

2003 DRAFTING REQUEST

Bill

Received: **01/22/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Schmiedicke**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Schmiedicke - BUDADJ,

Topic:

Program revenue appropriation lapses for state operations

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>
/?							State
/1	rchampag 01/22/2003	csicilia 01/22/2003	chaugen 01/22/2003		sbasford 01/23/2003		State
/2	rchampag 01/24/2003	csicilia 01/24/2003	rschluet 01/24/2003		mbarman 01/24/2003		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	rchampag 01/24/2003	csicilia 01/24/2003	rschluet 01/24/2003	_____	lemery 01/24/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 01/22/2003

Received By: rchampag

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Schmiedicke

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: State Finance - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Schmiedicke - BUDADJ,

Topic:

Program revenue appropriation lapses for state operations

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>
/?							State
/1	rchampag 01/22/2003	csicilia 01/22/2003	chaugen 01/22/2003		sbasford 01/23/2003		State
/2	rchampag 01/24/2003	csicilia 01/24/2003	rschluet 01/24/2003		mbarman 01/24/2003		

Handwritten initials and date: 1-24-03

Handwritten checkmark

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

1/3 cjs 1/24
03

<END>

2003 DRAFTING REQUEST

Bill

Received: **01/22/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Schmiedicke**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Schmiedicke - BUDADJ,

Topic:

Program revenue appropriation lapses for state operations

Instructions:

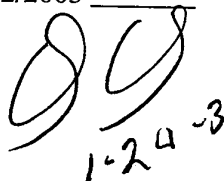
See Attached.

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>
/?							State
/1	rchampag 01/22/2003	csicilia 01/22/2003	chaugen 01/22/2003		sbasford 01/23/2003		

FE Sent For:

1/2 ejs 1/24
67


1-24-3

2003 DRAFTING REQUEST

Bill

Received: **01/22/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Schmiedicke**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies: **KMG
CJS**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Schmiedicke - BUDADJ,

Topic:

Program revenue appropriation lapses for state operations

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	1 js 1/22 03	Ch 1-22	Ch 1-22			

FE Sent For:

<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: January 21, 2003
To: Steve Miller
Legislative Reference Bureau
From: David Schmiedicke
State Budget Office
Subject: Special Session Deficit Reduction Bill

The Governor wishes to have a special session bill drafted to address the fiscal year 2002-03 general fund deficit. The scope of the bill will be to enact appropriation lapses from GPR state operations and aids to individuals and organizations appropriations and to lapse cash balances from certain program and segregated revenue appropriations and funds to the general fund. The Governor wants to introduce this bill on Wednesday, January 29th.

The elements of the bill are outlined below:

1. Require that agencies lapse certain dollar amounts from FY03 GPR appropriations (schedule attached). Agencies must submit a lapse plan to the DOA Secretary within 14 working days of passage of the bill. That plan must make lapses from state operations appropriations (excluding debt service and fuel and utilities). Agencies, with the approval of the DOA Secretary, may identify projected lapses from GPR aids to individuals and organizations appropriations in lieu of state operations lapses.
2. Require that the following amounts be lapsed from GPR appropriations:
 - State Park and Forest Roadways appropriation under s. 20.370 (7)(mc) -- \$1,900,000
3. Require lapses from certain program and segregated revenue state operations appropriations to the general fund (schedule attached). For the transfer from the Transportation Fund, increase the expenditure authority level in the appropriation under s. 20.855 (4)(v) in FY03 by \$22,446,600.

4. Transfer the following amounts from the respective funds or appropriation accounts to the general fund:

- Utility Public Benefits Fund under s. 25.96 -- \$10,000,000
- Tobacco Control Grants under s. 20.536 (1)(tc) -- \$5,000,000
- Universal Service Fund under s. 25.95 -- \$3,000,000
- Recycling Fund under s. 25.49 -- \$3,000,000
- Brownfields Grants:
 - s. 20.143 (1)(qm) \$5,700,000
 - s. 20.370 (6)(er) \$275,000
 - s. 20.370 (6)(et) \$1,700,000
 - s. 20.370 (6)(eu) \$1,000,000
 - s. 20.370 (2)(dv) \$1,000,000
- Wisconsin Development Fund repayments appropriation under s. 20.143 (1)(ie) -- \$7,000,000

4. Increase the appropriation from the forestry account for Stewardship debt service under s. 20.370(7)(au) by \$4,000,000 SEG in FY03.

