

2003 DRAFTING REQUEST

Bill

Received: **02/27/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **John**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bud generally**
State Finance - miscellaneous

Extra Copies:

Submit via email: **YES**

Requester's email: **john.stolzenberg@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Transmittal of long-range state building program recommendations, delivery of governor's biennial budget message, and a report of timeliness of agency budget requests submissions

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>
/?	rchampag 02/27/2003	jdyer 03/03/2003		_____			
/1			rschluet 03/03/2003	_____	sbasford 03/03/2003	amentkow 03/06/2003	

FE Sent For:

<END>

↑
none needed

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1?	rchampag	<i>1 3/3 JLC</i>	<i>[Signature]</i>	<i>[Signature]</i>			

3-1-3

FE Sent For:

<END>

Champagne, Rick

From: Stolzenberg, John
Sent: Thursday, February 27, 2003 11:01 AM
To: Champagne, Rick
Subject: Fiscal management drafts

Rick,

Here are 3 requests for you relating to bills recommended by the JLC's study committee on fiscal management.

1. The JLC did approve the introduction of LRB-1490/2, and now the study committee co-chairs want a companion bill to LRB-1490/2. Please redraft it at the request of the JLC with another LRB number.

2. In reviewing LRB-2107/1, we realized that we made a mistake in the pref note, as the GAAP deficit is different from the unreserved general fund balance in a CAFR. Please prepare a /2 version of LRB-2107 that substitutes the following paragraph for the second to last paragraph on page 2 in LRB-2107/1:

The draft also creates a mechanism to address the worsening of the state's GAAP deficit. In particular, the draft directs the governor, when the unreserved general fund balance in the most recent CAFR is a larger negative amount than the unreserved general fund balance reported in the CAFR for the previous year, to recommend legislation to eliminate this increase.

3. Once you complete LRB-2107/2, please redraft it with another LRB number, as we also need a companion bill to it.

Thanks again for your help.

John

John Stolzenberg,
Legislative Council Staff Scientist
Suite 401, One East Main Street
PO Box 2536
Madison, WI 53701-2536
Direct: 608-266-2988
Fax: 608-266-3830



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1490/2

RAC:jld:rs

John

2003 BILL

LRB-2169/1
RAC:jld

Reger

1 AN ACT to renumber and amend 16.45; to amend 13.48 (7); and to create
2 16.42 (3) and 16.45 (2) of the statutes; relating to: deadlines for the transmittal
3 of the Building Commission's long-range state building program
4 recommendations and the delivery of the governor's biennial budget message
5 and a report on the timeliness of the submittal of agency budget requests.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was introduced at the recommendation of the Joint Legislative Council's Special Committee on Improving Wisconsin's Fiscal Management.

The bill amends statutorily prescribed deadlines relating to the state budget process to partially implement the committee's recommended schedule for development of the state's biennial budget in a timely manner. The bill also creates a reporting requirement on the timeliness of the submittal of agency budget requests.

Governor's Budget Message

Currently, the governor is required to deliver the budget message, along with the biennial state budget report and executive budget bill or bills, on or before the last

BILL

Tuesday in January of the odd-numbered year, unless the governor requests a later date and the legislature approves the later date by joint resolution.

The bill establishes the following deadlines for the governor's budget message, based on whether the governor is newly elected and whether January 1 in an odd-numbered year falls on a Tuesday:

- In general, the governor must deliver the budget message on or before the 2nd Tuesday in January of the odd-numbered year.

- If January 1 in an odd-numbered year falls on a Tuesday, then the budget message must be delivered on or before the 3rd Tuesday in January of the odd-numbered year.

- If a governor is newly elected and not an incumbent, the governor must deliver his or her first budget message on or before the 4th Tuesday in January in the year following the governor's election.

- If January 1 in the year following the election of a newly elected, nonincumbent governor falls on a Tuesday, the deadline for the budget message is the 5th Tuesday in January in the year following that election.

The bill also repeals the provision in current law that authorizes the governor to request, and the legislature to approve by joint resolution, a date later than the statutory deadline for the delivery of the governor's budget message.

Capital Budget

Currently, the Building Commission must transmit the portions of its recommended budget for the long-range state building program that require legislative approval to the Joint Committee on Finance (JFC) by the first Tuesday in April of each odd-numbered year, unless the Building Commission requests a later date and that later date is approved by JFC. The bill changes this submittal deadline to the first Tuesday in March of each odd-numbered year.

