

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-AB1)

Received: 03/01/2002

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Mason**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - employee benefits**
Employ Pub - miscellaneous

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Mason -

Topic:

Suspends state employer contributions for accumulated sick leave conversion credit program and the supplemental health insurance conversion credit program

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 03/04/2002	gilfokm 03/06/2002	jfrantze 03/06/2002	_____	lrb_docadmin 03/06/2002		
/2	champra 03/07/2002	gilfokm 03/07/2002	pgrcensl 03/07/2002	_____	lrb_docadmin 03/07/2002		
/3	champra 03/07/2002	gilfokm 03/07/2002	chanaman 03/07/2002	_____	lrb_docadmin 03/07/2002		

FE Sent For:

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/2	champra 03/07/2002	gilfokm 03/07/2002	pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002		

3/7 King

FE Sent For:

<END>

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Suspends state employer contributions for accumulated sick leave conversion redit program, the supplemental health insurance conversion credit program and the state income continuation program

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/1	champra 03/04/2002	gilfokm 03/06/2002	jfrantze 03/06/2002	3/7	lrb_docadmin 03/06/2002		
FE Sent For:		3/7 King	3/7 ps	3/7 ps/ce <END>			

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LFB:.....Mason -

Topic:

Suspends state employer contributions for accumulate sick leave conversion redit program, the supplemental health insurance conversion credit program and the state income continuation program.

Instructions:

See Attached.

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/1	champra	1 - 3/6 kmq	2/4	J/pg 3/6			

FE Sent For:

<END>

TO: RAC

FROM: Tony Mason, LFB

Rick, here is a copy of JFC motion #135 that will need to be drafted for inclusion in the JFC budget sub.

Please draft as a session law provision. You might look to the Act 16 treatment of PR & SEG lapses of pension premium holiday funds for suitable language here for those funds.

Also, note that the second entire paragraph of the motion was DELETED by unanimous consent and should NOT be included in the draft.

Call me at 6-8744 if you have any ??.

Representative Duff

BUDGET MANAGEMENT

Suspension of State Contributions to Fund the Accumulated Sick Leave Conversion Credit Program and the Income Continuation Insurance Program; Accumulation of Sick Leave Credits for New Employees

MO#			
Burke	Y	X	
Decker	Y	X	
Moore	X	N	
Shibilski	Y	N	
Plache	X	N	
Wirch	Y	N	
Darling	Y	N	
Rosenz	Y	N	
Gard	Y	X	N
Kaufert	X	N	
Albers	Y	N	
Duff	X	N	
Ward	Y	N	
Huebsch	X	N	
Huber	X	N	
Coggs	X	N	

Motion:

14-2

Move to suspend state employer contributions for the accumulated sick leave conversion credit program, the supplemental health insurance conversion credit program and the state income continuation program for the period July 1, 2002, through June 30, 2003, and lapse all non-FED fringe benefits amounts budgeted for these contributions to the general fund.

Provide that for state employees hired on and after July 1, 2003, the maximum annual amount of sick leave credits that may accumulate for the accumulated sick leave conversion credit program is 65 hours per year. For faculty and academic staff personnel who are appointed on or after July 1, 2003, the maximum annual amount of sick leave credits that may accumulate for the accumulated sick leave conversion credit program is 34 hours for personnel appointed to work 52 weeks and is 25.6 hours for personnel appointed to work 39 weeks.

decide at 2 per staff

Note:

Under current law, the state budgets 1.7% of payroll to fund the accumulated sick leave conversion credit program, 1.0% of payroll to fund the supplemental health insurance conversion credit program and 0.5% of payroll to fund the state income continuation program.

Under the sick leave conversion credit programs, unused state employee sick leave hours accumulate from year to year and are converted at retirement to pay health insurance premiums. State contributions and investment earnings fund the costs of the programs. The income continuation insurance program is a voluntary program that pays 75% of gross salary for short-term and long-term disabilities, after certain amounts of sick leave have been used or an elimination period has elapsed. Benefits do not duplicate any other benefits available under existing state or federal programs. State and employee contributions (based on the total amount of sick leave accrued) and investment earnings fund the program.

