



(D-Nate)
State of Wisconsin
2007 - 2008 LEGISLATURE

Today

LRB-1106/P4
ALL:kjf&jld:te

PS

stays RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

authorizations

1 AN ACT to amend 20.866 (2) (xm) of the statutes; and to affect 2005 Wisconsin
2 Act 25, section 9155 (1w); relating to: authorizing the secretary of
3 administration to lapse moneys from appropriation accounts and transfer
4 moneys between funds during the 2006-07 fiscal year *affecting position*
5 certain state agencies, and making appropriations. *authorizations*

Analysis by the Legislative Reference Bureau

This bill makes numerous appropriation changes, fund transfers, and position authorizations for the 2006-07 fiscal year. The bill:

1. 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 \$17,000,000 during the 2006-07 fiscal year.
2. Renews authorization for 270.92 FTE positions in six state agencies that expire on April 1, 2007, to enable continued operation of numerous state-owned power and waste water treatment plants.
3. Transfers from the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year 2006-07.
4. Transfers from the agricchemical management fund to the general fund \$3,500,000 in fiscal year 2006-07.
5. Transfers from the recycling fund to the general fund \$3,500,000 in fiscal year 2006-07.

6. Increases a Department of Corrections (DOC) appropriation for funding adult correctional services by \$31,000,000 for fiscal year 2006-07.

7. Increases a DOC appropriation for payments made under certain contracts by \$6,000,000 for fiscal year 2006-07.

8. Increases a DOC appropriation for funding serious juvenile offender programs by \$1,000,000 for fiscal year 2006-07.

9. Decreases a Department of Health and Family Services (DHFS) appropriation for funding state foster care and adoption services by \$3,000,000 for fiscal year 2006-07.

10. Decreases a DHFS appropriation for funding the state's share of the Medical Assistance program by \$57,000,000 for fiscal year 2006-07.

11. Decreases a DHFS appropriation for payments to pharmacies and pharmacists for prescription drug assistance for the elderly by \$13,000,000 for fiscal year 2006-07.

12. Increases a DHFS appropriation for funding the Badger Care health care program by \$5,500,000 for fiscal year 2006-07.

13. Increases a DHFS appropriation for funding supplemental grants to supplemental security income recipients by \$3,500,000 for fiscal year 2006-07.

14. Lapses to the general fund \$7,000,000 from the general program operations appropriation of the Office of the Commissioner of Insurance.

15. Increases a Department of Natural Resources appropriation from the conservation fund for paying debt service costs for state forest acquisitions by \$2,500,000 for fiscal year 2006-07.

16. Increases a Public Defender Board appropriation for paying private bar and investigator reimbursements by \$10,976,300 for fiscal year 2006-07.

17. Increases a Department of Workforce Development appropriation for the Wisconsin Works child care program by \$35,000,000 for fiscal year 2006-07.

18. ~~Eliminates~~ a provision in 2005 Wisconsin Act 25 that required the elimination of 13 attorney positions in the executive branch on June 30, 2007.

19. Increases the amount of indebtedness that the state may contract to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities from \$1,400,000,000 to \$1,775,000,000.

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:

- 1 SECTION 1. 20.866 (2) (xm) of the statutes is amended to read:
- 2 20.866 (2) (xm) *Building commission; refunding tax-supported and*
- 3 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
- 4 sufficient to refund the whole or any part of any unpaid indebtedness used to finance

Amended

Insert
Analysis

1 tax-supported or self-amortizing facilities. In addition to the amount that may be
2 contracted under par. (xe), the state may contract public debt in an amount not to
3 exceed \$1,400,000,000 \$1,775,000,000 for this purpose. Such indebtedness shall be
4 construed to include any premium and interest payable with respect thereto. Debt
5 incurred by this paragraph shall be repaid under the appropriations providing for
6 the retirement of public debt incurred for tax-supported and self-amortizing
7 facilities in proportional amounts to the purposes for which the debt was refinanced.
8 No moneys may be expended under this paragraph unless the true interest costs to
9 the state can be reduced by the expenditure.

10 ~~SECTION 2. 2005 Wisconsin Act 25, section 9155 (1w) is repealed.~~

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

12 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
13 of administration are increased by 23.25 PR positions on April 1, 2007, to be funded
14 from the appropriation under section 20.505 (5) (ka) of the statutes, for the purpose
15 of enabling continued operation of state-owned power and waste water treatment
16 plants.

