

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4343/1dn
RAC:jld:pg

February 23, 2004

Per your specific request, this bill authorizes the Joint Committee on Finance to supplement the appropriation to the Public Defender Board under s. 20.550 (1) (d) from moneys in the general fund. Please note that this supplement amounts to an appropriation of moneys that are not otherwise appropriated in the general fund. Unlike the current law authority of the Joint Finance Committee under s. 13.101 (3) and (4), which permits the committee to supplement appropriations from other appropriated moneys and transfer between appropriations moneys that have already been appropriated by law, this bill authorizes the committee to use moneys that have not been similarly appropriated. Under Article VIII, sec. (2), no moneys "shall be paid out of the treasury except in pursuance of an appropriation by law." This bill provides that these moneys are to be paid out pursuant to a decision of the Joint Committee on Finance. I strongly advise that, if the intent is to increase the appropriation to the Public Defender Board under s. 20.550 (1) (d), this intent be carried out by including in this bill or a separate bill a specific appropriation increase for the Public Defender Board appropriation under s. 20.550 (1) (d).

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