

2007 DRAFTING REQUEST

Bill

Received: **01/02/2007**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Reines**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bud generally**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Reines, BB0269 -

Topic:

Appropriation lapses and fund transfers

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 01/02/2007	jdyer 01/02/2007		_____			S&L
/1			nmatzke 01/02/2007	_____	mbarman 01/02/2007		S&L
/2	agary 01/02/2007	jdyer 01/03/2007	nmatzke 01/03/2007	_____	mbarman 01/03/2007		S&L
/3	rchampag	jdyer	pgreensl	_____	sbasford		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	01/18/2007	01/18/2007	01/18/2007 _____		01/18/2007		
/4	rchampag 01/18/2007	jdye 01/18/2007	pgreensl 01/18/2007 _____		cduerst 01/18/2007		S&L
/5	rchampag 01/29/2007	jdye 01/29/2007	jfrantze 01/29/2007 _____		mbarman 01/29/2007		S&L
/6	rchampag 01/30/2007	jdye 01/30/2007	sherritz 01/30/2007 _____		sbasford 01/30/2007		

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<END>

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/?	rchampag 01/02/2007	jdyer 01/02/2007		_____			S&L
/1		<i>16 1/30 jld</i>	nmatzke 01/02/2007	_____	mbarman 01/02/2007		S&L
/2	agary 01/02/2007	jdyer 01/03/2007	nmatzke 01/03/2007	_____	mbarman 01/03/2007		S&L
/3	rchampag	jdyer	pgreensl	_____	sbasford		S&L

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/4	rchampag 01/18/2007	jdye 01/18/2007	pgreensl 01/18/2007	_____	cduerst 01/18/2007		S&L
/5	rchampag 01/29/2007	jdye 01/29/2007	jfrantze 01/29/2007	_____	mbarman 01/29/2007		

16

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sh 1/30 sh/jff 1/30

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/3	rchampag	jdyer	pgreensl	_____	sbasford		S&L

J. 1/29 *3/26*
1/29

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/3	rchampag	jdyer	pgreensl	<i>1/18</i> _____	sbasford		

4 1/18 jld
1/18 ps
1/18 TNW

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/1			nmatzke 01/02/2007	_____	mbarman 01/02/2007		S&L
/2	agary 01/02/2007	jdyer 01/03/2007	nmatzke 01/03/2007	_____	mbarman 01/03/2007		

3/18 jld

1/18 [signature]

1/18 [signature]

FE Sent For:

<END>

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By/Representing: Reines

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Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: State Finance - bud generally

Extra Copies: ARG

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Reines, BB0269 -

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Appropriation lapses and fund transfers

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/?	rchampag 01/02/2007	jdyer 01/02/2007					S&L
/1			nwitzke 01/02/2007		mbarman 01/02/2007		
			nwn 1/3	nwn/ 1/3			

FE Sent For: <END>

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/?	rchampag	1/2 jld	nwn 1/2	nwn/sb 1/2			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Authorization for DOA to lapse moneys from appropriation accounts and transfer moneys between funds during the 2007-09 biennium
- Tracking Code: BB0269
- SBO team: General Government and Justice
- SBO analyst: Bruce Reines
 - Phone: 266-8270
 - Email: Bruce.Reines@wi.gov
- Agency acronym: DOA
- Agency number: 505
- Priority (Low, Medium, High): High

The language requested should be similar to the language drafted for LRB 07-1106/P1.



D-Note
State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1106/P1
RAC&CMH:jld:rs

Budget Draft

LRB-1305/1
RAC:jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS-check
AUTO REFS

- do not
go

the budget ✓

- 1 AN ACT relating to: ~~authorizing the secretary of administration to lapse moneys~~
- 2 ~~from appropriation accounts and transfer moneys between funds during the~~
- 3 ~~2006-07 fiscal year, funding operations and programs of the Department of~~
- 4 ~~Corrections, and making appropriations.~~

head
main
year

STATE Government
Subhead → State Finance

Analysis by the Legislative Reference Bureau 2007-09

The bill authorizes the secretary of administration during the ~~2006-07~~ fiscal year to lapse to the underlying fund any unencumbered moneys in any appropriation account and to transfer any unencumbered moneys in one fund to another fund. The secretary, however, may not lapse or transfer moneys 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.

biennium ✓

The bill also increases certain appropriations to the Department of Corrections. For further information see the **state and local** 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:

5 Fix Component

SECTION 1. ~~9301~~ 9101 Nonstatutory provisions

; administration ✓

STET ↑

1 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
2 AND FUNDS.

3 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to
4 ^{← a.s.} paragraph (b), the secretary of administration during the ²⁰⁰⁷⁻⁰⁹ ~~2006-07~~ ^{BIENNIIUM ✓} fiscal year may
5 lapse to the underlying fund any unencumbered moneys in any appropriation
6 account and may transfer any unencumbered moneys in one fund to another fund.