Please contact me if you have any questions.

Agency GPR State Operations Reductions, 2003

Agency	GPR Lapse
Administration	549,000
Adolescent Pregnancy Prevention Services	1,100
Aging and Long Term Care Board	39,100
Agriculture, Trade and Consumer Protection	951,700
Appeals Court	383,000
Arts Board	16,500
Commerce	347,200
Corrections	2,300,000
Educational Communications Board	257,100
Elections Board	47,800
Employee Trust Funds	1,400
Employment Relations Commission	124,000
Employment Relations Department	280,300
Ethics Board	11,600
Governors Office	175,600
Health and Family Services	5,010,600
Higher Educational Aids Board	37,600
Historical Society	473,200
Judicial Commission	10,700
Justice	1,682,600
Legislature	2,959,800
Lt. Governor's Office	26,300
Military Affairs	318,400
Natural Resources	2,128,400
Personnel Commission	40,500
Program Supplements	929,800
Public Instruction	505,500
Revenue	810,600
Supreme Court	555,000
TEACH Board	32,100
Technical College System	164,900
Tourism	2,550,500
Treasurer	2,300
UWS	6,890,000
Veterans Affairs	35,900
Workforce Development	108,400
	<u>30,758,500</u>

PR and SEG Lapses to the General Fund -- FY03

Agency	Appn.		Lapse	Agency Total
115 DATCP	(1)(gb)	Food regulation	195,200	195,200
143 Commerce	(1)(L)	Recycling market development; repayments	\$1,000,000	
	(3)(j)	Safety and buildings operations	520,000	
	(3)(r)	Safety and bldgs - petrol inspection	351,300	
	(3)(w)	PECFA Admin	139,300	2,010,600
144 DFI	(1)(g)	General operations	667,300	
	(2)(g)	General operations	91,800	759,100
145 OCI	(1)(g)	General operations	5,556,200	
	(2)(u)	Patients comp admin	35,900	
	(3)(u)	LGPIF admin	33,700	
	(4)(u)	State life fund admin	27,700	5,653,500
165 R & L	(1)(g)	General operations	497,800	497,800
245 State Historical Soc.	(1)(g)	Admissions, sales, receipts	174,200	174,200
255 DPI	(1)(hg)	Personnel cert, teach supply, etc.	135,500	135,500
370 DNR	(2)(mq)	General ops - environmental fund	218,700	
	(3)(mq)	General ops - environmental fund	56,900	
	(4)(mq)	General ops - water quality	125,600	
	(4)(mr)	General ops - nonpoint	22,200	
	(8)(iw)	Recycling admin	11,500	
	(8)(mq)	General ops - mobile sources	23,300	
	(8)(mv)	General ops - environ. Fund	171,000	
	(9)(mv)	General ops - environ. Fund	30,300	659,500
435 DHFS	(1)(gm)	Licensing review, certifying, etc.	267,000	
	(4)(gm)	Health services regulation	83,300	
	(4)(hg)	General ops health care information	125,000	475,300
455 DOJ	(2)(ja)	Law enforcement training fund ops	132,300	132,300
485 DVA	(1)(gk)			
	(3)(s)	Vets loan operations	223,800	223,800
505 DOA	(1)(ka)	Materials and services to state agencies	268,500	
	(1)(kc)	Building construction services	555,700	
	(1)(kj)	Financial services	468,700	
	(1)(kL)	DEG	2,493,000	
	(8)(g)	Racing operations	110,100	
	(1)(v)	General ops - EIP	38,800	3,934,800
Totals			14,851,600	14,851,600



D-Note
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1660/1

RAC:.....