17 **SECTION 9109. Nonstatutory provisions; Corrections.**

18 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
19 of corrections are increased by 20.25 GPR positions on April 1, 2007, to be funded
20 from the appropriation under section 20.410 (1) (a) of the statutes, for the purpose
21 of enabling continued operation of state-owned power and waste water treatment
22 plants.

23 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
24 of corrections are increased by 19.00 PR positions on April 1, 2007, to be funded from
25 the appropriation under section 20.410 (1) (kk) of the statutes, for the purpose of

Insert 3-10

Insert 3-16

1 enabling continued operation of state-owned power and waste water treatment
2 plants.

3 (3) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
4 of corrections are increased by 5.00 PR positions on April 1, 2007, to be funded from
5 the appropriation under section 20.410 (3) (hm) of the statutes, for the purpose of
6 enabling continued operation of state-owned power and waste water treatment
7 plants.

8 **SECTION 9121. Nonstatutory provisions; Health and Family Services.**

9 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
10 of health and family services are increased by 33.00 PR positions on April 1, 2007,
11 to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, for
12 the purpose of enabling continued operation of state-owned power and waste water
13 treatment plants.

14 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
15 of health and family services are increased by 8.00 PR positions on April 1, 2007, to
16 be funded from the appropriation under section 20.435 (2) (kx) of the statutes, for the
17 purpose of enabling continued operation of state-owned power and waste water
18 treatment plants.

19 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

20 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
21 of public instruction are increased by 10.00 GPR positions on April 1, 2007, to be
22 funded from the appropriation under section 20.255 (1) (a) of the statutes, for the
23 purpose of enabling continued operation of state-owned power and waste water
24 treatment plants.

1 **SECTION 9152. Nonstatutory provisions; University of Wisconsin**
2 **System.**

3 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the Board of
4 Regents of the University of Wisconsin System are increased by 146.42 GPR
5 positions on April 1, 2007, to be funded from the appropriation under section 20.285
6 (1) (a) of the statutes, for the purpose of enabling continued operation of state-owned
7 power and waste water treatment plants.

8 **SECTION 9153. Nonstatutory provisions; Veterans Affairs.**

9 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
10 of veterans affairs are increased by 6.00 PR positions on April 1, 2007, to be funded
11 from the appropriation under section 20.485 (1) (gk) of the statutes, for the purpose
12 of enabling continued operation of state-owned power and waste water treatment
13 plants.

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

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

17 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to
18 paragraph (b), the secretary of administration shall lapse to the general fund or
19 transfer to the general fund from the unencumbered balances of state operations
20 appropriations, other than sum sufficient appropriations and appropriations of
21 federal revenues, an amount equal to \$17,000,000 during the 2006-07 fiscal year.

22 (b) The secretary of administration may not lapse or transfer moneys under
23 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
24 government on the expenditure of the moneys or if the lapse or transfer would violate
25 the federal or state constitution.

1 **SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer**
2 **Protection.**

3 (1) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from
4 the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year
5 2006-07.

6 (2) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the
7 agrichemical management fund to the general fund \$3,500,000 in fiscal year
8 2006-07.

9 **SECTION 9209. Fiscal changes; Corrections.**

10 (1) ADULT CORRECTIONAL SERVICES. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the department of corrections under section
12 20.410 (1) (a) of the statutes, as affected by the acts of 2005 and 2007, the dollar
13 amount is increased by \$31,000,000 for fiscal year 2006-07 to carry out the purpose
14 for which the appropriation is made.

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

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

25 **SECTION 9221. Fiscal changes; Health and Family Services.**

1 (1) STATE FOSTER CARE AND ADOPTION SERVICES; DECREASE. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of health
3 and family services under section 20.435 (3) (dd) of the statutes, as affected by the
4 acts of 2005 and 2007, the dollar amount is decreased by \$3,000,000 for fiscal year
5 2006-07.

6 (2) MEDICAL ASSISTANCE; DECREASE. In the schedule under section 20.005 (3) of
7 the statutes for the appropriation to the department of health and family services
8 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2005 and 2007,
9 the dollar amount is decreased by \$57,000,000 for fiscal year 2006-07.