This motion would suspend all state employer contributions to fund these programs during the 2002-03 fiscal year [\$83,258,700 All Funds] and direct the lapse of all non-FED budgeted fringe benefits amounts [\$72,851,400] to the general fund. The effect of the suspension of employer contributions to these programs in 2002-03 will be to increase unfunded liabilities for each program. The motion would add \$83.3 million of liabilities to current unfunded liabilities of \$471.6 million. These increased unfunded liabilities will result in higher employer contributions, as a percentage of payroll, once state contributions are resumed.

The motion would reduce the maximum annual accumulation of sick leave under the accumulated sick leave conversion credit program for new employees hired on or after July 1, 2003, from the current 130 hours per year to 65 hours per year. Faculty and academic staff first hired after that date would have their maximum accumulation amounts reduced from 68 hours to 34 hours per year for 52-month appointments and from 51.2 hours to 25.6 hours per year for 39-month appointments.

[Change to the Bill: \$72,851,400 GPR-Lapse]

38,240,700 GPR-Lapse
34,610,700 GPR-REV



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

January 2002 Special Session

LRBb2265/1

RAC: King

Today

(d)

LFB:.....Mason – Suspends state employer contributions for accumulate sick leave conversion redit program, the supplemental health insurance conversion credit program and the state income continuation program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 397, line 19: after that line insert:

3

3X
“(●) SUSPENSION OF PAYMENT OF EMPLOYER CONTRIBUTIONS FOR CERTAIN BENEFITS

4

PROVIDED TO STATE EMPLOYEES DURING THE 200²⁻⁰³ FISCAL YEAR.

5 (a) The definitions in section 20.001 of the statutes are applicable in this
6 subsection.

7 (b) Notwithstanding any requirement under section 40.05 (4) (br) and (by) and
8 (5) of the statutes that state agencies pay certain contributions to the department of
9 employee trust funds relating to accumulated unused sick leave credits,
10 supplemental health insurance premium credits, and income continuation

1 insurance, state agencies shall not pay any employer contributions under section
2 40.05 (4) (br) and (by) and (5) of the statutes during the period that begins on July
3 1, 2002, and ends on June 30, 2003.

4 (c) The secretary of administration shall determine for each state agency the
5 amount that the agency would have been required to expend under section 40.05 (4)
6 (br) and (by) and (5) of the statutes during the period that begins on July 1, 2002, and
7 ends on June 30, 2003, and from each appropriation from which the moneys would
8 have been expended, other than appropriations of federal revenues.

9 (d) During the 2002–03 fiscal year, from each sum certain appropriation of
10 general purpose revenue identified in paragraph (c), the secretary of administration
11 shall lapse to the general fund the amount specified in paragraph (c) that would
12 otherwise have been expended from each of the appropriations. After the secretary
13 makes the lapse, each of the sum certain appropriations is decreased by the amount
14 specified in paragraph (c) for that appropriation.

15 (e) During the 2002–03 fiscal year, from each appropriation of program
16 revenues or program revenues-service identified in paragraph (c), the secretary of
17 administration shall lapse to the general fund the amount specified in paragraph (c)
18 that would otherwise have been expended from each of the appropriations. After the
19 secretary makes the lapse, each of the sum certain program revenues or program
20 revenues-service appropriations is decreased by the amount specified in paragraph
21 (c) for that appropriation.

22 (f) During the 2002–03 fiscal year, from each appropriation of segregated fund
23 revenues or segregated fund revenues-service identified in paragraph (c), the
24 secretary of administration shall lapse to the underlying fund the amount specified
25 in paragraph (c) that would otherwise have been expended from each of the

1 appropriations. After the secretary makes the lapse, each of the sum certain
2 segregated revenues or segregated revenues service appropriations is decreased by
3 the amount specified in paragraph (c) for that appropriation and the expenditure
4 estimate for each of the appropriations that are not sum certain appropriations is
5 reestimated to subtract the amount specified in paragraph (c) for that appropriation.
6 The secretary shall then transfer the lapsed amounts and an amount equal to the
7 amount subtracted from the estimates to the general fund.”

8

(END)

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

LRBb2265/1dn

RAC:.....

