

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB44)**

Received: 04/25/2003

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Shanovich (DH)**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Econ. Development - misc.**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**

---

**Pre Topic:**

LFB:.....Shanovich (DH) -

---

**Topic:**

Administrative services lapse, transfer, and reallocation plan

---

**Instructions:**

LFB paper 218, alternative 2.

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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>
/?	rmarchan 04/28/2003	csicilia 04/28/2003		_____			
/1	rmarchan 05/19/2003	csicilia 05/20/2003	chaskett 04/28/2003	_____	lemery 04/28/2003		
/2	rmarchan	csicilia	jfrantze	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/23/2003	05/23/2003	05/20/2003	_____	05/20/2003		
/3	rmarchan 06/09/2003	csicilia 06/09/2003	rschluet 05/23/2003	_____	amentkow 05/23/2003		
/4			pgreensl 06/09/2003	_____	sbasford 06/09/2003		

FE Sent For:

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/1	rmarchan 05/19/2003	csicilia 05/20/2003	chaskett 04/28/2003	<i>6/9</i>	lemery 04/28/2003		
/2	rmarchan	csicilia	jfrantze <i>6/9 ps</i>	<i>PS</i>	sbasford		

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	05/23/2003	05/23/2003	05/20/2003	_____	05/20/2003		
/3			rschluet	_____	amentkow		
			05/23/2003	_____	05/23/2003		

14 cjs 6/9  
03

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Handwritten notes: 1/3 cjs 5/23 03, JOPB 5-23-3

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/1			chaskett 04/28/2003	_____	lemery 04/28/2003		

Handwritten notes and signatures:

1/2 gjs 5/20  
03

Signature: [Handwritten Signature]

5/20

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/?	rmarchan	1 cjs 4/28 03	1 4/28 cph	pg/cph 4/28			

FE Sent For:

<END>



## Legislative Fiscal Bureau

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

April 24, 2003

Joint Committee on Finance

Paper #218

### Administrative Services Lapse (Commerce)

[LFB 2003-05 Budget Summary: Page 102, #12]

#### CURRENT LAW

The administrative services program revenue appropriation has base level expenditure authority of \$4,228,600 PR and 54.90 PR positions. The appropriation funds expenses incurred for services related to administering and supporting Department programs including information technology, telecommunications, personnel, payroll, employee development, affirmative action, policy and budget development, procurement and printing, health and safety, fiscal management, property and space management, and mail handling. The source of program revenue is fees charged to the Department's programs.

#### GOVERNOR

Decrease expenditure authority for the program revenue administrative services appropriation by \$449,000 PR and 8.4 PR positions annually. Transfer \$449,000 in each year from the appropriation account to the general fund.

#### DISCUSSION POINTS

1. The revenue for the administrative services program revenue appropriation is obtained by charging an overhead rate to non-administrative program areas throughout the agency. The rate is calculated by dividing the estimated overhead administrative costs by the number of FTEs in the programs that are charged for the administrative services. Because a portion of the administrative charges is applied to programs supported by federal funding (CDBG, Safety & Buildings, and Environmental & Regulatory Services), the federal government (U. S. Department of Commerce) must approve the rate. The methodology for determining the overhead rate approved by

the federal government requires that any year-end balance in the administrative services appropriation be carried forward and be used in determining the overhead rate for the following year.

2. Commerce has indicated concern that, because the federally approved methodology for determining the overhead rate requires appropriation balances to be carried forward and applied to future overhead rates, the required annual lapse of \$449,000 from the administrative services appropriation may not be allowable. As a result, Commerce would like to be authorized to reallocate the required lapse among the appropriations that are subject to the overhead charges. Consequently, as an alternative to the required lapse, the Committee could authorize Commerce to develop a plan for reallocating the required lapse among the appropriations subject to the administrative charge and to submit the plan to the Secretary of Administration for approval. If approved, the Secretary could be required to submit the plan to the Joint Committee on Finance for approval under a 14-day passive review process.

3. Since the sources of revenue for the administrative services appropriation includes program revenue and segregated revenue appropriations it is possible to argue that at least a portion of the required lapse from the administrative services appropriation would be funds from those appropriations. Those funds should not be subject to the federal agreement.

