

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB55)**

Received: **07/19/2001**

Received By: **champra**

Wanted: **Today**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Rhodes**

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**

Requester's email:

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**Pre Topic:**

LFB:.....Rhodes -

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**Topic:**

Lapse of moneys to the general fund

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**Instructions:**

See Attached.

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**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 07/20/2001	csicilia 07/20/2001	rschluet 07/20/2001	_____	gretskl 07/20/2001		
/2	champra 07/21/2001	csicilia 07/21/2001	haugeca 07/21/2001	_____	lrb_docadmin 07/22/2001		

FE Sent For:

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FE Sent For:

*1/2 cjs 7/21  
01* *crsk*  
*1/2*  
*12*

<END>

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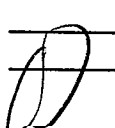
Lapse of moneys to the general fund

**Instructions:**

See Attached.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

7-20-01  
<END>

Saved as S:\tar\PR and SEG lapses

*Proposed session law language*

Provide that, in fiscal year 2001-02 and in fiscal year 2002-03, the Secretary of Administration shall lapse to the general fund, from those respective state operations appropriations/funded from program revenues or segregated funds appropriations as determined by the Secretary, an amount equal to \$18,800,000 annually. Require that the Secretary exclude, for the purposes of this lapse requirement, any program revenue or segregated fund appropriation which is funded from federal revenues. In addition, provide that the Secretary may not require a lapse under this provision from any of the following: (1) any appropriation to the University of Wisconsin System; (2) any appropriation which is for debt retirement or lease rental payments, construction projects of the Department of Transportation, state institutional operations, or ~~state protective services operations including~~ the state patrol; (3) any appropriation funded from gift, grant or endowment funds; (4) any appropriation subject to limitations as to expenditure or use as a result of federal law or the state constitution that would prohibit a lapse under this provision. Provide that the Secretary shall submit the proposed lapses in each year to the Joint Committee on Finance for approval under a 14-day passive review process.

## Champagne, Rick

---

**From:** Rhodes, Terry  
**Sent:** Thursday, July 19, 2001 4:14 PM  
**To:** Champagne, Rick  
**Subject:** RE: lapse of PR and SEG appropriations

Rick: I am trying to address operations for the care or control of individuals such as the following: Vet's Homes (King and Southern Center), DD centers and mental health institutes, schools for blind and deaf, prisons, hospitals (don't think we have any).

Also, I didn't have in my draft, but we need to add that this applies only to executive branch agencies. Thanks.

Terry Rhodes

-----Original Message-----

**From:** Champagne, Rick  
**Sent:** Thursday, July 19, 2001 4:05 PM  
**To:** Rhodes, Terry  
**Subject:** RE: lapse of PR and SEG appropriations

Terry --

What do you mean by state insitutional operations?

Rick

-----Original Message-----

**From:** Rhodes, Terry  
**Sent:** Thursday, July 19, 2001 3:59 PM  
**To:** Champagne, Rick  
**Subject:** lapse of PR and SEG appropriations

Rick: This item (see attachment) is not totally decided upon yet. However, I thought I would give you a heads up so you could do a first draft since something of this version is likely to go in. Call if questions. Thanks.

Terry Rhodes  
Legislative Fiscal Bureau

<< File: PR and SEG lapses.doc >>



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb2198/1

RAC:/:....

ej5

LFB:.....Rhodes – Lapse of moneys to the general fund

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

substitute amendment

1 At the locations indicated, amend the ~~Bill~~ as follows:

2 1. Page 1298, line 24: after that line insert:

3 “(23r) APPROPRIATION ACCOUNT LAPSES AND FUND TRANSFERS.

4 (a) In this subsection:

5 1. “Secretary” means the secretary of administration.

6 2. “State agency” means any office, department, or independent agency in the  
7 executive branch of government, other than the board of regents of the University  
8 of Wisconsin System.

9 (b) 1. During the 2001-02 and 2002-03 fiscal years, the secretary shall  
10 recommend lapses or transfers to the general fund, whichever is appropriate, from

1 state operations appropriations made to state agencies from program revenue or  
2 segregated revenue in an amount equal to \$18,800,000 in each year.