King

This amendment requires that moneys from appropriations to all state agencies that fund the employer contributions for the benefits identified in the motion are lapsed or transferred to the general fund. Please note that some state agencies, such as the department of employee trust funds and the investment board, have salary and fringe lines funded with trust moneys and that any lapse or transfer to the general fund of the moneys will result in the moneys being used for a non-trust purpose. Please note that the court has found that use of trust moneys in which individuals have property rights for non-trust purposes may result in an unconstitutional taking of property without just compensation. *Retired Teachers Ass'n v. Employe Trust Funds Bd.*, 207 Wis. 2d 1, 25 (1997).

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**

LRBb2265/1dn
RAC:kmg:jf

March 6, 2002

This amendment requires that moneys from appropriations to all state agencies that fund the employer contributions for the benefits identified in the motion are lapsed or transferred to the general fund. Please note that some state agencies, such as the department of employee trust funds and the investment board, have salary and fringe lines funded with trust moneys and that any lapse or transfer to the general fund of the moneys will result in the moneys being used for a nontrust purpose. Please note that the court has found that use of trust moneys in which individuals have property rights for nontrust purposes may result in an unconstitutional taking of property without just compensation. *Retired Teachers Ass'n v. Employee Trust Funds Bd.*, 207 Wis. 2d 1, 25 (1997).

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



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

RAC

Date: MARCH 6, 2002

DELIVER TO:

RAC

Addressee Fax #:

Addressee Phone #:

of Pages, Including Cover:

2

Sender's Initials:

From:

Message:

Rick--

Here is Motion 321, which amends the earlier JFC action taken by Motion 135. The effect of this new motion is to DELETE any suspension of state contributions for the ICI program and to ACCELERATE the suspension of contributions for the sick leave programs by 2 months to payrolls paid on/after May 1, 2002. Contribution "holiday" still runs thru June 30, 2003.

Tony

Representative Duff

EMPLOYEE TRUST FUNDS

Start Date for Suspension of State Contributions to Fund the Accumulated Sick Leave Conversion Credit Program and the Supplemental Health Insurance Conversion Credit Program

Motion:

Move to modify the Committee's earlier action by commencing the suspension of state employer contributions for the accumulated sick leave conversion credit program and the supplemental health insurance conversion credit program with state employee payrolls paid on and after May 1, 2002, rather than July 1, 2002, through June 30, 2003, and lapse all non-FED fringe benefits amounts budgeted for these contributions to the general fund. Delete the suspension of state employer contributions for the state income continuation program.

Note:

This motion advances the commencement of the suspension of the state's contribution [2.7% of payroll] for the sick leave conversion credits program by two months from July 1, 2002, to May 1, 2002, and deletes the suspension of the state's contribution [0.5% of payroll] for the state income continuation program. ETF believes that the Group Insurance Board would cancel the state income continuation program for the duration of any premium payment suspension. The two-month acceleration of the state's contribution towards the sick leave conversion credits program would offset most of the additional costs of maintaining the state's contribution for the income continuation program.

[Change to Bill: -\$1,138,300 GPR-Lapse]

OLD: 72,851,400 GPR-L
NEW: 71,713,100 GPR-L

- MO# 321
Burke Y N
Decker X N
Moore Y N
Shibilski Y N
Plache Y N
Wirch X N
Darling Y N
Rosenz Y N
Gard Y N
Kaufert Y N
Albers Y N
Duff Y N
Ward X N
Huebsch Y N
Huber Y N
Coggs X N

Motion #321

16



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2265/x 2
RAC:kmg:jf

RMR

LFB:.....Mason - Suspends state employer contributions for accumulated sick leave conversion credit program, the supplemental health insurance conversion credit program and the state income continuation program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 1. Page 397, line 19: after that line insert:

3 "(3x) SUSPENSION OF PAYMENT OF EMPLOYER CONTRIBUTIONS FOR CERTAIN BENEFITS
4 PROVIDED TO STATE EMPLOYEES DURING THE 2002-03 FISCAL YEAR.

5 (a) The definitions in section 20.001 of the statutes are applicable in this
6 subsection.