10 (3) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; DECREASE. In the schedule under
11 section 20.005 (3) of the statutes for the appropriation to the department of health
12 and family services under section 20.435 (4) (bv) of the statutes, as affected by the
13 acts of 2005 and 2007, the dollar amount is decreased by \$13,000,000 for fiscal year
14 2006-07.

15 (4) BADGER CARE HEALTH CARE PROGRAM; INCREASE. In the schedule under section
16 20.005 (3) of the statutes for the appropriation to the department of health and family
17 services under section 20.435 (4) (bc) of the statutes, as affected by the acts of 2005
18 and 2007, the dollar amount is increased by \$5,500,000 for fiscal year 2006-07 for
19 the purpose for which the appropriation is made.

20 (5) STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM;
21 INCREASE. In the schedule under section 20.005 (3) of the statutes for the
22 appropriation to the department of health and family services under section 20.435
23 (7) (ed) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount
24 is increased by \$3,500,000 for fiscal year 2006-07 for the purposes for which the
25 appropriation is made.

1 **SECTION 9225. Fiscal changes; Insurance.**

2 (1) LAPSE TO GENERAL FUND FROM GENERAL PROGRAM OPERATIONS APPROPRIATION.
3 Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this
4 subsection, there is lapsed to the general fund \$7,000,000 from the appropriation
5 account to the office of the commissioner of insurance under section 20.145 (1) (g) of
6 the statutes, as affected by the acts of 2005 and 2007.

7 **SECTION 9235. Fiscal changes; Natural Resources.**

8 (1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
9 the general fund \$3,500,000 in fiscal year 2006-07.

10 (2) STATE FOREST ACQUISITION DEBT SERVICE. In the schedule under section 20.005
11 (3) of the statutes for the appropriation to the department of natural resources under
12 section 20.370 (7) (au) of the statutes, as affected by the acts of 2005 and 2007, the
13 dollar amount is increased by \$2,500,000 for fiscal year 2006-07 to increase funding
14 for the purposes for which the appropriation is made.

15 **SECTION 9236. Fiscal changes; Public Defender Board.**

16 (1) PRIVATE BAR AND INVESTIGATOR REIMBURSEMENT. In the schedule under section
17 20.005 (3) of the statutes for the appropriation to the public defender board under
18 section 20.550 (1) (d) of the statutes, as affected by the acts of 2005 and 2007, the
19 dollar amount is increased by \$10,976,300 for fiscal year 2006-07 to carry out the
20 purpose for which the appropriation is made.

21 **SECTION 9254. Fiscal changes; Workforce Development.**

22 (1) WISCONSIN WORKS CHILD CARE. In the schedule under section 20.005 (3) of the
23 statutes for the appropriation to the department of workforce development under
24 section 20.445 (3) (cm) of the statutes, as affected by the acts of 2005 and 2007, the

1 dollar amount is increased by \$35,000,000 for fiscal year 2006-07 to carry out the
2 purpose for which the appropriation is made.

3 (END)

D- Note

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1106/P5ins
ALL:kjf&jld:rs

Insert Analysis:

no # The bill, instead, eliminates 6 such attorney positions. In addition, the bill requires the elimination of 7 attorney positions in the executive branch on June 30, 2009. ^{six}
seven

Insert 3-10:

SECTION # 2005 Wisconsin Act 25, section 9155 (1w) (b) is amended to read:

[2005 Wisconsin Act 25] Section 9155 (1w) (b) On June 30, 2007, 13.0 [✓]6.0 FTE attorney positions in all state agencies that are vacant on that date are eliminated. If fewer than 13.0 [✓]6.0 FTE attorney positions in all state agencies are vacant on June 30, 2007, there are eliminated the requisite number of FTE attorney positions, as identified by the secretary of administration, so that a total of 13.0 [✓]6.0 FTE attorney positions are eliminated.

Insert 3-16:

(2) ATTORNEY POSITIONS.

X (a) In this subsection, [✓]“state agency” means an office, commission, department, independent agency, or board in the executive branch of state government, excluding the Board of Regents of the University of Wisconsin System, the department of employee trust funds, and the investment board.

