

**2001 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB1)**

Received: 01/17/2001

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:**

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>
/?	champra 01/17/2001	jdyer 01/17/2001		_____			
/1	champra 03/22/2001	wjackson 03/22/2001	rschluet 01/17/2001	_____	lrb_docadmin 01/17/2001	lrb_docadmin 01/17/2001	
/2			pgreensl 03/22/2001	_____	lrb_docadmin 03/22/2001	lrb_docadmin 03/22/2001	
/3	champra 03/22/2001	wjackson 03/22/2001	pgreensl 03/22/2001	_____	lrb_docadmin 03/22/2001	lrb_docadmin 03/22/2001	

**2001 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB1)**

Received: 01/17/2001

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:**

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>
/?	champra 01/17/2001	jdyer 01/17/2001		_____			
/1	champra 03/22/2001	wjackson 03/22/2001	rschluet 01/17/2001	_____	lrb_docadmin 01/17/2001	lrb_docadmin 01/17/2001	
/2		1/3 WJ 3/22	pgreensl 03/22/2001	_____	lrb_docadmin 03/22/2001	lrb_docadmin 03/22/2001	

FE Sent For:

3/22  
pg

<END>

2001 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB1)

Received: 01/17/2001

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:

Alt. Drafters:

Subject: State Finance - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitations on state appropriations from general purpose revenue

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>
/?	champra 01/17/2001	jdye 01/17/2001					
/1		1/2 Wlj 3/22	rschlue 01/17/2001	3/22 P8/JK	lrb_docadmin 01/17/2001	lrb_docadmin 01/17/2001	

FE Sent For:

3/22  
P8

<END>

2001 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB1)

Received: 01/17/2001

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:

Alt. Drafters:

Subject: State Finance - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given


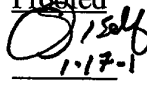
Topic:

Limitations on state appropriations from general purpose revenue

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?	champra	1/17 jld	 1-17-1	 1-17-1			

FE Sent For:

<END>

**Champagne, Rick**

---

**From:** Kostelic, Luanne  
**Sent:** Wednesday, January 17, 2001 9:35 AM  
**To:** Champagne, Rick  
**Subject:** Request for (3) Amendments to 2001 AB 1

**\*\* URGENT \*\***

We were told there is a committee hearing on AB 1 next Wednesday, January 24.

**DATE:** January 17, 2001  
**TO:** Rick Champagne  
**FROM:** Luanne Kostelic  
Rep. Bob Ziegelbauer  
6-0315  
**RE:** Request for (3) Amendments to 2001 AB 1

(1) Please draft a substitute amendment that is identical to how the Assembly passed last session's 1999 AB190;

(2) Please draft an amendment to AB 1 that is identical to Assembly Amendment 1, to Assembly Substitute Amendment 1, to 1999 AB 190 (Irba0183/2) -- offered by Rep. Ziegelbauer.

(3) Please draft a sub to AB 1 that is identical to Assembly Substitute Amendment 2, to 1999 AB 190 (Irbs0022/1) -- offered by Reps Ziegelbauer, Wieckert and Duff.

Thank you in advance for your assistance.

**Office of Rep. Bob Ziegelbauer**

**Staff**

Luanne Wavrunek Kostelic  
Thomas M. Kelly III

**State Capitol**

207-North, PO Box 8953; Madison, WI 53708-8953  
Phone: (608) 266-0315  
Toll Free: 1-888-529-0025  
Fax: (608) 266-0316  
Website: [www.legis.state.wi.us](http://www.legis.state.wi.us)

**In the District**

1213 S. 8th Street, PO Box 325  
Manitowoc, WI 54221-0325  
Office: (920) 684-6783  
Home: (920) 684-4362



*D-Nat*  
State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1053/2

RAC:jld:rs

*needed by  
Monday  
11:22  
NOON*

*2001 BILL*

*LRB500011*

*RAC:jld*

*ASA*

*to*

*2001 AB 1*

*Regen*

- 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.

***Analysis by the Legislative Reference Bureau***

This bill limits the aggregate amount of general purpose revenue (GPR) that may be appropriated in any fiscal biennium. Under the bill, the limit is calculated in the following way. First, a base year amount is established that equals the amount of GPR appropriated in the second year of the prior fiscal biennium. For the new fiscal biennium, the base year amount is multiplied by the lower of the sum of 0.99 and the average annual percentage change in state aggregate personal income for the four calendar years preceding the fiscal biennium or the sum of 1.0 and 85% of the average annual percentage change in the consumer price index for the four calendar years preceding the fiscal biennium. Then this amount is multiplied by the lower of the sum of 0.99 and the average annual percentage change in state aggregate personal income for the three calendar years preceding the fiscal biennium and the first calendar year of the fiscal biennium or the sum of 1.0 and 85% of the average annual percentage change in the consumer price index for the three calendar years preceding the fiscal biennium and the first calendar year of the fiscal biennium. The sum of these two amounts is the aggregate amount of GPR that may be appropriated during the entire fiscal biennium.

