

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/20/2001

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Robert Ziegelbauer (608) 266-0315**

By/Representing: **Luanne**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitations on state appropriations from general purpose revenue

Instructions:

Use caps from 01s001/1.

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> |
|--------------|-----------------------|------------------------|------------------------|----------------|----------------------------|----------------------------|-----------------|
| /1 | champra 03/20/2001 | wjackson 03/20/2001 | pgreensl 03/20/2001 | _____ | lrb_docadmin 03/20/2001 | lrb_docadmin 03/20/2001 | |

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/20/2001**

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Robert Ziegelbauer (608) 266-0315**

By/Representing: **Luanne**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitations on state appropriations from general purpose revenue

Instructions:

Use caps from 01s001/1.

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> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | champra | | 3/20 pg | 3/20 Setb | | | |

FE Sent For:

<END>



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBs0001/1
RAC:jld:rs

**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2001 ASSEMBLY BILL 1**

1 **AN ACT to create** 13.40 of the statutes; **relating to:** limitations on state
2 appropriations from general purpose revenue and the expenditure of moneys.

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

3 **SECTION 1.** 13.40 of the statutes is created to read:

4 **13.40 Limitation on state appropriations from general purpose**
5 **revenue. (1)** In this section:

6 (a) "Fiscal biennium" means a 2-year period beginning on July 1 of an
7 odd-numbered year.

8 (b) "General purpose revenue" has the meaning given for "general purpose
9 revenues" in s. 20.001 (2) (a).

10 (c) "Local governmental unit" has the meaning given in s. 16.97 (7).

1 (d) "Program revenue" has the meaning given for "program revenues" in s.
2 20.001 (2) (b) and "program revenues—service" in s. 20.001 (2) (c), but excludes federal
3 revenues as defined in s. 20.001 (2) (e).

4 (e) "Segregated revenue" has the meaning given for "segregated fund revenues"
5 in s. 20.001 (2) (d), "segregated fund revenues — service" in s. 20.001 (2) (da) and
6 "segregated fund revenues — local" in s. 20.001 (2) (dm), but excludes federal
7 revenues as defined in s. 20.001 (2) (e).

8 (2) Except as provided in subs. (3) to (5), the amount appropriated from general
9 purpose revenue for each fiscal biennium, excluding any amount under an
10 appropriation specified in sub. (3) (a) to (e), as determined under sub. (6), may not
11 exceed the sum of:

12 (a) The amount appropriated from general purpose revenue, excluding any
13 amount under an appropriation specified in sub. (3) (a) to (e), for the 2nd fiscal year
14 of the prior fiscal biennium as determined under sub. (6), multiplied by the lower of
15 the following:

16 1. The sum of 0.99 and the average annual percentage change in this state's
17 aggregate personal income, expressed as a decimal, as reported by the federal
18 department of commerce for the 4 most recent calendar years prior to the calendar
19 year immediately preceding the fiscal biennium.

20 2. The sum of 1.0 and 85% of the average annual percentage change in the
21 consumer price index, all items, U.S. city average, expressed as a decimal, as
22 reported by the bureau of labor statistics of the federal department of labor for the
23 4 most recent calendar years prior to the calendar year immediately preceding the
24 fiscal biennium.

1 (b) The amount determined under par. (a) multiplied by the lower of the
2 following:

3 1. The sum of 0.99 and the average annual percentage change in this state's
4 aggregate personal income, expressed as a decimal, as reported by the federal
5 department of commerce for the 3 most recent calendar years prior to the calendar
6 year immediately preceding the fiscal biennium and as estimated by the department
7 of revenue for the calendar year following those years no later than December 5 of
8 each even-numbered year, except as provided in sub. (8).

9 2. The sum of 1.0 and 85% of the average annual percentage change in the
10 consumer price index, all items, U.S. city average, expressed as a decimal, as
11 reported by the bureau of labor statistics of the federal department of labor for the
12 3 most recent calendar years prior to the calendar year immediately preceding the
13 fiscal biennium and as estimated by the department of revenue for the calendar year
14 following those years no later than December 5 of each even-numbered year, except
15 as provided in sub. (8).

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

17 (a) An appropriation for principal repayment and interest payments on public
18 debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).

19 (b) An appropriation to honor a moral obligation undertaken pursuant to ss.
20 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4),
21 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59
22 (13m).

23 (c) An appropriation to make a payment to the United States that the building
24 commission determines to be payable under s. 13.488 (1) (m).

1 (e) An appropriation that is enacted with the approval of at least two-thirds
2 of the members of each house of the legislature.

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

8 (4m) Whenever in any fiscal biennium the legislature reduces the cost of
9 administering a program administered in whole or in part from general purpose
10 revenue by substituting funding from program revenue or segregated revenue, the
11 limitation under sub. (2) for the next fiscal biennium shall be reduced by the amount
12 of the reduced state cost, from general purpose revenue, of administering that
13 program for the most recently completed fiscal biennium.

14 (5) Whenever in any fiscal biennium the legislature terminates or reduces the
15 state general purpose revenue funding for a program administered by local
16 governmental units that is partially funded by the state from general purpose
17 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
18 by the amount allocated by the state to that program from general purpose revenue
19 or by the amount of the reduced state cost, from general purpose revenue, of
20 administering that program for the most recently completed fiscal biennium. If the
21 requirement that the local unit of government administer the program is
22 terminated, or if the amount which the local unit of government is required to spend
23 to administer the program is reduced by the same amount that state general purpose
24 funding is reduced, then no adjustment shall be made to the limitation under sub.