(b) On June 30, 2009, 7.0 [✓]FTE attorney positions in all state agencies that are vacant on that date are eliminated. If fewer than 7.0 [✓]FTE attorney positions in all state agencies are vacant on June 30, 2009, there are eliminated the requisite number of FTE attorney positions, as identified by the secretary of administration, so that a total of 7.0 [✓]FTE attorney positions are eliminated.

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

LRB-1106/P5dn

~~ALR.kjf&ld.rs~~

RAC

Date

Bruce Reines:

The changes affecting attorney authorized positions are located in Section 2 and 9101 (2).

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-1106/P5dn
RAC:kjfjf

January 11, 2007

Bruce Reines:

The changes affecting attorney authorized positions are located in Section 2 and 9101 (2).

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

Champagne, Rick

From: Reines, Bruce - DOA
Sent: Monday, January 15, 2007 5:38 PM
To: Champagne, Rick
Subject: RE: LRB/1106

✓ Stop the presses – I was just informed to delete Section 9221 (5) – increasing the SSI Supplement funding, which is in a GPR sum sufficient appropriation.

Thanks again.

br

From: Reines, Bruce - DOA
Sent: Monday, January 15, 2007 5:17 PM
To: Champagne, Rick - LEGIS
Subject: LRB/1106

Please make the following changes to LRB/1106/P5:

✓ Section 9235 (2) increase the amount on Page 9 line 6 from \$2,500,000 to \$7,000,000;

Section 2 amending Act 25 Section 9155 (1w) (b), the decision is now to allow the department to eliminate 13.0 FTE attorney positions by June 30, 2009.

Feel free to call with any questions. Thanks.

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



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1106/P5 /

ALL:kjf&jld:jf

Today

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

regr. red

1 AN ACT *to amend* 20.866 (2) (xm) of the statutes; and *to affect* 2005 Wisconsin
2 Act 25, section 9155 (1w) (b); **relating to:** authorizing the secretary of
3 administration to lapse moneys from appropriation accounts and transfer
4 moneys between funds during the 2006-07 fiscal year, affecting position
5 authorizations for certain state agencies, and making appropriations.

Analysis by the Legislative Reference Bureau

This bill makes numerous appropriation changes, fund transfers, and position authorizations for the 2006-07 fiscal year. The bill:

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4. Transfers from the agrichemical management fund to the general fund \$3,500,000 in fiscal year 2006-07.

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7. Increases a DOC appropriation for payments made under certain contracts by \$6,000,000 for fiscal year 2006-07.

8. Increases a DOC appropriation for funding serious juvenile offender programs by \$1,000,000 for fiscal year 2006-07.

9. Decreases a Department of Health and Family Services (DHFS) appropriation for funding state foster care and adoption services by \$3,000,000 for fiscal year 2006-07.

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13) ~~13~~ Lapses to the general fund \$7,000,000 from the general program operations appropriation of the Office of the Commissioner of Insurance.

14) ~~14~~ Increases a Department of Natural Resources appropriation from the conservation fund for paying debt service costs for state forest acquisitions by \$2,500,000 for fiscal year 2006-07.

15) ~~15~~ Increases a Public Defender Board appropriation for paying private bar and investigator reimbursements by \$10,976,300 for fiscal year 2006-07.

16) ~~16~~ Increases a Department of Workforce Development appropriation for the Wisconsin Works child care program by \$35,000,000 for fiscal year 2006-07.

17) ~~17~~ Amends a provision in 2005 Wisconsin Act 25 that required the elimination of 13 attorney positions in the executive branch on June 30, 2007. The bill, instead, eliminates ~~six such attorney positions.~~ ^{the} In addition, the bill requires the elimination of seven attorney positions in the executive branch on June 30, 2009.

18) ~~18~~ Increases the amount of indebtedness that the state may contract to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities from \$1,400,000,000 to \$1,775,000,000.