Today

cjs

DOA:.....Schmiedicke - BUDADJ, Program revenue appropriation lapses for state operations

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do NOT Gen

1 AN ACT */*...; relating to: lapsing moneys from certain program revenue
2 appropriations to the general fund.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT

STATE FINANCE

This bill requires the Department of Administration to lapse moneys to the general fund from a number of program revenue appropriations. The appropriations are made to the following state agencies: the Departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Financial Institutions, Health and Family Services, Justice, Public Instruction, and Regulation and Licensing; the Historical Society; and the Office of the Commissioner of Insurance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3

SECTION 9260. Appropriation changes; other.

(1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

(a) Appropriation lapses to the general fund. Subject to paragraph (b), in the 2002-03 fiscal year, from the following appropriation accounts, the secretary of administration shall lapse to the general fund the amounts indicated:

	Agency	2002-03 Fiscal Year
20.505	Administration, department of	
(1) (g)		\$ 2,493,000
(1) (ka)		268,500
(1) (kc)		555,700
(1) (kj)		468,700
(8) (g)		110,100
20.115	Agriculture, trade and consumer protection, department of	
(1) (gb)		118,100
20.143	Commerce, department of	
(1) (L)		1,000,000
(1) (ie)		7,000,000
(3) (j)		520,000
20.144	Financial institutions, department of	
(1) (g)		667,300
(2) (g)		91,800
20.435	Health and family services, department of	
(1) (gm)		267,000

create auto-ref "B"

use auto-ref "C"

reduce space

change this column width to 3.9

center "Agency" over black line; right now it is centered over column

Remove on hard return

This column should stretch out when you adjust the other column widths; make sure that "year" pulls up so that "2002-03" is on one line and "Fiscal Year" is on the next

make sure that black line extends for full width of columns after column widths are adjusted

there are two columns here; change the column width of each to 0.1

Change this column width to 3.8

change the column widths of these two columns to 0.6 each

✓ 1	(4) (gm)		83,300
✓ 2	(4) (hg)		125,000
3	20.245	Historical society	
✓ 4	(1) (g)		174,200
5	20.145	Insurance, office of the commis	
6		sioner of	
✓ 7	(1) (g)		5,556,200
8	20.455	Justice, department of	
✓ 9	(2) (ja)		132,300
10	20.255	Public instruction, department of	
✓ 11	(1) (hg)		135,500
12	20.165	Regulation and licensing, depart	
13		ment of	
14	(1) (g)		497,800

(b) *Prohibited appropriation lapses and transfers.* The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation account specified in paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

(END)

create autoref "C"

use autoref "B"

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

LRB-1660/1dn
RJM & RAC: /

gs

Dave Schmiedicke:

As you review the attached draft, please note the following issues:

1. In some cases, it was not clear whether this draft would leave enough money in a particular appropriation account to make payments or transfers required by statute. For example, lapsing \$7,000,000 from the appropriation account under s. 20.143 (1) (ie), stats., may not leave sufficient money to make the payments required under s. 560.06 (2), stats. If a lapse proposed under this draft would not leave sufficient money to make required payments or transfers, please let us know so that we can amend the statutes as necessary to provide an exception from the required payments or transfers. ✓

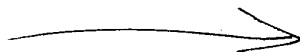
2. Generally, the state's authority to regulate a particular occupation or business includes the authority to charge regulated individuals or entities a reasonable fee or tax to defray the cost of regulation, but only to the extent necessary for that purpose, and does not include the authority to impose a fee or tax for the purpose of raising revenue. See *Wis. Tel. Co. v. Public Service Comm.*, 206 Wis. 589 (1932). In determining the validity of such a fee imposed by a state, the burden is on the state to demonstrate that the fee is necessary to cover the reasonable costs of the regulatory system and that the fee is used for no other purpose than to meet those costs. *Milw. Mobilization for Survival v. Milw. County Park Comm.*, 477 F. Supp. 1210, 1220 (D.C. Wis., 1979). Although the Wisconsin Supreme Court has recently expressed great deference to the legislature's decisions regarding taxing and spending, see *Flynn v. Department of Administration*, 216 Wis. 2d 521 (1998) (upholding lapse of court automation fees to the general fund), this draft may be susceptible to constitutional challenge because it lapses regulatory fees (e.g., certain DRL, DFI, OCI, and DHFS fees) to the general fund. (DPI) ✓