7 (b) The secretary of administration may not lapse or transfer moneys under
8 ^{← a.s.} paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
9 government on the expenditure of the moneys or if the lapse or transfer would violate
10 the federal or state constitution.

11 **SECTION 2. Fiscal changes.**

12 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
13 to the department of corrections under section 20.410 (1) (a) of the statutes, as
14 affected by the acts of 2005 and 2007, the dollar amount is increased by \$33,000,000
15 for fiscal year 2006-07 to carry out the purpose for which the appropriation is made.

16 (2) In the schedule under section 20.005 (3) of the statutes for the appropriation
17 to the department of corrections under section 20.410 (1) (ab) of the statutes, as
18 affected by the acts of 2005 and 2007, the dollar amount is increased by \$6,000,000
19 for fiscal year 2006-07 to carry out the purpose for which the appropriation is made.

20 (3) In the schedule under section 20.005 (3) of the statutes for the appropriation
21 to the department of corrections under section 20.410 (3) (cg) of the statutes, as
22 affected by the acts of 2005 and 2007, the dollar amount is increased by \$1,000,000
23 for fiscal year 2006-07 to carry out the purpose for which the appropriation is made.

24 (END)

d-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1106/P1dn
RAC:jld:rs

December 13, 2006

Per your request, this bill gives the secretary of administration blanket authority to lapse moneys from any appropriation account and to transfer moneys between any funds, subject only to the requirement that the lapse or transfer may not violate a condition imposed by the federal government on the expenditure of the moneys and may not violate the federal or state constitution. The bill does not set any limit on the amount of moneys that the secretary may lapse or transfer, nor does the bill specify for what purpose the lapsed or transferred moneys may be used.

To my knowledge, this may be the most sweeping authority ever granted the secretary of administration over the expenditure of state moneys. The secretary of administration, alone and without standards or direction from the legislature, is authorized under the bill, for all intents and purposes, to reduce expenditure authority for any state agency or any program of state government the secretary chooses. While this power will not directly reduce or increase any appropriation of state moneys, it will indirectly "reduce" appropriations for those state agencies or state programs that have moneys lapsed from GPR or SEG sum—certain appropriations. There may not be money in their appropriation accounts to fund programs authorized by law and for which specific amounts of moneys were previously appropriated.

Because the bill affects the appropriation authority of state agencies and because the bill provides no standards for the secretary to follow in determining the lapses or transfers of moneys, such as a limit or purpose, an issue is raised as to whether the bill is an improper delegation of the legislative authority to appropriate state moneys to the secretary of administration. Article 8, section 2, of the Wisconsin Constitution provides that no money may be paid from the state treasury except by "an appropriation by law." The appropriation power—the power of the purse—is a legislative power, subject only to the governor's exercise of the partial veto power under article V, section 10, of the Wisconsin Constitution. As such, it is the legislature that appropriates state moneys, subject to the governor's veto power, and not the secretary of administration.

To be sure, current law does grant the secretary of administration control over the expenditure of state moneys through the allotment process under s. 16.50. But the exercise of this power is subject to the standard imposed under s. 16.50 (2). In addition, the secretary is given the power to make certain expenditure reductions under s. 16.50 (6), but again a standard is contained in that subsection to require proportional

2007-09 fiscal biennium ✓

reductions. In the end, this bill potentially gives the secretary the power to reshuffle and redirect all state spending for the remainder of the ~~2006-07~~ fiscal year without limit, standards, or direction by the legislature.

In light of this novel and sweeping authority granted to the secretary, you may wish to consider limiting the amount of the lapses and transfers to a specific dollar amount. This is usually the way in which these provisions are drafted in the biennial budget bills. Please advise.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1305/1dn
RAC:jld:nwn

January 2, 2007

Per your request, this bill gives the secretary of administration blanket authority to lapse moneys from any appropriation account and to transfer moneys between any funds, subject only to the requirement that the lapse or transfer may not violate a condition imposed by the federal government on the expenditure of the moneys and may not violate the federal or state constitution. The bill does not set any limit on the amount of moneys that the secretary may lapse or transfer, nor does the bill specify for what purpose the lapsed or transferred moneys may be used.

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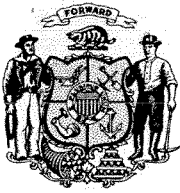
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reductions. In the end, this bill potentially gives the secretary the power to reshuffle and redirect all state spending for the 2007-09 fiscal biennium without limit, standards, or direction by the legislature.