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:

1 SECTION 1. 20.866 (2) (xm) of the statutes is amended to read:

2 20.866 (2) (xm) *Building commission; refunding tax-supported and*
3 *self-amortizing general obligation debt.* From the capital improvement fund, a sum

1 sufficient to refund the whole or any part of any unpaid indebtedness used to finance
 2 tax-supported or self-amortizing facilities. In addition to the amount that may be
 3 contracted under par. (xe), the state may contract public debt in an amount not to
 4 exceed \$1,400,000,000 \$1,775,000,000 for this purpose. Such indebtedness shall be
 5 construed to include any premium and interest payable with respect thereto. Debt
 6 incurred by this paragraph shall be repaid under the appropriations providing for
 7 the retirement of public debt incurred for tax-supported and self-amortizing
 8 facilities in proportional amounts to the purposes for which the debt was refinanced.
 9 No moneys may be expended under this paragraph unless the true interest costs to
 10 the state can be reduced by the expenditure.

11 **SECTION 2.** 2005 Wisconsin Act 25, section 9155 (1w) (b) is amended to read:

12 [2005 Wisconsin Act 25] Section 9155 (1w) (b) On June 30, 2007, ~~13.0~~ 13.0 ~~60~~ FTE
 13 attorney positions in all state agencies that are vacant on that date are eliminated.
 14 If fewer than ~~13.0~~ 13.0 ~~60~~ FTE attorney positions in all state agencies are vacant on June
 15 30, 2007, there are eliminated the requisite number of FTE attorney positions, as
 16 identified by the secretary of administration, so that a total of ~~13.0~~ 13.0 ~~60~~ FTE attorney
 17 positions are eliminated.

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

19 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
 20 of administration are increased by 23.25 PR positions on April 1, 2007, to be funded
 21 from the appropriation under section 20.505 (5) (ka) of the statutes, for the purpose
 22 of enabling continued operation of state-owned power and waste water treatment
 23 plants.

24 (2) ATTORNEY POSITIONS.

2009

plain

1 (a) In this subsection, "state agency" means an office, commission, department,
2 independent agency, or board in the executive branch of state government, excluding
3 the Board of Regents of the University of Wisconsin System, the department of
4 employee trust funds, and the investment board.

5 (b) On June 30, 2009, 7.0 FTE attorney positions in all state agencies that are
6 vacant on that date are eliminated. If fewer than 7.0 FTE attorney positions in all
7 state agencies are vacant on June 30, 2009, there are eliminated the requisite
8 number of FTE attorney positions, as identified by the secretary of administration,
9 so that a total of 7.0 FTE attorney positions are eliminated.

10 **SECTION 9109. Nonstatutory provisions; Corrections.**

11 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
12 of corrections are increased by 20.25 GPR positions on April 1, 2007, to be funded
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14 of enabling continued operation of state-owned power and waste water treatment
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17 of corrections are increased by 19.00 PR positions on April 1, 2007, to be funded from
18 the appropriation under section 20.410 (1) (kk) of the statutes, for the purpose of
19 enabling continued operation of state-owned power and waste water treatment
20 plants.

21 (3) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
22 of corrections are increased by 5.00 PR positions on April 1, 2007, to be funded from
23 the appropriation under section 20.410 (3) (hm) of the statutes, for the purpose of
24 enabling continued operation of state-owned power and waste water treatment
25 plants.

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(1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department of health and family services are increased by 33.00 PR positions on April 1, 2007, to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, for the purpose of enabling continued operation of state-owned power and waste water treatment plants.

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(1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department of public instruction are increased by 10.00 GPR positions on April 1, 2007, to be funded from the appropriation under section 20.255 (1) (a) of the statutes, for the purpose of enabling continued operation of state-owned power and waste water treatment plants.

SECTION 9152. Nonstatutory provisions; University of Wisconsin System.

(1) POSITION AUTHORIZATIONS. The authorized FTE positions for the Board of Regents of the University of Wisconsin System are increased by 146.42 GPR positions on April 1, 2007, to be funded from the appropriation under section 20.285 (1) (a) of the statutes, for the purpose of enabling continued operation of state-owned power and waste water treatment plants.

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1 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
2 of veterans affairs are increased by 6.00 PR positions on April 1, 2007, to be funded
3 from the appropriation under section 20.485 (1) (gk) of the statutes, for the purpose
4 of enabling continued operation of state-owned power and waste water treatment
5 plants.

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7 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
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9 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to
10 paragraph (b), the secretary of administration shall lapse to the general fund or
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12 appropriations, other than sum sufficient appropriations and appropriations of
13 federal revenues, an amount equal to \$17,000,000 during the 2006-07 fiscal year.

