# 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:**

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	champra 10/02/2001	gilfokm 10/02/2001	kfollet 10/02/2001	1	lrb_docadmin 10/02/2001	lrb_docadmin 10/02/2001	

FE Sent For:

<END>

# 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 \$9,000,000. \$8, 650,000

### **Drafting History:**

Vers.

**Drafted** 

Reviewed

**Typed** Proofed Submitted

Jacketed

Required

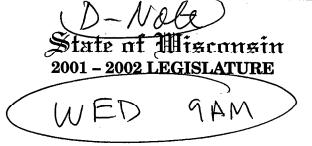
/1

champra

FE Scnt For:

<END>





LRBa0693/1 RAC:,,....

# ASSEMBLY AMENDMENT, TO 2001 ASSEMBLY BILL 320

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

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

- (c) 1. During the 2001–02 fiscal year, the secretary shall lapse to the general fund from program revenue appropriations identified in paragraph (b) an amount equivalent to \$8,650,000. The secretary shall determine from which appropriations the amount shall be lapsed.
- 2. Each sum certain appropriation for the 2001–02 fiscal year from which an amount is lapsed under subdivision 1. is decreased by the amount of any lapse. Each continuing appropriation for the 2001–02 fiscal year from which an amount is lapsed under subdivision 1. is reestimated to subtract from such estimate the amount of any lapse.
- (d) 1. During the 2002–03 fiscal year, the secretary shall lapse to the general fund from program revenue appropriations identified in paragraph (b) an amount equivalent to \$8,650,000. The secretary shall determine from which appropriations the amount shall be lapsed.
- 2. Each sum certain appropriation for the 2002–03 fiscal year from which an amount is lapsed under subdivision 1. is decreased by the amount of any lapse. Each continuing appropriation for the 2002–03 fiscal year from which an amount is lapsed under subdivision 1. is recetimated to subtract from such estimate the amount of any lapse.

- 1 (e) The secretary shall notify the joint committee on finance of all actions taken 2 under paragraphs (b), (c), and (d).".
- 3 (END)

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0693/1dn RAC::.....

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.

Rick A. Champagne Senior Legislative Attorney Phone: (608) 266–9930

E-mail: rick.champagne@legis.state.wi.us