Under the bill, however, certain GPR appropriations are excluded from the limit. These are appropriations for debt service or operating notes; appropriations to honor a moral obligation pledge that the state has taken with respect to certain revenue bonds; appropriations to refund certain earnings to the federal government

**BILL**

relating to state bond issues; and appropriations that are enacted with the approval of at least two-thirds of the members of each house of the legislature.

For further information see the *state and local* 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.** 13.40 of the statutes is created to read:

2           **13.40 Limitation on state appropriations from general purpose**  
3 **revenue.** (1) In this section:

4           (a) “Fiscal biennium” means a 2-year period beginning on July 1 of an  
5 odd-numbered year.

6           (b) “General purpose revenue” has the meaning given for “general purpose  
7 revenues” in s. 20.001 (2) (a).

8           (c) “Local governmental unit” has the meaning given in s. 16.97 (7).

9           (d) “Program revenue” has the meaning given for “program revenues” in s.  
10 20.001 (2) (b) and “program revenues—service” in s. 20.001 (2) (c), but excludes federal  
11 revenues as defined in s. 20.001 (2) (e).

12           (e) “Segregated revenue” has the meaning given for “segregated fund revenues”  
13 in s. 20.001 (2) (d), “segregated fund revenues — service” in s. 20.001 (2) (da) and  
14 “segregated fund revenues — local” in s. 20.001 (2) (dm), but excludes federal  
15 revenues as defined in s. 20.001 (2) (e).

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

**BILL**

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

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

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 4 most recent calendar years prior to the calendar year immediately preceding the  
13 fiscal biennium.

14           (b) The amount determined under par. (a) multiplied by the lower of the  
15 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 3 most recent calendar years prior to the calendar  
19 year immediately preceding the fiscal biennium and as estimated by the department  
20 of revenue for the calendar year following those years no later than December 5 of  
21 each even-numbered year, except as provided in sub. (8).

22           2. The sum of 1.0 and 85% of the average annual percentage change in the  
23 consumer price index, all items, U.S. city average, expressed as a decimal, as  
24 reported by the bureau of labor statistics of the federal department of labor for the  
25 3 most recent calendar years prior to the calendar year immediately preceding the



**BILL**

1 fiscal biennium and as estimated by the department of revenue for the calendar year  
2 following those years no later than December 5 of each even-numbered year, except  
3 as provided in sub. (8).

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

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

7 (b) An appropriation to honor a moral obligation undertaken pursuant to ss.  
8 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4),  
9 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59  
10 (13m).

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

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

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

20 (4m) Whenever in any fiscal biennium the legislature reduces the cost of  
21 administering a program administered in whole or in part from general purpose  
22 revenue by substituting funding from program revenue or segregated revenue, the  
23 limitation under sub. (2) for the next fiscal biennium shall be reduced by the amount  
24 of the reduced state cost, from general purpose revenue, of administering that  
25 program for the most recently completed fiscal biennium.

**BILL**

1           (5) Whenever in any fiscal biennium the legislature terminates or reduces the  
2 state general purpose revenue funding for a program administered by local  
3 governmental units that is partially funded by the state from general purpose  
4 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced  
5 by the amount allocated by the state to that program from general purpose revenue  
6 or by the amount of the reduced state cost, from general purpose revenue, of  
7 administering that program for the most recently completed fiscal biennium. If the  
8 requirement that the local unit of government administer the program is  
9 terminated, or if the amount which the local unit of government is required to spend  
10 to administer the program is reduced by the same amount that state general purpose  
11 funding is reduced, then no adjustment shall be made to the limitation under sub.  
12 (2).

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

22           (8) No later than December 5 of each even-numbered year, the department of  
23 revenue and legislative fiscal bureau shall submit to the cochairpersons of the joint  
24 committee on finance the estimates and determinations required to be made under  
25 subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of the

**BILL**

1 committee do not notify the secretary of revenue and the director of the legislative  
2 fiscal bureau by December 15 following the submittal of the estimates and  
3 determinations that the committee has scheduled a meeting for the purpose of  
4 reviewing the estimates and determinations, the estimates and determinations shall  
5 be effective. If, by December 15 following the submittal of the estimates and  
6 determinations, the cochairpersons of the committee notify the secretary and  
7 director that the committee has scheduled a meeting for the purpose of reviewing the  
8 estimates and determinations, the estimates and determinations are not effective  
9 unless approved or approved with modifications by the committee.