25 (2).

1 **(6)** For purposes of sub. (2), the legislative fiscal bureau shall determine the
2 amount appropriated from general purpose revenue for any fiscal biennium to which
3 sub. (2) applies by adding the total general purpose revenue appropriations for that
4 fiscal biennium plus any amount designated as “Compensation Reserves” for that
5 fiscal biennium in the summary under s. 20.005 (1), as printed in the revised
6 schedule that is approved under s. 20.004 (2), and adjusting this sum by any amount
7 that the legislative fiscal bureau determines affects general purpose revenues. The
8 legislative fiscal bureau shall make this determination no later than December 5 of
9 each even-numbered year, except as provided in sub. (8).

10 **(8)** No later than December 5 of each even-numbered year, the department of
11 revenue and legislative fiscal bureau shall submit to the cochairpersons of the joint
12 committee on finance the estimates and determinations required to be made under
13 subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of the
14 committee do not notify the secretary of revenue and the director of the legislative
15 fiscal bureau by December 15 following the submittal of the estimates and
16 determinations that the committee has scheduled a meeting for the purpose of
17 reviewing the estimates and determinations, the estimates and determinations shall
18 be effective. If, by December 15 following the submittal of the estimates and
19 determinations, the cochairpersons of the committee notify the secretary and
20 director that the committee has scheduled a meeting for the purpose of reviewing the
21 estimates and determinations, the estimates and determinations are not effective
22 unless approved or approved with modifications by the committee.

23 **(9)** The cochairpersons of the joint committee on finance shall submit a report
24 of the estimations and determinations approved by the committee under sub. (8) to

1 the governor, the secretary of administration, the speaker of the assembly, and the
2 president of the senate.

3 **SECTION 2. Nonstatutory provisions.**

4 (1) Notwithstanding section 13.40 (6) of the statutes, as created by this act, for
5 the purpose of determining the amount that may be appropriated from general
6 purpose revenue for the 2001–03 biennium, the legislative fiscal bureau shall make
7 the determinations required under section 13.40 (6) of the statutes, as created by this
8 act, no later than the first day of the 2nd month after the effective date of this
9 subsection.

10 (2) Notwithstanding section 13.40 (8) of the statutes, as created by this act, for
11 the purpose of determining the amount that may be appropriated from general
12 purpose revenue for the 2001–03 biennium, the legislative fiscal bureau shall submit
13 the report to the cochairpersons of the joint committee on finance that is required
14 under section 13.40 (8) of the statutes, as created by this act, no later than the first
15 day of the 2nd month after the effective date of this subsection. If the cochairpersons
16 of the committee do not notify the secretary of revenue and the director of the
17 legislative fiscal bureau that the committee has scheduled a meeting for the purpose
18 of reviewing the estimates and determinations by the 10th day following their
19 submittal, the estimates and determinations shall be effective. If, by the 10th day
20 following the submittal of the estimates and determinations, the cochairpersons of
21 the committee notify the secretary and director that the committee has scheduled a
22 meeting for the purpose of reviewing the estimates and determinations, the
23 estimates and determinations are not effective unless approved or approved with
24 modifications by the committee.

25 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0371/1

RAC: /.....

WJ

WED

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 ASSEMBLY BILL 1**

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 10: delete the material beginning with that line and ending with
3 page 2, line 14 and substitute:

4 "(2) Except as provided in sub. (3), the amount appropriated from general
5 purpose revenue for each fiscal biennium, excluding any amount under an
6 appropriation specified in sub. (3) (a) to (g), as determined under sub. (4), may not
7 exceed the sum of:

8 (a) The amount appropriated from general purpose revenue, excluding any
9 amount under an appropriation specified in sub. (3) (a) to (g), for the 2nd fiscal year
10 of the prior fiscal biennium as determined under sub. (4), multiplied by the lower of
11 the following:

1 1. The sum of 0.99 and the average annual percentage change in this state's
2 aggregate personal income, expressed as a decimal, as reported by the federal
3 department of commerce for the 4 most recent calendar years prior to the calendar
4 year immediately preceding the fiscal biennium.

5 2. The sum of 1.0 and 85% of the average annual percentage change in the
6 consumer price index, all items, U.S. city average, expressed as a decimal, as
7 reported by the bureau of labor statistics of the federal department of labor for the
8 4 most recent calendar years prior to the calendar year immediately preceding the
9 fiscal biennium.

10 (b) The amount determined under par. (a) multiplied by the lower of the
11 following:

12 1. The sum of 0.99 and the average annual percentage change in this state's
13 aggregate personal income, expressed as a decimal, as reported by the federal
14 department of commerce for the 3 most recent calendar years prior to the calendar
15 year immediately preceding the fiscal biennium and as estimated by the department
16 of revenue for the calendar year following those years no later than December 5 of
17 each even-numbered year.

18 2. The sum of 1.0 and 85% of the average annual percentage change in the
19 consumer price index, all items, U.S. city average, expressed as a decimal, as
20 reported by the bureau of labor statistics of the federal department of labor for the
21 3 most recent calendar years prior to the calendar year immediately preceding the
22 fiscal biennium and as estimated by the department of revenue for the calendar year
23 following those years no later than December 5 of each even-numbered year.”.

24 ↓ 2. Page 3, line 11: delete “(a) and”.

✓1

3. Page 3, line 14: delete “(a) and”.

2

(END)