In light of this novel and sweeping authority granted to the secretary, you may wish to consider limiting the amount of the lapses and transfers to a specific dollar amount. This is usually the way in which these provisions are drafted in the biennial budget bills. Please advise.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

soon

LRB-1305/2
RAC:jld:nwn

in 1/2

RMR

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

D-Note

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT

STATE FINANCE

The bill authorizes the secretary of administration during the 2007-09 fiscal biennium to lapse to the underlying fund any unencumbered moneys in any appropriation account and to transfer any unencumbered moneys in one fund to another fund. The secretary, however, may not lapse or transfer moneys 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.

For further information see the *state and local* 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:

2 **SECTION 9101. Nonstatutory provisions; Administration.**

3 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS

4 AND FUNDS.

and [✓] 25.40(3) SECTION 9101

①

2 (a) Notwithstanding section ^s 20.001 (3) (a) to (c) of the statutes, but subject to
3 paragraph (b), the secretary of administration during the 2007-09 fiscal biennium
4 may lapse to the underlying fund any unencumbered moneys in any appropriation
5 account and may transfer any unencumbered moneys in one fund to another fund.

6 (b) The secretary of administration may not lapse or transfer moneys under
7 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
8 government on the expenditure of the moneys or if the lapse or transfer would violate
9 the federal or state constitution.

(END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1305/2dn

ARG:...

date

JLD

In 2005 Wisconsin Act 85, s. 25.40 (3) ✓ was created to, in part, prohibit transfers from the transportation fund to any other fund, effective July 1, 2007. ✓ I have redrafted SECTION 9101 (1) (a) ✓ in the attached draft to “notwithstanding” s. 25.40 (3) ✓, so that it is clear the secretary of administration’s authority includes transfers from the transportation fund to other funds. Please advise if this is not consistent with your intent.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1305/2dn
ARG:jld:nwn

January 3, 2007

In 2005 Wisconsin Act 85, s. 25.40 (3) was created to, in part, prohibit transfers from the transportation fund to any other fund, effective July 1, 2007. I have redrafted SECTION 9101 (1) (a) in the attached draft to "notwithstanding" s. 25.40 (3), so that it is clear the secretary of administration's authority includes transfers from the transportation fund to other funds. Please advise if this is not consistent with your intent.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Champagne, Rick

From: Reines, Bruce - DOA
Sent: Monday, January 15, 2007 5:24 PM
To: Champagne, Rick
Subject: FW: LRB Draft: 07-1305/2 Appropriation lapses and fund transfers

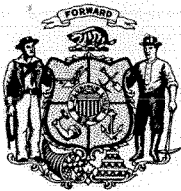
I thought I sent this change, but hadn't. Can you please modify this draft in a similar fashion as you did the budget adjustment bill (LRB07-1106) – except in this case, the amount DOA would authorized to lapse would \$30,000,000 in each year.

Thanks!

br

From: Natzke, Noah [mailto:Noah.Natzke@legis.wisconsin.gov]
Sent: Wednesday, January 03, 2007 11:16 AM
To: Reines, Bruce - DOA
Cc: Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA
Subject: LRB Draft: 07-1305/2 Appropriation lapses and fund transfers

Following is the PDF version of draft 07-1305/2.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1305/2 3
RAC:jld:nwn

Ston

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

*LPS-check
auto refs*

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT

STATE FINANCE

*Insert
Analysis*

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For further information see the *state and local* 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:

2

SECTION 9.01. ~~Nonstatutory provisions~~; Administration.

Fiscal changes

3 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
4 AND FUNDS.

SECTION 9101

1 (a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
2 but subject to paragraph (b), the secretary of administration during the 2007-09
3 fiscal biennium may lapse to the underlying fund any unencumbered moneys in any
4 appropriation account and may transfer any unencumbered moneys in one fund to
5 another fund.

6 (b) The secretary of administration may not lapse or transfer moneys under
7 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
8 government on the expenditure of the moneys or if the lapse or transfer would violate
9 the federal or state constitution.

10 (END)

✓ Insert 2-6

↙ a.r.

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1305/3ins
RAC:jld:wnw

Insert Analysis:

* The bill requires the secretary of administration to lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$30,000,000 during each fiscal year of the 2007-2009 fiscal biennium.

Insert 2-6:

(a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (b), ^{a.r.} the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$30,000,000 during each fiscal year of the 2007-2009 fiscal biennium.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1305/3

RAC:jld:pg

4

See *[Signature]*

RMR

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

The bill requires the secretary of administration to lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$30,000,000 during each fiscal year of the 2007-09 fiscal biennium.

For further information see the *state and local* 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:

2 SECTION 9201. Fiscal changes; Administration.

3 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS

4 AND FUNDS.

and
and 25.40 (3) ✓ SECTION 9201

1

(a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$30,000,000 during each fiscal year of the 2007-09 fiscal biennium.