7 (b) Notwithstanding any requirement under section 40.05 (4) (br) and (by) ~~and~~
8 ~~(5)~~ of the statutes that state agencies pay certain contributions to the department of
9 employee trust funds relating to accumulated unused sick leave credits ~~and~~
10 supplemental health insurance premium credits, ~~and income continuation~~

1 ~~insurance~~ state agencies shall not pay any employer contributions under section
2 40.05 (4) (br) and (by) ~~and (5)~~ of the statutes during the period that begins on ~~May~~ ^{May} May
3 1, 2002, and ends on June 30, 2003.

4 (c) The secretary of administration shall determine for each state agency the
5 amount that the agency would have been required to expend under section 40.05 (4)
6 (br) and (by) ~~and (5)~~ of the statutes during the period that begins on ~~May~~ ^{May} May 1, 2002, and
7 ends on June 30, 2003, and from each appropriation from which the moneys would
8 have been expended, other than appropriations of federal revenues.

9 (d) During the 2002-03 fiscal year, from each sum certain appropriation of
10 general purpose revenue identified in paragraph (c), the secretary of administration
11 shall lapse to the general fund the amount specified in paragraph (c) that would
12 otherwise have been expended from each of the appropriations. After the secretary
13 makes the lapse, each of the sum certain appropriations is decreased by the amount
14 specified in paragraph (c) for that appropriation.

15 (e) During the 2002-03 fiscal year, from each appropriation of program
16 revenues or program revenues-service identified in paragraph (c), the secretary of
17 administration shall lapse to the general fund the amount specified in paragraph (c)
18 that would otherwise have been expended from each of the appropriations. After the
19 secretary makes the lapse, each of the sum certain program revenues or program
20 revenues-service appropriations is decreased by the amount specified in paragraph
21 (c) for that appropriation.

22 (f) During the 2002-03 fiscal year, from each appropriation of segregated fund
23 revenues or segregated fund revenues — service identified in paragraph (c), the
24 secretary of administration shall lapse to the underlying fund the amount specified
25 in paragraph (c) that would otherwise have been expended from each of the

Insert 2-15

1 appropriations. After the secretary makes the lapse, each of the sum certain
2 segregated revenues or segregated revenues — service appropriations is decreased
3 by the amount specified in paragraph (c) for that appropriation and the expenditure
4 estimate for each of the appropriations that are not sum certain appropriations is
5 reestimated to subtract the amount specified in paragraph (c) for that appropriation.
6 The secretary shall then transfer the lapsed amounts and an amount equal to the
7 amount subtracted from the estimates to the general fund.”

8

(END)

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb2265/2ins
RAC:kmg:jf

2-15

(dm) During the 2002-03 fiscal year, for each sum sufficient appropriation of general purpose revenue identified in paragraph (c) the expenditure estimate for the appropriation is reestimated to subtract the amount specified in paragraph (c) for that appropriation.



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2265/2 3
RAC:kmg:pg

RMR

LFB:.....Mason – Suspends state employer contributions for accumulated sick leave conversion credit program and the supplemental health insurance conversion credit program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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5 (a) The definitions in section 20.001 of the statutes are applicable in this
6 subsection.

7 (b) Notwithstanding any requirement under section 40.05 (4) (br) and (by) of
8 the statutes that state agencies pay certain contributions to the department of
9 employee trust funds relating to accumulated unused sick leave credits and
10 supplemental health insurance premium credits, state agencies shall not pay any

1 employer contributions under section 40.05 (4) (br) and (by) of the statutes during
2 the period that begins on May 1, 2002, and ends on June 30, 2003.

3 (c) The secretary of administration shall determine for each state agency the
4 amount that the agency would have been required to expend under section 40.05 (4)
5 (br) and (by) of the statutes during the period that begins on May 1, 2002, and ends
6 on June 30, 2003, and from each appropriation from which the moneys would have
7 been expended, other than appropriations of federal revenues.

8 (d) ~~During the 2002-03 fiscal year,~~ ^F from each sum certain appropriation of
9 general purpose revenue identified in paragraph (c), the secretary of administration
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11 otherwise have been expended from each of the appropriations. After the secretary
12 makes the lapse, each of the sum certain appropriations is decreased by the amount
13 specified in paragraph (c) for that appropriation.

14 (dm) ~~During the 2002-03 fiscal year,~~ ^F for each sum sufficient appropriation of
15 general purpose revenue identified in paragraph (c) the expenditure estimate for the
16 appropriation ^{during the 2001-03 fiscal year} is reestimated to subtract the amount specified in paragraph (c) for
17 that appropriation.