If you have any questions regarding these issues please feel free to call. ✓

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

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

D-note
insert



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRE 4556/3
JTK:kmg:jf

January 16, 2002

D-note
insert

~~Don Caucutt:~~

The diversion of program revenue that is collected under statutes that authorize the revenue to be collected to recover specific items of costs may be argued to result in unauthorized charges in certain situations. In some cases, the statutes that authorize program revenue to be collected are worded so that agencies may charge for their services and the charges need not relate to any particular cost items. See, for example, s. 16.53 (13), stats., which permits DOA to charge any agency for financial services provided to the agency. In this case, nothing limits the charges solely to recovery of costs of providing financial services. However, under s. 16.53 (1) (d) 2., stats., DOA is permitted to charge agencies *for the department's costs* of estimation, collection, and payment of benefits under ch. 108, stats. See also ~~s. 16.82 (5), stats., which enumerates specific items for which group transportation charges may be assessed, s. 16.865 (8), stats., which directs DOA to allocate specific cost items as charges to agencies for the risk management program, and~~ s. 16.98 (3), stats., which directs that the proceeds of program revenue collected under the federal resource acquisition program be used for specified purposes.

~~If only one program revenue stream feeds a particular appropriation [as is the case with s. 20.505 (2) (ki), stats.], then this draft may be interpreted to supplement the current law so as to permit levying of charges for purposes not authorized currently. However, if~~ more than one revenue stream feeds a particular appropriation [as is the case with s. 20.505 (1) ~~(km) and~~ (ka), stats.], then it may be possible for DOA to effect the diversion authorized by this draft by adhering to laws that require or permit charges to be levied to recover specific costs and to fund the diversion from sources where the statutes authorizing charges accord more discretion to DOA, and if the issue is raised, the courts may require DOA to fund the cost of the diversion in this way.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

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

LRB-1660/1dn
RJM&RAC:cjs:ch

January 22, 2003

Dave Schmiedicke:

As you review the attached draft, please note the following issues:

1. In some cases, it was not clear whether this draft would leave enough money in a particular appropriation account to make payments or transfers required by statute. For example, lapsing \$7,000,000 from the appropriation account under s. 20.143 (1) (ie), stats., may not leave sufficient money to make the payments required under s. 560.06 (2), stats. If a lapse proposed under this draft would not leave sufficient money to make required payments or transfers, please let us know so that we can amend the statutes as necessary to provide an exception from the required payments or transfers.
2. Generally, the state's authority to regulate a particular occupation or business includes the authority to charge regulated individuals or entities a reasonable fee or tax to defray the cost of regulation, but only to the extent necessary for that purpose, and does not include the authority to impose a fee or tax for the purpose of raising revenue. See *Wis. Tel. Co. v. Public Service Comm.*, 206 Wis. 589 (1932). In determining the validity of such a fee imposed by a state, the burden is on the state to demonstrate that the fee is necessary to cover the reasonable costs of the regulatory system and that the fee is used for no other purpose than to meet those costs. *Milw. Mobilization for Survival v. Milw. County Park Comm.*, 477 F. Supp. 1210, 1220 (D.C. Wis., 1979). Although the Wisconsin Supreme Court has recently expressed great deference to the legislature's decisions regarding taxing and spending, see *Flynn v. Department of Administration*, 216 Wis. 2d 521 (1998) (upholding lapse of court automation fees to the general fund), this draft may be susceptible to constitutional challenge because it lapses regulatory fees (e.g., certain DRL, DFI, OCI, DPI, and DHFS fees) to the general fund.

If you have any questions regarding these issues please feel free to call.