## ALTERNATIVES

1. Approve the Governor's recommendation to decrease expenditure authority for the program revenue administrative services appropriation by \$449,000 PR and 8.4 PR positions annually, and transfer \$449,000 in each year from the appropriation account to the general fund.

2. Approve the Governor's recommendation to decrease expenditure authority for the program revenue administrative services appropriation by \$449,000 PR and 8.4 PR positions annually, and transfer \$449,000 in each year from the appropriation account to the general fund. In addition, authorize Commerce to develop a plan to reallocate all or a portion of the lapse from the administrative services appropriation [s. 20.143(4)(kd)] to the appropriations that are charged, and to submit the plan to the Secretary of Administration for approval. If the Secretary approves the plan, require that it be submitted to the Joint Committee on Finance under a 14-day passive review process.

3. Delete provision.

<u>Alternative 3</u>	<u>GPR</u>	<u>PR</u>
2003-05 REVENUE (Change to Bill)	- \$898,000	\$0
2003-05 FUNDING (Change to Bill)	\$0	\$898,000
2004-05 POSITIONS (Change to Bill)	0.00	8.40

Prepared by: Ron Shanovich



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0102/7

RJM: [unclear]

ej's [signature]

LFB:.....Shanovich - Administrative services lapse, transfer, and  
reallocation plan

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

Dutis

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

paragraph

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

2 1. Page 1114, line 3: after "(b)" insert "and except as provided in par. (~~en~~)".

3 2. Page 1115, line 15: after that line insert:

4 cr "~~en~~ Reallocation of lapses; department of commerce. The secretary of  
5 administration may reallocate the lapses under par. (a) from the appropriation  
6 account under section 20.143 (4) (kd) of the statutes, and any decrease in positions  
7 funded from that appropriation account, using the procedure established in this  
8 paragraph. The secretary of commerce may develop a plan to reallocate each such  
9 lapse, or any portion thereof, and shall submit any such plan to the secretary of  
10 administration for approval. The plan shall provide for only program revenue s to  
11 lapse to the general fund and may provide for a decrease in the number of authorized

[unclear]

1 positions funded by <sup>those</sup> ~~that~~ program revenue. <sup>5</sup> If the secretary of administration  
 2 approves the plan, the secretary of administration shall submit the plan to the  
 3 cochairpersons of the joint committee on finance. If the plan relates to a lapse in the  
 4 2003–04 fiscal year, the secretary of administration shall submit the plan no later  
 5 than April 1, 2004. If the plan relates to a lapse in the 2004–05 fiscal year, the  
 6 secretary of administration shall submit the plan no later than April 1, 2005. If the  
 7 cochairpersons of the committee do not notify the secretary of administration within  
 8 14 working days after the date of submittal that the committee has scheduled a  
 9 meeting for the purpose of reviewing the plan, the plan may be implemented. If,  
 10 within 14 working days after the date of submittal, the cochairpersons of the  
 11 committee notify the secretary of administration that the committee has scheduled  
 12 a meeting for the purpose of reviewing the plan, the plan may be implemented only  
 13 upon approval of the committee. ~~Except as otherwise provided in this paragraph,~~ if  
 14 the committee fails to approve of the plan before May 15 of the fiscal year to which  
 15 the plan relates, the secretary of administration shall carry out the applicable lapse  
 16 under <sup>par</sup>(a) from the appropriation account under section 20.143 (4) (kd) of the  
 17 statutes, and any decrease in positions funded from that appropriation account.

(END)

paragraph

If the cochairpersons of the committee notify the secretary of administration that the committee has scheduled a meeting and

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

LRBb0102/?dn

RJM:.....  
/

gs

Ron Shanovich:

Please review the attached draft to ensure that I fully understood your intent. In particular, please review the deadlines I placed in the draft. I included the deadlines to ensure that the department has adequate time to notify the union and any employees in eliminated positions. Also, I required the reallocation plan to provide only for lapses of PR. ✓

If you have any questions or if you desire any changes to the draft, please let me know. ✓

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

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

LRBb0102/1dn  
RJM:cjs:cph

April 28, 2003

Ron Shanovich:

Please review the attached draft to ensure that I fully understood your intent. In particular, please review the deadlines I placed in the draft. I included the deadlines to ensure that the department has adequate time to notify the union and any employees in eliminated positions. Also, I required the reallocation plan to provide only for lapses of PR.