7

(b) The secretary of administration may not lapse or transfer moneys under 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.

11

(END)

Champagne, Rick

From: Reines, Bruce - DOA
Sent: Sunday, January 28, 2007 4:23 PM
To: Champagne, Rick
Subject: FW: LRB Draft: 07-1305/4 Appropriation lapses and fund transfers
Attachments: 07-1305/4

Just a simple change – delete \$30 million and replace with \$40 million. Thanks.

br

From: Greenslet, Patty [mailto:Patty.Greenslet@legis.wisconsin.gov]
Sent: Thursday, January 18, 2007 11:15 AM
To: Reines, Bruce - DOA
Cc: Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA
Subject: LRB Draft: 07-1305/4 Appropriation lapses and fund transfers

Following is the PDF version of draft 07-1305/4.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1305/4
RAC:jld:pg

RMK

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

The bill requires the secretary of administration to lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$⁽⁴⁾0,000,000 during each fiscal year of the 2007-09 fiscal biennium.

For further information see the *state and local* 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:

2 **SECTION 9201. Fiscal changes; Administration.**

3 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS

4 AND FUNDS.

1 (a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
2 but subject to paragraph (b), the secretary of administration shall lapse to the
3 general fund or transfer to the general fund from the unencumbered balances of state
4 operations appropriations, other than sum sufficient appropriations and
5 appropriations of federal revenues, an amount equal to \$~~60~~⁸0,000,000 during each
6 fiscal year of the 2007-09 fiscal biennium. (4) ✓

7 (b) The secretary of administration may not lapse or transfer moneys under
8 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
9 government on the expenditure of the moneys or if the lapse or transfer would violate
10 the federal or state constitution.

11 (END)

Champagne, Rick

From: Reines, Bruce - DOA
Sent: Tuesday, January 30, 2007 9:20 AM
To: Champagne, Rick
Subject: RE: LRB Draft 1305

Yes

br

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]
Sent: Tuesday, January 30, 2007 9:05 AM
To: Reines, Bruce - DOA
Subject: RE: LRB Draft 1305

So you want \$40,000,000 in each fiscal year?

From: Reines, Bruce - DOA
Sent: Tuesday, January 30, 2007 9:02 AM
To: Champagne, Rick
Subject: LRB Draft 1305

We need to include session law similar to what was included in 2005 Assembly Bill 100, to indicate the \$40 million lapse is on-going. I took the liberty to cut and paste what I was informed we needed – the amount would change to \$40 million.

The language last budget included a reason for the lapse – in that case it was administrative consolidation efforts. I suggest that the lapses are the result of ongoing administrative efficiency efforts by state agencies.

SECTION 9155.0 Nonstatutory provisions; other.

(3) LAPSE OR TRANSFER OF STATE OPERATIONS APPROPRIATION BALANCES TO THE GENERAL FUND.

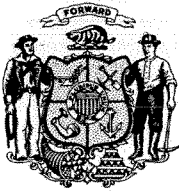
2. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$55,000,000 during the 2007–08 fiscal year and an amount equal to \$55,000,000 during the 2008–09 fiscal year.

Give me a call if you have any questions. Thanks

Bruce Reines
 State Budget Office
 (608)266-8270
Bruce.Reines@Wisconsin.gov

01/30/2007

each fiscal year
 2007-08 & 2009-10
 fiscal
 biennia



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1305/5
RAC:jld:jf

RMR

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

The bill requires the secretary of administration to lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$40,000,000 during each fiscal year of the 2007-09 fiscal biennium. (A)

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

and 2009-11
pub

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

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3 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS

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2 but subject to paragraph (b), the secretary of administration shall lapse to the
3 general fund or transfer to the general fund from the unencumbered balances of state
4 operations appropriations, other than sum sufficient appropriations and
5 appropriations of federal revenues, an amount equal to \$40,000,000 during each
6 fiscal year of the 2007-09 [✓] fiscal biennium ^{and 2009-11} ^(a).

7 (b) The secretary of administration may not lapse or transfer moneys under
8 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
9 government on the expenditure of the moneys or if the lapse or transfer would violate
10 the federal or state constitution.

11 (END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1305/6
RAC:jld:sh

DOA:.....Reines, BB0269 - Appropriation lapses and fund transfers
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

The bill requires the secretary of administration to lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$40,000,000 during each fiscal year of the 2007-09 and 2009-11 fiscal biennia.

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4 operations appropriations, other than sum sufficient appropriations and
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6 fiscal year of the 2007-09 and 2009-11 fiscal biennia.

7 (b) The secretary of administration may not lapse or transfer moneys under
8 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
9 government on the expenditure of the moneys or if the lapse or transfer would violate
10 the federal or state constitution.

11

(END)