

2001 DRAFTING REQUEST**Assembly Amendment (AA-AB320)**

Received: 10/02/2001

Received By: champra

Wanted: Today

Identical to LRB:

For: Scott Jensen (608) 266-3387

By/Representing: RJ Pirlot

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Addl. Drafters:

Subject: State Finance - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Requiring the lapse of certain program revenue moneys to the general fund

Instructions:

Using 2001 Act 16 concept of lapsing moneys to general fund for vacant positions, lapse PR moneys for vacant positions that have been vacant for 9 months to general fund. The amount to be lapsed in each year is \$8,650,000.

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 10/02/2001	gilfokm 10/02/2001	kfollet 10/02/2001	_____	lrb docadmin 10/02/2001	lrb docadmin 10/02/2001	

FE Sent For:

<END>

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Instructions:

Using 2001 Act 16 concept of lapsing moneys to general fund for vacant positions, lapse PR moneys for vacant positions that have been vacant for 9 months to general fund. The amount to be lapsed in each year is ~~\$9,000,000~~ \$8,650,000

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/1	champra	1-10/2-01 King	bjl 10/2	self 10/2			

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(D-Note)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0693/1

RAC:.....

kmg

WED 9AM

**ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 320**

1 At the locations indicated, amend the bill as follows:
 2 *#. Page 1, line 4: after "businesses" insert "requiring the lapse of*
 3 **1. Page 11, line 3: after that line insert:** *certain program*
 4 **"SECTION 12m. Nonstatutory provisions.** *revenue moneys to*
 5 **(1) VACANT POSITIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT.** *the general fund."*
 6 **(a) In this subsection:**
 7 1. "Secretary" means the secretary of administration.
 8 2. "State agency" means any office, department, or independent agency in the
 9 executive branch of government, other than the board of regents of the University
 10 of Wisconsin System.
 11 **(b) No later than 30 days after the effective date of this paragraph, the secretary**
 12 **shall determine for each state agency the number of FTE positions that are funded**
 13 **from program revenue and that have been vacant since the 1st day of the 9th month**
immediately preceding the effective date of this paragraph, other than any position

and

first

1 authorized to perform duties in a state institution or facility that has not been
2 completed or has not begun operations as of July 1, 2001. The secretary shall also
3 determine the annual salary and fringe benefits costs for such positions and shall
4 identify the program revenue appropriations from which these costs are paid during
5 the 2001–02 fiscal year.

6 (c) 1. During the 2001–02 fiscal year, the secretary shall lapse to the general
7 fund from program revenue appropriations identified in paragraph (b) an amount
8 equivalent to \$8,650,000. The secretary shall determine from which appropriations
9 the amount shall be lapsed.

10 2. Each sum certain appropriation for the 2001–02 fiscal year from which an
11 amount is lapsed under subdivision 1. is decreased by the amount of any lapse. Each
12 continuing appropriation for the 2001–02 fiscal year from which an amount is lapsed
13 under subdivision 1. is reestimated to subtract from such estimate the amount of any
14 lapse.

15 (d) 1. During the 2002–03 fiscal year, the secretary shall lapse to the general
16 fund from program revenue appropriations identified in paragraph (b) an amount
17 equivalent to \$8,650,000. The secretary shall determine from which appropriations
18 the amount shall be lapsed.

19 2. Each sum certain appropriation for the 2002–03 fiscal year from which an
20 amount is lapsed under subdivision 1. is decreased by the amount of any lapse. Each
21 continuing appropriation for the 2002–03 fiscal year from which an amount is lapsed
22 under subdivision 1. is reestimated to subtract from such estimate the amount of any
23 lapse.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0693/1dn

RAC:1/....

KMG

Please note that there may be moneys in certain program revenue appropriations that, under the U.S. and Wisconsin constitutions, may not be spent for purposes other than for which the moneys were originally appropriated. In implementing the bill, therefore, the secretary of administration will have to determine which appropriations are subject to constitutional restrictions and may not have moneys in them lapsed to the general fund. If you wish, I can specifically provide in the bill that the secretary may not lapse any moneys from a program revenue appropriation whose lapse would violate the U.S. or Wisconsin constitutions. Please advise.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0693/1dn
RAC:kmg:kjf

October 2, 2001

Please note that there may be moneys in certain program revenue appropriations that, under the U.S. and Wisconsin constitutions, may not be spent for purposes other than for which the moneys were originally appropriated. In implementing the bill, therefore, the secretary of administration will have to determine which appropriations are subject to constitutional restrictions and may not have moneys in them lapsed to the general fund. If you wish, I can specifically provide in the bill that the secretary may not lapse any moneys from a program revenue appropriation whose lapse would violate the U.S. or Wisconsin constitutions. Please advise.

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