Report on Agency Budget Request Submittals

Under current law, all state agencies other than the legislature and the courts, are required to submit their biennial budget requests to the Department of Administration (DOA) and the Legislative Fiscal Bureau (LFB) no later than September 15 of each even-numbered year. The bill requires the DOA to report to the legislature by October 1 of each even-numbered year which agencies met the September 15 deadline and which were late, and for those that were late, the reason for the delay in their submission.

Delayed Effective Date

The bill, if enacted, takes effect on July 1, 2004. Thus, the new deadlines and reporting requirement under the bill first apply to the associated activities for the 2005-07 biennial budget.

- 1 **SECTION 1. 13.48 (7)** ✓ of the statutes is amended to read:
- 2 **13.48 (7) BIENNIAL RECOMMENDATIONS.** The building commission shall prepare
- 3 and formally adopt recommendations for the long-range state building program on
- 4 a biennial basis. The building commission shall include in its report any projects
- 5 proposed by the state fair park board involving a cost of not more than \$250,000,
- 6 together with the method of financing those projects proposed by the board, without
- 7 recommendation. Unless a later date is requested by the building commission and
- 8 approved by the joint committee on finance, the building commission shall, no later

BILL

1 than the first Tuesday in ~~April~~ March of each odd-numbered year, transmit the
2 report prepared by the department of administration under s. 16.40 (20) and the
3 commission's recommendations for the succeeding fiscal biennium that require
4 legislative approval to the joint committee on finance in the form of proposed
5 legislation prepared in proper form.

6 **SECTION 2.** 16.42 (3) of the statutes is created to read:

7 16.42 (3) (a) If an agency fails to furnish the information required under sub.
8 (1) by the date specified in sub. (1), the agency shall include with the information a
9 written explanation of the reason for the delay.

10 (b) No later than October 1 of each even-numbered year, the secretary shall
11 submit a report to the chief clerk of each house of the legislature for distribution to
12 the legislature under s. 13.172 (2) that identifies each agency that furnished a
13 complete submittal of the information required under sub. (1) by the date specified
14 in sub. (1), each agency that failed to furnish a complete submittal by the applicable
15 date, and the reason that any agency failed to furnish a complete submittal by the
16 applicable date.

17 **SECTION 3.** 16.45 of the statutes is renumbered 16.45 (1) and amended to read:

18 16.45 (1) In each regular session of the legislature, the governor shall deliver
19 the budget message to the 2 houses in joint session assembled. ~~Unless a later date~~
20 ~~is requested by the governor and approved by the legislature in the form of a joint~~
21 ~~resolution, the budget message shall be delivered on or before the last Tuesday in~~
22 ~~January of the odd-numbered year by the date provided in sub. (2).~~ With the
23 message the governor shall transmit to the legislature, as provided in ss. 16.46 and
24 16.47, the biennial state budget report and the executive budget bill or bills together
25 with suggestions for the best methods for raising the needed revenues.

BILL

1 **SECTION 4.** 16.45 (2) of the statutes is created to read:

2 16.45 (2) (a) Except as provided in pars. (b) and (c), the governor shall deliver
3 the budget message on or before the 2nd Tuesday in January of the odd-numbered
4 year.

5 (b) If January 1 in an odd-numbered year falls on a Tuesday, the governor shall
6 deliver the budget message on or before the 3rd Tuesday in January of the
7 odd-numbered year.

8 (c) If a governor was elected governor for the first time in the most recent
9 gubernatorial election and was not an incumbent governor at the time of the election,
10 the governor shall deliver the budget message, for the fiscal biennium starting July
11 1 of the year following the gubernatorial election, on or before:

12 1. Except as provided in subd. 2., the 4th Tuesday in January in the year
13 following the gubernatorial election.

14 2. If January 1 in the year following the gubernatorial election falls on a
15 Tuesday, the 5th Tuesday in January in the year following the gubernatorial election.

16 **SECTION 5. Effective date.**

17 (1) This act takes effect on July 1, 2004.

18

(END)

Mentkowski, Annie

From: Stolzenberg, John
Sent: Thursday, March 06, 2003 11:58 AM
To: LRB.Legal
Subject: Draft review: LRB 03-2169/1 Topic: Transmittal of long-range state building program recommendations, delivery of governor's biennial budget message, and a report of timeliness of agency budget requests submissions

It has been requested by <Stolzenberg, John> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-2169/1 Topic: Transmittal of long-range state building program recommendations, delivery of governor's biennial budget message, and a report of timeliness of agency budget requests submissions