3 2. In making the recommendations under subdivision 1., the secretary shall not  
4 include any of the following:

5 a. An appropriation that is funded from federal revenues.

6 b. An appropriation for principal repayment and interest payments on public  
7 debt, as defined in section 18.01 (4) of the statutes, or operating notes, as defined in  
8 section 18.71 (4) of the statutes.

9 c. An appropriation for lease rental payments.

10 d. An appropriation to the department of transportation for the purpose of  
11 undertaking construction projects.

12 e. An appropriation for the operation of any state institution established for the  
13 care or custody of individuals.

14 f. An appropriation for the operation of the state traffic patrol.

15 g. An appropriation funded from gifts, grants, or bequests.

16 h. An appropriation containing moneys whose lapse or transfer under  
17 subdivision 1. would violate a condition imposed by the federal government on the  
18 expenditure of the moneys.

19 <sup>i</sup> An appropriation containing moneys whose lapse or transfer under  
20 subdivision 1. would violate the state constitution.

21 (c) After making the recommendations under paragraph (b), the secretary shall  
22 notify the joint committee on finance in writing of the recommendations. If the  
23 cochairpersons of the committee do not notify the secretary within 14 working days  
24 after the date of the secretary's notification that the committee has scheduled a  
25 meeting to review the determinations, the secretary may make the lapses and





## Champagne, Rick

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**From:** Rhodes, Terry  
**Sent:** Friday, July 20, 2001 5:42 PM  
**To:** Champagne, Rick  
**Subject:** LRBb2198/1

Rick: I received the draft, thanks. There are three changes that I need: (1) it has been decided to exclude the Department of Employee Trust Funds and the State of Wisconsin Investment Board also [I assume we can just add those agencies on page 1, line 8?]; (2) on page 2, line 2, in lieu of "in an amount equal to" substitute "which in total equal"; and (3) on page 2, line 9, substitute "An" for " 'An". Thanks again.

Terry Rhodes  
Legislative Fiscal Bureau

Also, Terry  
specifically requested that  
we not mention the  
federal constitution; informed  
him that fed. const.  
would still apply.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb2198/1 2

RAC:cjs:rs

RMR

LFB:.....Rhodes - Lapse of moneys to the general fund

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7 executive branch of government, other than the board of regents of the University  
8 of Wisconsin System.

*the investment board, the department of  
employee trust funds, and*

9 (b) 1. During the 2001-02 and 2002-03 fiscal years, the secretary shall  
10 recommend lapses or transfers to the general fund, whichever is appropriate, from

1 state operations appropriations made to state agencies from program revenue or  
2 segregated revenue <sup>that in total</sup> ~~in an amount~~ equal to \$18,800,000 in each year.

3 2. In making the recommendations under subdivision 1., the secretary shall not  
4 include any of the following:

5 a. An appropriation that is funded from federal revenues.

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7 debt, as defined in section 18.01 (4) of the statutes, or operating notes, as defined in  
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21 (c) After making the recommendations under paragraph (b), the secretary shall  
22 notify the joint committee on finance in writing of the recommendations. If the  
23 cochairpersons of the committee do not notify the secretary within 14 working days  
24 after the date of the secretary's notification that the committee has scheduled a  
25 meeting to review the determinations, the secretary may make the lapses and

1 transfers under paragraph (d). If, within 14 working days after the date of the  
2 secretary's notification, the chairpersons of the committee notify the secretary that  
3 the committee has scheduled a meeting to review the recommendations, the  
4 secretary may make the lapses and transfers under paragraph (d) only upon  
5 approval of the committee.

6 (d) During the 2001–02 and 2002–03 fiscal years, the secretary shall lapse or  
7 transfer to the general fund, whichever is appropriate, from state operations  
8 appropriations made to state agencies from program revenue or segregated revenue  
9 an amount that is equivalent to the amounts recommended by the secretary under  
10 paragraph (b), as approved by the joint committee on finance under paragraph (c).”.

11 (END)



LFB:.....Rhodes – Lapse of moneys to the general fund

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8 of employee trust funds, and the board of regents of the University of Wisconsin  
9 System.

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11 an amount that is equivalent to the amounts recommended by the secretary under  
12 paragraph (b), as approved by the joint committee on finance under paragraph (c).”.

13 (END)