10 (9) The cochairpersons of the joint committee on finance shall submit a report  
11 of the estimations and determinations approved by the committee under sub. (8) to  
12 the governor, the secretary of administration, the speaker of the assembly, and the  
13 president of the senate.

**SECTION 2. Nonstatutory provisions.**

14 (1) Notwithstanding section 13.40 (6) of the statutes, as created by this act, for  
15 the purpose of determining the amount that may be appropriated from general  
16 purpose revenue for the 2001–03 biennium, the legislative fiscal bureau shall make  
17 the determinations required under section 13.40 (6) of the statutes, as created by this  
18 act, no later than the first day of the 2nd month after the effective date of this  
19 subsection.  
20

21 (2) Notwithstanding section 13.40 (8) of the statutes, as created by this act, for  
22 the purpose of determining the amount that may be appropriated from general  
23 purpose revenue for the 2001–03 biennium, the legislative fiscal bureau shall submit  
24 the report to the cochairpersons of the joint committee on finance that is required  
25 under section 13.40 (8) of the statutes, as created by this act, no later than the first

**BILL**

1 day of the 2nd month after the effective date of this subsection. If the cochairpersons  
2 of the committee do not notify the secretary of revenue and the director of the  
3 legislative fiscal bureau that the committee has scheduled a meeting for the purpose  
4 of reviewing the estimates and determinations by the 10th day following their  
5 submittal, the estimates and determinations shall be effective. If, by the 10th day  
6 following the submittal of the estimates and determinations, the cochairpersons of  
7 the committee notify the secretary and director that the committee has scheduled a  
8 meeting for the purpose of reviewing the estimates and determinations, the  
9 estimates and determinations are not effective unless approved or approved with  
10 modifications by the committee.

11

(END)

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1053/1dn  
RAC:jld.km

new date { November 17, 2000

LRB50001/1dn  
RAC:jld

substitute amendment

This ~~bill~~ is virtually identical to the version of 1999 Assembly Bill 190 that passed the assembly. I have made a couple of minor, technical changes and I have included the moral obligation pledges under ss. 101.143 (9m) (i) and 229.830 (7) under proposed s. 13.40 (3) (b). These two moral obligation pledges were enacted into law during the 1999-2000 legislative session.

As drafted, this ~~bill~~ applies to appropriations for the 2001-03 biennium. Please note that if, this ~~bill~~ is not enacted into law prior to passage of the biennial budget bill for the 2001-03 biennium, then the ~~bill~~ will have to be amended to first apply to appropriations for the 2003-05 fiscal biennium.

Please note that this ~~bill~~ creates a rule of procedure under article IV, section 8, of the constitution. The Wisconsin supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce this type of provision and this provision does not affect the validity of any enactment resulting from a procedure that may be viewed as contravening the provision.

As we discussed on the phone, I am also preparing for your office the version of 1999 Assembly Bill 190 that was originally introduced in the assembly. The LRB number for that proposal is 2001 LRB-1052.

If I can be of any assistance, please do not hesitate to contact me.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: [rick.champagne@legis.state.wi.us](mailto:rick.champagne@legis.state.wi.us)

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

LRBs0001/1dn  
RAC:jld:rs

January 17, 2001

This substitute amendment is virtually identical to 1999 Assembly Bill 190 that passed the assembly. I have made a couple of minor, technical changes and I have included the moral obligation pledges under ss. 101.143 (9m) (i) and 229.830 (7) under proposed s. 13.40 (3) (b). These two moral obligation pledges were enacted into law during the 1999-2000 legislative session.

As drafted, this substitute amendment applies to appropriations for the 2001-03 biennium. Please note that if, this substitute amendment is not enacted into law prior to passage of the biennial budget bill for the 2001-03 biennium, then the substitute amendment will have to be amended to first apply to appropriations for the 2003-05 fiscal biennium.

Please note that this substitute amendment creates a rule of procedure under article IV, section 8, of the constitution. The Wisconsin supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce this type of provision and this provision does not affect the validity of any enactment resulting from a procedure that may be viewed as contravening the provision.

If I can be of any assistance, please do not hesitate to contact me.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.state.wi.us

## **Champagne, Rick**

---

**From:** Kostelic, Luanne  
**Sent:** Thursday, March 22, 2001 8:59 AM  
**To:** Champagne, Rick  
**Subject:** \* \* URGENT \* \* AB 1 -- on Floor today

**Importance:** High

Can you please redo Rep. Ziegelbauer's substitute amendment to AB 1 (lrbs0001/1dn) incorporating the technical changes made in ASA 1 but keeping Bob's "lower of 85% of CPI or Personal Income" factor.

