

2003 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB64)

Received: 02/28/2004

Received By: rchampag

Wanted: Today

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Terry

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: terry.rhodes@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Transmittal of state building program recommendations, delivery of the governor's biennial budget message, and report on timeliness of agency budget requests

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	rchampag 02/28/2004	jdyer 03/01/2004	jfrantze 03/01/2004	_____	sbasford 03/01/2004	sbasford 03/01/2004	
/2	rchampag 03/01/2004	jdyer 03/01/2004	chaugen 03/01/2004	_____	lemery 03/01/2004	lemery 03/01/2004	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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Handwritten notes: 123/1 jld, ch 3-1, ch 3-t, Deb

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/?	rchampag	1 3/1 jld		_____			

FE Sent For:

<END>

Rick -

here is my suggested draft for

Sub -

call if questions

TERRY RHODES

6-8114

Saved as S:\tar\SB 64 substitute amendment draft

Create substitute amendment by making the following changes to SB 64.

- On page 3, delete lines 3 to 25 and insert the following:

Section 3. 16.45 of the statutes is amended to read:

16.45 In each regular session of the legislature, the governor shall deliver the budget message to the 2 houses in joint session assembled. ~~Unless a later date is requested by the governor and approved by the legislature in the form of a joint resolution, the budget message shall be delivered~~ on or before the last Tuesday in January of the odd-numbered year. However, if the governor was elected governor for the first time in the most recent gubernatorial election and was not an incumbent governor at the time of the election, the governor shall deliver the budget message, for the fiscal biennium starting July 1 of the year following the gubernatorial election, on or before the Tuesday in February of the odd-numbered year that is two weeks after the last Tuesday in January of the odd-numbered year. With the budget message the governor shall transmit to the legislature, as provided in ss. 16.46 and 16.47, the biennial budget state budget report and the executive budget bill or bills together with suggestions for the best methods for raising the needed revenues.

- On page 4, delete lines 1 to 17.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBs0407/1

RAC: :....

MON 9AM

JL

SENATE SUBSTITUTE AMENDMENT,
TO 2003 SENATE BILL 64

Gen

Insert 1-5

1 AN ACT ...; relating to: deadlines for the transmittal of the Building
2 Commission's long-range state building program recommendations and the
3 delivery of the governor's biennial budget message and a report on the
4 timeliness of the submittal of agency budget requests.

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

5 SECTION 1. 16.45 of the statutes is renumbered 16.45 (1) and amended to read:
6 16.45 (1) ~~In~~ Except as provided in sub. (2), in each regular session of the
7 legislature, the governor shall deliver the budget message to the 2 houses in joint
8 session assembled. ~~Unless a later date is requested by the governor and approved~~
9 ~~by the legislature in the form of a joint resolution, the budget message shall be~~
10 ~~delivered~~ on or before the last Tuesday in January of the odd-numbered year. With
11 the message the governor shall transmit to the legislature, as provided in ss. 16.46

1 and 16.47, the biennial state budget report and the executive budget bill or bills
2 together with suggestions for the best methods for raising the needed revenues.

3 **History:** 1971 c. 2; 1973 c. 333; 1987 a. 4, 186; 1993 a. 1 ✓

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

4 16.45 (2) If a governor was elected governor for the first time in the most recent
5 gubernatorial election and was not an incumbent governor at the time of the election,
6 the governor shall deliver the budget message under sub. (1) ✓, for the fiscal biennium
7 starting July 1 of the year following the gubernatorial election, on or before the
8 Tuesday in February of the odd-numbered year that is ² ~~two~~ weeks after the last
9 Tuesday in January of that odd-numbered year.

10

(END)

SENATE BILL 64

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

1-5



INS 1-5
cont

SENATE BILL 64

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.

end of
insert
1-5

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.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBs0407/x²
RAC:jld:jf

Today

RMR

SENATE SUBSTITUTE AMENDMENT,
TO 2003 SENATE BILL 64

Regen

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.

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

6 SECTION 1. 13.48 (7) of the statutes is amended to read:
7 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare
8 and formally adopt recommendations for the long-range state building program on
9 a biennial basis. The building commission shall include in its report any projects
10 proposed by the state fair park board involving a cost of not more than \$250,000,
11 together with the method of financing those projects proposed by the board, without
12 recommendation. Unless a later date is requested by the building commission and

1 approved by the joint committee on finance, the building commission shall, no later
2 than the first Tuesday in ~~April~~ March of each odd-numbered year, transmit the
3 report prepared by the department of administration under s. 16.40 (20) and the
4 commission's recommendations for the succeeding fiscal biennium that require
5 legislative approval to the joint committee on finance in the form of proposed
6 legislation prepared in proper form.

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12 submit a report to the chief clerk of each house of the legislature for distribution to
13 the legislature under s. 13.172 (2) that identifies each agency that furnished a
14 complete submittal of the information required under sub. (1) by the date specified
15 in sub. (1), each agency that failed to furnish a complete submittal by the applicable
16 date, and the reason that any agency failed to furnish a complete submittal by the
17 applicable date.

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

19 16.45 (1) ~~In~~ Except as provided in sub. (2), in each regular session of the
20 legislature, the governor shall deliver the budget message to the 2 houses in joint
21 session assembled. ~~Unless a later date is requested by the governor and approved~~
22 ~~by the legislature in the form of a joint resolution, the budget message shall be~~
23 ~~delivered~~ on or before the last Tuesday in January of the odd-numbered year. With
24 the message the governor shall transmit to the legislature, as provided in ss. 16.46

1 and 16.47, the biennial state budget report and the executive budget bill or bills
2 together with suggestions for the best methods for raising the needed revenues.

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

4 16.45 (2) If a governor was elected governor for the first time in the most recent
5 gubernatorial election and was not an incumbent governor at the time of the election,
6 the governor shall deliver the budget message under sub. (1), for the fiscal biennium
7 starting July 1 of the year following the gubernatorial election, on or before the
8 ^{2nd} Tuesday in February of the odd-numbered year that is 2 weeks after the last Tuesday
9 in January of that odd-numbered year.

10

(END)