

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2001 ASSEMBLY BILL 1**

March 22, 2001 – Offered by Representative ZIEGELBAUER.

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

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 **(2)** Except as provided in sub. (3), the amount appropriated from general
11 purpose revenue for each fiscal biennium, excluding any amount under an

1 appropriation specified in sub. (3) (a) to (g), as determined under sub. (4), may not
2 exceed the sum of:

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

7 1. The amount appropriated from general purpose revenue, excluding any
8 amount under an appropriation specified in sub. (3), for the 2nd fiscal year of the
9 prior fiscal biennium as determined under sub. (4), multiplied by the sum of 1.0 and
10 the annual percentage change in this state's aggregate personal income, expressed
11 as a decimal, for the calendar year that begins on the January 1 that immediately
12 precedes the first year of the fiscal biennium, as estimated by the department of
13 revenue no later than December 5 of each even-numbered year.

14 2. The sum of 1.0 and 85% of the average annual percentage change in the
15 consumer price index, all items, U.S. city average, expressed as a decimal, as
16 reported by the bureau of labor statistics of the federal department of labor for the
17 4 most recent calendar years prior to the calendar year immediately preceding the
18 fiscal biennium.

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

21 1. The amount determined under par. (a) 1. multiplied by the sum of 1.0 and
22 the annual percentage change in this state's aggregate personal income, expressed
23 as a decimal, for the calendar year that begins on the January 1 that immediately
24 precedes the 2nd year of the fiscal biennium, as estimated by the department of
25 revenue no later than December 5 of each even-numbered year.

1 2. The sum of 1.0 and 85% of the average annual percentage change in the
2 consumer price index, all items, U.S. city average, expressed as a decimal, as
3 reported by the bureau of labor statistics of the federal department of labor for the
4 3 most recent calendar years prior to the calendar year immediately preceding the
5 fiscal biennium and as estimated by the department of revenue for the calendar year
6 following those years no later than December 5 of each even-numbered year.

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

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

10 (b) An appropriation to honor a moral obligation undertaken pursuant to ss.
11 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4),
12 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59
13 (13m).

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

16 (d) An appropriation contained in a bill that is enacted with approval of at least
17 two-thirds of the members of each house of the legislature.

18 (e) An appropriation for legal expenses and the costs of judgments, orders, and
19 settlements of actions and appeals incurred by the state.

20 (f) An appropriation to make a payment for tax relief under s. 20.835 (2).

21 (g) An appropriation to make a transfer from the general fund to the budget
22 stabilization fund under s. 20.875 (1) (a).

23 **(4)** For purposes of sub. (2), the legislative fiscal bureau shall determine the
24 amount appropriated from general purpose revenue for any fiscal biennium to which

1 sub. (2) applies. The legislative fiscal bureau shall make this determination no later
2 than December 31 of each even-numbered year.

3 **SECTION 2. Nonstatutory provisions.**

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

10 (2) Notwithstanding section 13.40 (4) 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 make
13 the determination under section 13.40 (2) (a) and (b) of the statutes, as created by
14 this act, no later than the first day of the 2nd month beginning after the effective date
15 of this subsection.

16 (END)