18 (e) ~~During the 2002-03 fiscal year,~~ ^F from each appropriation of program
19 revenues or program revenues-service identified in paragraph (c), the secretary of
20 administration shall lapse to the general fund the amount specified in paragraph (c)
21 that would otherwise have been expended from each of the appropriations. After the
22 secretary makes the lapse, each of the sum certain program revenues or program
23 revenues-service appropriations is decreased by the amount specified in paragraph
24 (c) for that appropriation.

Insert A

Insert A

1 (f) ~~During the 2002-03 fiscal year~~ ^F from each appropriation of segregated fund
2 revenues or segregated fund revenues — service identified in paragraph (c), the
3 secretary of administration shall lapse to the underlying fund the amount specified
4 in paragraph (c) that would otherwise have been expended from each of the
5 appropriations. After the secretary makes the lapse, each of the sum certain
6 segregated revenues or segregated revenues — service appropriations is decreased
7 by the amount specified in paragraph (c) for that appropriation and the expenditure
8 estimate for each of the appropriations that are not sum certain appropriations is
9 reestimated to subtract the amount specified in paragraph (c) for that appropriation.
10 The secretary shall then transfer the lapsed amounts and an amount equal to the
11 amount subtracted from the estimates to the general fund.”.

12 (END)

Insert A

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb2265/3ins
RAC:kmg:pg

Insert A:

No ff The secretary shall make the lapse on the day on which the state agency would have been required to make the expenditure.



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2265/3
RAC:kmg:cmh

LFB:.....Mason – Suspends state employer contributions for accumulated sick leave conversion credit program and the supplemental health insurance conversion credit program

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10 supplemental health insurance premium credits, state agencies shall not pay any

1 employer contributions under section 40.05 (4) (br) and (by) of the statutes during
2 the period that begins on May 1, 2002, and ends on June 30, 2003.

3 (c) The secretary of administration shall determine for each state agency the
4 amount that the agency would have been required to expend under section 40.05 (4)
5 (br) and (by) of the statutes during the period that begins on May 1, 2002, and ends
6 on June 30, 2003, and from each appropriation from which the moneys would have
7 been expended, other than appropriations of federal revenues.

8 (d) From each sum certain appropriation of general purpose revenue identified
9 in paragraph (c), the secretary of administration shall lapse to the general fund the
10 amount specified in paragraph (c) that would otherwise have been expended from
11 each of the appropriations. The secretary shall make the lapse on the day on which
12 the state agency would have been required to make the expenditure. After the
13 secretary makes the lapse, each of the sum certain appropriations is decreased by the
14 amount specified in paragraph (c) for that appropriation.

15 (dm) For each sum sufficient appropriation of general purpose revenue
16 identified in paragraph (c) the expenditure estimate for the appropriation during the
17 2001–03 fiscal biennium is reestimated to subtract the amount specified in
18 paragraph (c) for that appropriation.

19 (e) From each appropriation of program revenues or program revenues–service
20 identified in paragraph (c), the secretary of administration shall lapse to the general
21 fund the amount specified in paragraph (c) that would otherwise have been expended
22 from each of the appropriations. The secretary shall make the lapse on the day on
23 which the state agency would have been required to make the expenditure. After the
24 secretary makes the lapse, each of the sum certain program revenues or program

1 revenues—service appropriations is decreased by the amount specified in paragraph
2 (c) for that appropriation.

3 (f) From each appropriation of segregated fund revenues or segregated fund
4 revenues — service identified in paragraph (c), the secretary of administration shall
5 lapse to the underlying fund the amount specified in paragraph (c) that would
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7 make the lapse on the day on which the state agency would have been required to
8 make the expenditure. After the secretary makes the lapse, each of the sum certain
9 segregated revenues or segregated revenues — service appropriations is decreased
10 by the amount specified in paragraph (c) for that appropriation and the expenditure
11 estimate for each of the appropriations that are not sum certain appropriations is
12 reestimated to subtract the amount specified in paragraph (c) for that appropriation.
13 The secretary shall then transfer the lapsed amounts and an amount equal to the
14 amount subtracted from the estimates to the general fund.”

15

(END)