 except as follows:

12 (1) **FUNDING OF POSITIONS.** ← CS
 13 The treatment of section 16.505 (4) (b) (by SECTION (3)) of the statutes and
 14 the repeal of section 16.505 (4) (d) of the statutes take effect on August 1, 2001.

(END)

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

1679
LRB-0405/1dn
JTK:wlj&jlg:lp

January 12, 1999

The authority granted by this draft to shift the funding source for certain positions expires on July 1, 2001. On this date, any transferred funding source for a position will revert to the previous funding source. If you contemplate that you might want to propose extending this authority in the next budget bill, I would suggest extending the expiration date to September 1, 2001, or later. This is because ordinarily the budget bill does not become law until sometime in August of the odd-numbered year and it would be awkward to require the funding source for a position to be changed and then changed again within a short period of time.

Jeffery T. Kuesel
Assistant Chief Counsel
266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1679/1dn
JTK:wj&jlg:jf

January 13, 1999

The authority granted by this draft to shift the funding source for certain positions expires on July 1, 2001. On this date, any transferred funding source for a position will revert to the previous funding source. If you contemplate that you might want to propose extending this authority in the next budget bill, I would suggest extending the expiration date to September 1, 2001, or later. This is because ordinarily the budget bill does not become law until sometime in August of the odd-numbered year and it would be awkward to require the funding source for a position to be changed and then changed again within a short period of time.

Jeffery T. Kuesel
Assistant Chief Counsel
266-6778

Kuesel, Jeffery

From: Caucutt, Dan [dan.caucutt@doa.state.wi.us]
Sent: Tuesday, January 19, 1999 5:37 PM
To: Kuesel, Jeffery
Subject: LRB Draft: 99-1679/1 -- DOA Sec. position powers

Importance: High



99-1679/1



99-1679/1dn

See Paul's comments. I agree with them. Can you effect the change?

> -----Original Message-----

> From: McMahon, Paul
> Sent: Tuesday, January 19, 1999 1:44 PM
> To: Caucutt, Dan
> Cc: Wagner, Dick
> Subject: LRB Draft: 99-1679/1 -- DOA Sec. position powers
> Importance: High
>
> (I don't believe I responded to this draft that you sent me earlier last
> week and apologize for any confusion.)
>
> Per the second sentence of Jeff's note to this draft, any transferred
> position would revert to the previous funding source. This is not the
> intent that is desired.
>
> While the authority to makes such changes is correctly stated to occur
> (i.e., be authorized) between the enactment of the biennial budget and
> July 1, 2001, the intention is to make permanent any position
> reallocations made by the Secretary during that time-frame.
>
> We also concur with the drafter that it may make more sense to make
> Section 5 (the repeal provision) two years following the enactment date of
> the 1999-2001 budget bill, rather than a date specific, anticipating late
> enactment of the budget bill. Please call (6-1359) if you or Jeff need
> further clarification. Thanks.

>
> <<99-1679/1>> <<99-1679/1dn>>
>
>
>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1679/2

JTK:jlj:f

Wanted soon

DOA:.....Caucutt - Transfer of funding for certain DOA positions between appropriation paragraphs

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

WFO - insert line numbers

do not gen

AN ACT ...; relating to: transfer of funding for certain positions in the department of administration between appropriation paragraphs.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, with limited exceptions, no state agency for which full-time equivalent positions have been authorized may change the funding source for any position that was provided by the legislature, the joint committee on finance (JCF) or the governor at the time the position was authorized or at the time the funding source was last changed.

This bill permits the department of administration (DOA), during the period beginning on the day on which the bill becomes law and ending on June 30, 2001, to change the funding source for any position authorized for DOA to carry out its functions with respect to supervision and management, the land information board, risk management, facilities management, housing assistance or gaming regulation if the position is currently funded from program revenue (whether received from inside or outside of state government) and the funding for the position would remain funded from program revenue that is collected by DOA to carry out one of these functions. The bill also directs the secretary of administration to report quarterly to the cochairpersons of JCF concerning the positions for which the funding source has been changed under the bill.

on
the day before publication of the 2001-02 biennial budget act, whichever is later

The bill provides that any change in the funding source for a position made under this paragraph remains in effect after the period specified in the bill unless changed in accordance with current procedures.

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:

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

16.505 (1) (intro.) Except as provided in subs. (2), (2m) ~~and~~ (2n) and (4), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

SECTION 2. 16.505 (4) (b) of the statutes is amended to read:

16.505 (4) (b) Except as provided in ~~par.~~ pars. (c) and (d), no agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 3. 16.505 (4) (b) of the statutes, as affected by 1999 Wisconsin Act ... (this act), is amended to read:

16.505 (4) (b) Except as provided in ~~par.~~ par. (c) and (d), no agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 4. 16.505 (4) (d) of the statutes is created to read:

16.505 (4) (d) During the period beginning on the effective ^{(or the date of publication of the 2001-2003 biennial budget act, whichever is later,} date of this paragraph ... [revisor inserts date], and ending on June 30, 2001, the department may change the funding source for any position that is funded in whole or in part from program revenues or program revenues-service under any paragraph specified in s. 20.505 (1), (2), (5), (7) or (8) to any other paragraph specified in s. 20.505 (1), (2),

(5), (7) or (8) that is funded from program revenues or program revenues ^{MOLE} service. No later than the last day of the month following the completion of each calendar quarter, the secretary of administration shall report to the cochairpersons of the joint committee on finance concerning any positions for which the funding source has been changed under this paragraph during the preceding calendar quarter. The report shall include, for each position, the position type and the previous and current paragraph from which the position is funded.

Any change in the funding source for a position made under this paragraph remains in effect after the period specified in this

~~SECTION 5. 16.505 (4) (d) of the statutes, as created by 1999 Wisconsin Act ...~~

(this act), is repealed.

SECTION 9401. Effective dates; administration.

(1) FUNDING OF POSITIONS. ~~The treatment of section 16.505 (4) (b) (by SECTION (3)) of the statutes and the repeal of section 16.505 (4) (d) of the statutes take effect on August 1, 2001.~~

(END)

Paragraph unless changed in accordance with this section.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1679/2 3
JTK:jlg:hmh

DOA:.....Caucutt – Transfer of funding for certain DOA positions between appropriation paragraphs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: transfer of funding for certain positions in the department
2 of administration between appropriation paragraphs.

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The Bill ✓
under ~~this paragraph~~ remains in effect after the period specified in the bill unless changed in accordance with current procedures. The bill also directs the secretary of administration to report quarterly to the cochairpersons of JCF concerning the positions for which the funding source has been changed under the bill.

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3 in s. 20.505 (1), (2), (5), (7) or (8) to any other paragraph specified in s. 20.505 (1), (2),
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5 Any change in the funding source for a position made under this paragraph remains
6 in effect after the period specified in this paragraph unless changed in accordance
7 with this section. No later than the last day of the month following the completion
8 of each calendar quarter, the secretary of administration shall report to the
9 cochairpersons of the joint committee on finance concerning any positions for which
10 the funding source has been changed under this paragraph during the preceding
11 calendar quarter. The report shall include, for each position, the position type and
12 the previous and current paragraph from which the position is funded.

13

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1679/3

JTK:jlj:jf

DOA:.....Caucutt – Transfer of funding for certain DOA positions between appropriation paragraphs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

- 1 **AN ACT** ...; **relating to:** transfer of funding for certain positions in the department
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13

(END)