I'm sending lrbs0001/1dn over to you via Page right now.

Thanks,

Luanne

### **Office of Rep. Bob Ziegelbauer**

#### **Staff**

Luanne Wavrunek Kostelic  
Thomas M. Kelly III

#### **State Capitol**

207-North, PO Box 8953; Madison, WI 53708-8953  
Phone: (608) 266-0315  
Toll Free: 1-888-529-0025  
Fax: (608) 266-0316  
Website: [www.legis.state.wi.us](http://www.legis.state.wi.us)

#### **In the District**

1213 S. 8th Street, PO Box 325  
Manitowoc, WI 54221-0325  
Office: (920) 684-6783  
Home: (920) 684-4362



State of Wisconsin  
2001 - 2002 LEGISLATURE

NOW

LRBs0075/1  
RAC:jld:jf  
RAC:WJ:s  
LRB50001/2  
LPS, please  
note

ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 1

RME NOT  
RUN

March 15, 2001 - Offered by COMMITTEE ON TAX AND SPENDING LIMITATIONS, by request of Governor Scott McCallum.

REGEN

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), for the 2nd fiscal year of the  
5 prior fiscal biennium as determined under sub. (4), multiplied by the sum of 1.0 and  
6 the annual percentage change in this state's aggregate personal income, expressed  
7 as a decimal, for the calendar year that begins on the January 1 that immediately  
8 precedes the first year of the fiscal biennium, as estimated by the department of  
9 revenue no later than December 5 of each even-numbered year.

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

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

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

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

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

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

Insert 2-15E

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

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

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

6 (4) For purposes of sub. (2), the legislative fiscal bureau shall determine the  
7 amount appropriated from general purpose revenue for any fiscal biennium to which  
8 sub. (2) applies. The legislative fiscal bureau shall make this determination no later  
9 than December 31 of each even-numbered year.

10 **SECTION 2. Nonstatutory provisions.**

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

17 (2) Notwithstanding section 13.40 (4) of the statutes, as created by this act, for  
18 the purpose of determining the amount that may be appropriated from general  
19 purpose revenue for the 2001–03 biennium, the legislative fiscal bureau shall make  
20 the determination under section 13.40 (2) (a) and (b) of the statutes, as created by  
21 this act, no later than the first day of the 2nd month beginning after the effective date  
22 of this subsection.

23 (END)



**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:

*Frank*  
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:

*2-15*  
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)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBs0001/2 3  
RAC:wlj:dg

NOW

RMR

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 2001 ASSEMBLY BILL 1

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:

Insert 2-11

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

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

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

Insert 2-24

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

24 2. The sum of 1.0 and 85% of the average annual percentage change in the  
25 consumer price index, all items, U.S. city average, expressed as a decimal, as

1 reported by the bureau of labor statistics of the federal department of labor for the  
2 3 most recent calendar years prior to the calendar year immediately preceding the  
3 fiscal biennium and as estimated by the department of revenue for the calendar year  
4 following those years no later than December 5 of each even-numbered year.

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

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

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

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

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

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

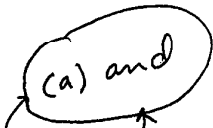
18 (f) An appropriation to make a payment for tax relief under s. 20.835 (2).

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

21 (4) For purposes of sub. (2), the legislative fiscal bureau shall determine the  
22 amount appropriated from general purpose revenue for any fiscal biennium to which  
23 sub. (2) applies. The legislative fiscal bureau shall make this determination no later  
24 than December 31 of each even-numbered year.

25 **SECTION 2. Nonstatutory provisions.**





(a) and

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

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

13 (END)

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

3 (a) <sup>1.</sup> The amount appropriated from general purpose revenue, excluding any  
4 amount under an appropriation specified in sub. (3), for the 2nd fiscal year of the  
5 prior fiscal biennium as determined under sub. (4), multiplied by the sum of 1.0 and  
2-11 6 the annual percentage change in this state's aggregate personal income, expressed  
7 as a decimal, for the calendar year that begins on the January 1 that immediately  
8 precedes the first year of the fiscal biennium, as estimated by the department of  
9 revenue no later than December 5 of each even-numbered year.

10 ~~(b)~~ <sup>1.</sup> The amount determined under par. (a) multiplied by the sum of 1.0 and the  
11 annual percentage change in this state's aggregate personal income, expressed as a  
2-24 12 decimal, for the calendar year that begins on the January 1 that immediately  
13 precedes the 2nd year of the fiscal biennium, as estimated by the department of  
14 revenue no later than December 5 of each even-numbered year.

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

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

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

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

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

end