If you have any questions or if you desire any changes to the draft, please let me know.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

STMS  
*[Signature]*

LFB:.....Shanovich - Administrative services lapse, transfer, and reallocation plan

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 1114, line 3: after "(b)" insert "and except as provided in paragraph

3 (c)".

4 2. Page 1115, line 15: after that line insert:

5 (cr) *Reallocation of lapses; department of commerce.* The secretary of  
6 administration may reallocate the lapses under paragraph (a) from the  
7 appropriation account under section 20.143 (4) (kd) of the statutes, and any decrease  
8 in positions funded from that appropriation account, using the procedure established  
9 in this paragraph. The secretary of commerce may develop a plan to reallocate each  
10 such lapse, or any portion thereof, and shall submit any such plan to the secretary  
11 of administration for approval. The plan shall provide for only program revenues to

ct

INSET  
1-5

keep  
quotations  
mark



1 lapse to the general fund and may provide for a decrease in the number of authorized  
2 positions funded by those program revenues. If the secretary of administration  
3 approves the plan, the secretary of administration shall submit the plan to the  
4 cochairpersons of the joint committee on finance. If the plan relates to a lapse in the  
5 2003-04 fiscal year, the secretary of administration shall submit the plan no later  
6 than April 1, 2004. If the plan relates to a lapse in the 2004-05 fiscal year, the  
7 secretary of administration shall submit the plan no later than April 1, 2005. If the  
8 cochairpersons of the committee do not notify the secretary of administration within  
9 14 working days after the date of submittal that the committee has scheduled a  
10 meeting for the purpose of reviewing the plan, the plan may be implemented. If,  
11 within 14 working days after the date of submittal, the cochairpersons of the  
12 committee notify the secretary of administration that the committee has scheduled  
13 a meeting for the purpose of reviewing the plan, the plan may be implemented only  
14 upon approval of the committee. If the cochairpersons of the committee notify the  
15 secretary of administration that the committee has scheduled a meeting and if the  
16 committee fails to approve of the plan before May 15 of the fiscal year to which the  
17 plan relates, the secretary of administration shall carry out the applicable lapse  
18 under paragraph (a) from the appropriation account under section 20.143 (4) (kd) of  
19 the statutes, and any decrease in positions funded from that appropriation account".

(END)

Keep  
quotation  
mark  
&  
period

DWS 1-5

~~Department of~~

1	Tourism, department of	1,330,500
2	University of Wisconsin System, Board of	
3	Regents of the	6,890,000
4	Veterans affairs, department of	35,900
5	Workforce development, department of	400,100

paragraph  
reallocating  
the lapses under  
(a) from the  
appropriation  
account under  
section  
20.143 (4)  
(kd) of  
the  
statutes

6 (p) Submission of alternative plan to secretary of administration. No later than  
7 14 days after the effective date of this paragraph, any state agency specified in  
8 paragraph (a) may submit an alternative plan to the secretary of administration  
9 concerning the agency's preference for allocating reductions among some certain  
10 appropriations made to the agency from general purpose revenue. If the secretary  
11 does not approve the plan, the agency shall make the reductions as provided in  
12 paragraph (a). If the secretary approves the plan, he or she shall submit the plan to  
13 the joint committee on finance no later than 21 days after the effective date of this  
14 paragraph. If the cochairpersons of the committee do not notify the secretary that  
15 the committee has scheduled a meeting for the purpose of reviewing the plan to be  
16 held within 14 working days after the date of the secretary's submittal, the agency  
17 shall make the reductions specified in the plan. If the cochairpersons of the  
18 committee notify the secretary that the committee has scheduled a meeting for the  
19 purpose of reviewing the plan to be held within 14 working days after the date of the  
20 secretary's submittal, the agency may not implement the plan until it is approved by  
21 the committee, as submitted or as modified.

