

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 05/6/99

Received By: nelsorp1

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Worzala

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Military Affairs

Extra Copies:

**Pre Topic:**

LFB:.....Worzala -

**Topic:**

Delete provision authorizing the department of military affairs to request additional funding from the joint committee on finance

**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 05/7/99	chanaman 05/7/99	jfrantze 05/7/99	_____	lrb_docadmin 05/7/99		

FE Sent For:

<END>

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: 05/6/99

Received By: nelsorp1

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Worzala

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Military Affairs

Extra Copies:

**Pre Topic:**

LFB:.....Worzala -

**Topic:**

Delete provision authorizing the department of military affairs to request additional funding from the joint committee on finance

**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	cmr 1 5/7	5/7	5/7	5/7		

FE Sent For:

<END>



**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 5-6/99

DELIVER TO: Bob Nelson

Addressee Fax #: \_\_\_\_\_

Addressee Phone #: \_\_\_\_\_

# of Pages, Including Cover: 7

Sender's Initials: DW

From: David Worzala

Message:

Budget Draft request

**Worzala, David**

---

**Subject: DMA related actions before JFC**

Hi Bob,

This email lays out the actions of the JFC from Tuesday that affect DMA and require budget drafts. In general the executive session went pretty quickly with very little discussion. DMA got pretty much what they wanted with a few slight changes. Anyways, below is what needs to be drafted and I will fax a copy of the motions or any supporting detail I mention below.

Level A - paper 635 Alternative 2 was chosen. This would delete the last sentence in s166.215(5) relating to the authorization for DMA to come in for more funding under 13.10.

Level A - Motion 226 also passed requesting the Leg. Audit Committee direct LAB to do an audit of emergency response appropriations (Level A, Level B, and emergency response supplemental).

Tuition Grant - Motion 219 passed requiring session law language to require DMA to submit a 13.10 request for additional tuition grants if they estimate the funding provided is insufficient.

DEM Reporting Requirements - Motion 311. Require DEM to adopt EPA revised reporting requirements for retail gasoline facilities. This one popped up at the last minute and apparently DEM submitted an emergency rule to the Legislature (clearinghouse 99-017) which this would alter. I will fax you the talking points put out by the Petroleum Marketers Association that were promoting this change. The person who knows a fair amount about this in DEM is Chris Bacon 242-3206.

If you have any questions, please let me know. I will fax the motions to you this morning. Thanks for your help. DW

9. Because the Committee capped the sum certain appropriation at the then current level of contractual payment commitments, it was recognized that once new or extended contracts were completed, there would likely be a need for some increase in the appropriation because of the staggered funding commitments that had been made under the original contracts. Therefore, as a part of the new statutory language, the Committee included a provision that allowed DEM to include with submittal of its notification, if needed, a request for supplemental funding to its appropriation for Level A team contracts.

10. The question has been raised, therefore, whether the current statute should be modified to repeal this latter portion of the statutes. Under the Governor's recommendation, it is envisioned that all the existing contracts will be renegotiated at a uniform time and that the total payment levels under the new contracts should be accommodated with the budgeted level of funding. Arguably, the current language is no longer needed since it would create a presumption that additional funding will be needed under the new contracts and in fact could be interpreted as encouraging a request for supplemental funding. Since DEM, like any state agency, would be able to submit a separate request for supplemental funding under s. 13.101 if an emergency situation arises, the Committee could repeal this portion of the language created under 1997 Act 27. The basic portion of the statute requiring Joint Committee review of the fiscal implications of any new contracts would not be affected by this repeal.

11. Alternatively, it could be argued that this entire statute is relatively new and that no change should be made to the original language until the Committee has operated under it for a longer period of time.

**ALTERNATIVES**

1. Approve the Governor's recommendation to provide additional funding for Level A contracts of \$177,400 GPR in 1999-01.