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

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

The diversion of program revenue that is collected under statutes that authorize the revenue to be collected to recover specific items of costs may be argued to result in unauthorized charges in certain situations. In some cases, the statutes that authorize program revenue to be collected are worded so that agencies may charge for their services and the charges need not relate to any particular cost items. See, for example, s. 16.53 (13), stats., which permits DOA to charge any agency for financial services provided to the agency. In this case, nothing limits the charges solely to recovery of costs of providing financial services. However, under s. 16.53 (1) (d) 2., stats., DOA is permitted to charge agencies *for the department's costs* of estimation, collection, and payment of benefits under ch. 108, stats. See also s. 16.98 (3), stats., which directs that the proceeds of program revenue collected under the federal resource acquisition program be used for specified purposes.

If more than one revenue stream feeds a particular appropriation [as is the case with s. 20.505 (1) (ka), stats.], then it may be possible for DOA to effect the diversion authorized by this draft by adhering to laws that require or permit charges to be levied to recover specific costs and to fund the diversion from sources where the statutes authorizing charges accord more discretion to DOA, and, if the issue is raised, the courts may require DOA to fund the cost of the diversion in this way.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1660/x 2

RAC:cjs:ch

RMK

now

DOA:.....Schmiedicke – BUDADJ, Program revenue appropriation lapses for state operations

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do NOT GEN

1 AN ACT ...; relating to: lapsing moneys from certain program revenue
2 appropriations to the general fund.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

This bill requires the Department of Administration to lapse moneys to the general fund from a number of program revenue appropriations. The appropriations are made to the following state agencies: the departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Financial Institutions, Health and Family Services, Justice, Public Instruction, and Regulation and Licensing; the Historical Society; and the Office of the Commissioner of Insurance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 9260. Appropriation changes; other.**

1 (1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

2 (a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the
 3 2002-03 fiscal year, from the following appropriation accounts, the secretary of
 4 administration shall lapse to the general fund the amounts indicated:

5	Agency	2002-03 Fiscal Year
7	20.505 <i>Administration, department of</i>	
8	(1) (g)	\$ 2,493,000
9	(1) (ka)	268,500
10	(1) (kc)	555,700
11	(1) (kj)	468,700
12	(8) (g)	110,100
13	20.115 <i>Agriculture, trade and consumer protection, department of</i>	
14		
15	(1) (gb)	195,200 118,100
16	20.143 <i>Commerce, department of</i>	
17	(1) (ie)	7,000,000
18	(1) (L)	1,000,000
19	(3) (j)	520,000
20	20.144 <i>Financial institutions, department of</i>	
21	(1) (g)	667,300
22	(2) (g)	91,800
23	20.435 <i>Health and family services, department of</i>	
24	(1) (gm)	267,000
25	(4) (gm)	83,300
26	(4) (hg)	125,000

1	20.245	<i>Historical society</i>	
2	(1) (g)		174,200
3	20.145	<i>Insurance, office of the commissioner of</i>	
4	(1) (g)		5,556,200
5	20.455	<i>Justice, department of</i>	
6	(2) (ja)		132,300
7	20.255	<i>Public instruction, department of</i>	
8	(1) (hg)		135,500
9	20.165	<i>Regulation and licensing, department of</i>	
10	(1) (g)		497,800
11	(b)	<i>Prohibited appropriation lapses and transfers.</i>	The secretary of
12		administration may not lapse or transfer moneys to the general fund from any	
13		appropriation account specified in paragraph (a) if the lapse or transfer would violate	
14		a condition imposed by the federal government on the expenditure of the moneys or	
15		if the lapse or transfer would violate the federal or state constitution.	

16

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1660/2 3

RAC:cjs:rs

NOW

RMR

DOA:.....Schmiedicke – BUDADJ, Program revenue appropriation lapses for state operations

stays

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do NOT GEN

1 AN ACT/...; relating to: lapsing moneys from certain program revenue
2 appropriations to the general fund.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

This bill requires the Department of Administration to lapse moneys to the general fund from a number of program revenue appropriations. The appropriations are made to the following state agencies: the departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Financial Institutions, Health and Family Services, Justice, Public Instruction, and Regulation and Licensing; the Historical Society; and the Office of the Commissioner of Insurance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 9260. Appropriation changes; other.