ct

department's

department of commerce

22 (2) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.  
23 (a) Appropriation lapses to the general fund. Subject to paragraph (b), in the  
24 2002-03 fiscal year, from the following appropriation accounts, the secretary of  
25 administration shall lapse to the general fund the amounts indicated:

(end ins)



*Rwv*

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FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

*If the plan relates to a lapse in the 2003-04 fiscal year, the plan shall be submitted no later than May 1, 2004. If the plan relates to the 2004-05 fiscal year, the plan shall be submitted no later than May 1, 2005.*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1114, line 3: after “(b)” insert “and except as provided in paragraph
- 3 (ct)”.
- 4 **2.** Page 1115, line 15: after that line insert:
- 5 “(ct) *Submission of alternative plan to secretary of administration. ~~Not later~~*
- 6 *than 14 days after the effective date of this paragraph,* the department of commerce
- 7 may submit <sup>o</sup>an alternative plan <sup>s</sup>to the secretary of administration concerning the
- 8 department’s preference for reallocating the lapses <sup>e</sup>under paragraph (a) from the
- 9 appropriation account under section 20.143 (4) (kd) of the statutes. <sup>e</sup>If the secretary
- 10 does not approve the plan, the department of commerce shall make the lapses <sup>s</sup>as
- 11 provided in paragraph (a). If the secretary approves the plan, he or she shall submit

secretary *[Signature]*

receipt of the plan

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the plan to the joint committee on finance no later than ~~21~~ days after the effective  
date of this paragraph. If the cochairpersons of the committee do not notify the  
secretary that the committee has scheduled a meeting for the purpose of reviewing  
the plan to be held within 14 working days after the date of the secretary's submittal,  
the ~~department of commerce~~ shall make the lapses specified in the plan. If the  
cochairpersons of the committee notify the secretary that the committee has  
scheduled a meeting for the purpose of reviewing the plan to be held within 14  
working days after the date of the secretary's submittal, the ~~department of commerce~~  
may not implement the plan until it is approved by the committee, as submitted or  
as modified."

(END)

*[Handwritten signature]*

*[Handwritten signature]*  
1-4454  
4-6948

2003 - 2004 LEGISLATURE

LRBb01024/4

RJM:cjs:rs

*[Handwritten signature]*  
218 #2  
*[Handwritten signature]*

*[Handwritten signature]*  
RW NR

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6 department of commerce may submit alternative plans to the secretary of  
7 administration concerning the department’s preference for reallocating the lapse  
8 under paragraph (a) from the appropriation account under section 20.143 (4) (kd) of  
9 the statutes. If the plan relates to a lapse in the 2003–04 fiscal year, the plan shall  
10 be submitted no later than May 1, 2004. If the plan relates to the 2004–05 fiscal year,  
11 the plan shall be submitted no later than May 1, 2005. If the secretary does not

1 approve the plan, the secretary shall make the lapse as provided in paragraph (a).  
 2 If the secretary approves the plan, he or she shall submit the plan to the joint  
 3 committee on finance no later than 7 days after receipt of the plan. If the  
 4 cochairpersons of the committee do not notify the secretary that the committee has  
 5 scheduled a meeting for the purpose of reviewing the plan ~~(to be held)~~ within 14  
 6 working days after the date of the secretary's submittal, the secretary shall make the  
 7 lapse specified in the plan. ~~If~~ the cochairpersons of the committee notify the  
 8 secretary that the committee has scheduled a meeting for the purpose of reviewing  
 9 the plan ~~to be held~~ within 14 working days after the date of the secretary's submittal,  
 10 the secretary may not implement the plan until it is approved by the committee, as  
 11 submitted or as modified."

(END)

*<move as shown>*

*delete comma*

*<move as shown>*

*delete comma*



State of Wisconsin  
2003 - 2004 LEGISLATURE

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7 specified in the plan. If the cochairpersons of the committee notify the secretary  
8 within 14 working days after the date of the secretary's submittal that the committee  
9 has scheduled a meeting for the purpose of reviewing the plan, the secretary may not  
10 implement the plan until it is approved by the committee, as submitted or as  
11 modified.”.

12 (END)