2. Approve the Governor's recommendation but modify the statutory requirement for DMA to seek Joint Finance approval prior to signing new agreements by deleting the current language which states: "Notwithstanding s. 13.10, the division may include in its notification to the joint committee on finance a request for approval of any increase in the amount of money in the appropriation account under s. 20.465(3)(dd) necessary to provide sufficient money for the proposed new, renewed or extended contracts under sub. (1)."

Prepared by: David Worzala

MO#	Y	N
Burke	Y	N
Decker	Y	N
Jatch	Y	N
Moore	Y	N
Shiblak	Y	N
Plache	Y	N
Cowles	Y	N
Panzer	Y	N
Gard	Y	N
Porter	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huber	Y	N
Riley	Y	N

2  
16-0



5069 (5/91)  
State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0251/1

RPN.....

cmH

LFB:.....Worzala – Delete provision authorizing the department of military affairs to request additional funding from the joint committee on finance

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1065, line 11: after that line insert:

3 “SECTION 2303d. 166.215 (5) of the statutes is amended to read:

4 166.215 (5) The division shall notify the joint committee on finance in writing,  
5 before entering into a new contractual agreement under sub. (1) or renewing or  
6 extending a contractual agreement under sub. (1), of the specific funding  
7 commitment involved in that proposed new, renewed or extended contract. The  
8 division shall include in that notification information regarding any anticipated  
9 contractual provisions that involve state fiscal commitments for each fiscal year in  
10 the proposed new, renewed or extended contract. The division may enter into a new

1 contractual agreement or renew or extend a contractual agreement, as proposed in  
2 the notification to the joint committee on finance, if within 14 working days after  
3 notification the committee does not schedule a meeting to review the division's  
4 proposed action. If, within 14 working days after notification to the joint committee  
5 on finance, the committee notifies the division that the committee has scheduled a  
6 meeting to review the division's proposed action, the division may enter into the  
7 proposed new contract or renew or extend the contract as proposed only if the  
8 committee approves that action. ~~Notwithstanding s. 13.10, the division may include~~  
9 ~~in its notification to the joint committee on finance a request for approval of any~~  
10 ~~increase in the amount of money in the appropriation account under s. 20.465 (3) (dd)~~  
11 ~~necessary to provide sufficient money for the proposed new, renewed or extended~~  
12 ~~contracts under sub. (1)."~~

History: 1991 a. 104; 1993 a. 253; 1995 a. 13; 1997 a. 27, 41.

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0251/1  
RPN:cmh:jf

LFB:.....Worzala – Delete provision authorizing the department of military affairs to request additional funding from the joint committee on finance

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1065, line 11: after that line insert:

3 **“SECTION 2303d.** 166.215 (5) of the statutes is amended to read:

4 166.215 (5) The division shall notify the joint committee on finance in writing,  
5 before entering into a new contractual agreement under sub. (1) or renewing or  
6 extending a contractual agreement under sub. (1), of the specific funding  
7 commitment involved in that proposed new, renewed or extended contract. The  
8 division shall include in that notification information regarding any anticipated  
9 contractual provisions that involve state fiscal commitments for each fiscal year in  
10 the proposed new, renewed or extended contract. The division may enter into a new



1 contractual agreement or renew or extend a contractual agreement, as proposed in  
2 the notification to the joint committee on finance, if within 14 working days after  
3 notification the committee does not schedule a meeting to review the division's  
4 proposed action. If, within 14 working days after notification to the joint committee  
5 on finance, the committee notifies the division that the committee has scheduled a  
6 meeting to review the division's proposed action, the division may enter into the  
7 proposed new contract or renew or extend the contract as proposed only if the  
8 committee approves that action. ~~Notwithstanding s. 13.10, the division may include~~  
9 ~~in its notification to the joint committee on finance a request for approval of any~~  
10 ~~increase in the amount of money in the appropriation account under s. 20.465(3)(dd)~~  
11 ~~necessary to provide sufficient money for the proposed new, renewed or extended~~  
12 ~~contracts under sub. (1).".~~

13 (END)