1 (1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

2 (a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the
3 2002–03 fiscal year, from the following appropriation accounts, the secretary of
4 administration shall lapse to the general fund the amounts indicated:

5	Agency	2002–03
6	Agency	Fiscal Year
7	20.505 <i>Administration, department of</i>	
8	(1) (g)	\$ 2,493,000
9	(1) (ka)	268,500
10	(1) (kc)	555,700
11	(1) (kj)	468,700
12	(8) (g)	110,100
13	20.115 <i>Agriculture, trade and consumer</i>	
14	<i>protection, department of</i>	
15	(1) (gb)	195,200
16	20.143 <i>Commerce, department of</i>	
17	(1) (ie)	7,000,000
18	(1) (L)	1,000,000
19	(3) (j)	520,000
20	20.144 <i>Financial institutions, department of</i>	
21	(1) (g)	667,300
22	(2) (g)	91,800
23	20.435 <i>Health and family services, department of</i>	
24	(1) (gm)	267,000
25	(4) (gm)	83,300
26	(4) (hg)	125,000

1	20.245	<i>Historical society</i>	
2	(1) (g)		174,200
3	20.145	<i>Insurance, office of the commissioner of</i>	
4	(1) (g)		5,556,200
5	20.455	<i>Justice, department of</i>	
6	(2) (ja)		132,300
7	20.255	<i>Public instruction, department of</i>	
8	(1) (hg)		135,500
9	20.165	<i>Regulation and licensing, department of</i>	
10	(1) (g)		497,800
11	(b)	<i>Prohibited appropriation lapses and transfers.</i>	The secretary of
12		administration may not lapse or transfer moneys to the general fund from any	
13		appropriation account specified in paragraph (a) if the lapse or transfer would violate	
14		a condition imposed by the federal government on the expenditure of the moneys or	
15		if the lapse or transfer would violate the federal or state constitution.	

16

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1660/3

RAC:cjs:rs

DOA:.....Schmiedicke – BUDADJ, Program revenue appropriation lapses for
state operations

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: lapsing moneys from certain program revenue
2 appropriations to the general fund.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

This bill requires the Department of Administration to lapse moneys to the general fund from a number of program revenue appropriations. The appropriations are made to the following state agencies: the departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Financial Institutions, Health and Family Services, Justice, Public Instruction, and Regulation and Licensing; the Historical Society; and the Office of the Commissioner of Insurance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 9260. Appropriation changes; other.

1 (1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

2 (a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the
3 2002–03 fiscal year, from the following appropriation accounts, the secretary of
4 administration shall lapse to the general fund the amounts indicated:

	Agency	2002–03 Fiscal Year
7	20.505 <i>Administration, department of</i>	
8	(1) (g)	\$ 2,493,000
9	(1) (ka)	268,500
10	(1) (kc)	555,700
11	(1) (kj)	468,700
12	(8) (g)	110,100
13	20.115 <i>Agriculture, trade and consumer</i>	
14	<i>protection, department of</i>	
15	(1) (gb)	195,200
16	20.143 <i>Commerce, department of</i>	
17	(1) (L)	1,000,000
18	(3) (j)	520,000
19	20.144 <i>Financial institutions, department of</i>	
20	(1) (g)	667,300
21	(2) (g)	91,800
22	20.435 <i>Health and family services, department of</i>	
23	(1) (gm)	267,000
24	(4) (gm)	83,300
25	(4) (hg)	125,000
26	20.245 <i>Historical society</i>	

1	(1) (g)	174,200
2	20.145 <i>Insurance, office of the commissioner of</i>	
3	(1) (g)	5,556,200
4	20.455 <i>Justice, department of</i>	
5	(2) (ja)	132,300
6	20.255 <i>Public instruction, department of</i>	
7	(1) (hg)	135,500
8	20.165 <i>Regulation and licensing, department of</i>	
9	(1) (g)	497,800
10	(b) <i>Prohibited appropriation lapses and transfers.</i> The secretary of	
11	administration may not lapse or transfer moneys to the general fund from any	
12	appropriation account specified in paragraph (a) if the lapse or transfer would violate	
13	a condition imposed by the federal government on the expenditure of the moneys or	
14	if the lapse or transfer would violate the federal or state constitution.	

15

(END)