14 (b) The secretary of administration may not lapse or transfer moneys under
15 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
16 government on the expenditure of the moneys or if the lapse or transfer would violate
17 the federal or state constitution.

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19 **Protection.**

20 (1) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from
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2 (1) ADULT CORRECTIONAL SERVICES. In the schedule under section 20.005 (3) of
3 the statutes for the appropriation to the department of corrections under section
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5 amount is increased by \$31,000,000 for fiscal year 2006-07 to carry out the purpose
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8 20.005 (3) of the statutes for the appropriation to the department of corrections under
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10 dollar amount is increased by \$6,000,000 for fiscal year 2006-07 to carry out the
11 purpose for which the appropriation is made.

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

17 **SECTION 9221. Fiscal changes; Health and Family Services.**

18 (1) STATE FOSTER CARE AND ADOPTION SERVICES; DECREASE. In the schedule under
19 section 20.005 (3) of the statutes for the appropriation to the department of health
20 and family services under section 20.435 (3) (dd) of the statutes, as affected by the
21 acts of 2005 and 2007, the dollar amount is decreased by \$3,000,000 for fiscal year
22 2006-07.

23 (2) MEDICAL ASSISTANCE; DECREASE. In the schedule under section 20.005 (3) of
24 the statutes for the appropriation to the department of health and family services

1 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2005 and 2007,
2 the dollar amount is decreased by \$57,000,000 for fiscal year 2006-07.

3 (3) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; DECREASE. In the schedule under
4 section 20.005 (3) of the statutes for the appropriation to the department of health
5 and family services under section 20.435 (4) (bv) of the statutes, as affected by the
6 acts of 2005 and 2007, the dollar amount is decreased by \$13,000,000 for fiscal year
7 2006-07.

8 (4) BADGER CARE HEALTH CARE PROGRAM; INCREASE. In the schedule under section
9 20.005 (3) of the statutes for the appropriation to the department of health and family
10 services under section 20.435 (4) (bc) of the statutes, as affected by the acts of 2005
11 and 2007, the dollar amount is increased by \$5,500,000 for fiscal year 2006-07 for
12 the purpose for which the appropriation is made. j

13 ~~(5) STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM;
14 INCREASE. In the schedule under section 20.005 (3) of the statutes for the
15 appropriation to the department of health and family services under section 20.435
16 (7) (ed) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount
17 is increased by \$3,500,000 for fiscal year 2006-07 for the purposes for which the
18 appropriation is made.~~

19 **SECTION 9225. Fiscal changes; Insurance.**

20 (1) LAPSE TO GENERAL FUND FROM GENERAL PROGRAM OPERATIONS APPROPRIATION.
21 Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this
22 subsection, there is lapsed to the general fund \$7,000,000 from the appropriation
23 account to the office of the commissioner of insurance under section 20.145 (1) (g) of
24 the statutes, as affected by the acts of 2005 and 2007.

25 **SECTION 9235. Fiscal changes; Natural Resources.**

1 (1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
2 the general fund \$3,500,000 in fiscal year 2006-07.

3 (2) STATE FOREST ACQUISITION DEBT SERVICE. In the schedule under section 20.005

4 (3) of the statutes for the appropriation to the department of natural resources under
5 section 20.370 (7) (au) of the statutes, as affected by the acts of 2005 and 2007, the

6 dollar amount is increased by ~~\$2,500,000~~ ^{✓ \$7,000,000} for fiscal year 2006-07 to increase funding
7 for the purposes for which the appropriation is made.

8 **SECTION 9236. Fiscal changes; Public Defender Board.**

9 (1) PRIVATE BAR AND INVESTIGATOR REIMBURSEMENT. In the schedule under section
10 20.005 (3) of the statutes for the appropriation to the public defender board under
11 section 20.550 (1) (d) of the statutes, as affected by the acts of 2005 and 2007, the
12 dollar amount is increased by \$10,976,300 for fiscal year 2006-07 to carry out the
13 purpose for which the appropriation is made.

14 **SECTION 9254. Fiscal changes; Workforce Development.**

15 (1) WISCONSIN WORKS CHILD CARE. In the schedule under section 20.005 (3) of the
16 statutes for the appropriation to the department of workforce development under
17 section 20.445 (3) (cm) of the statutes, as affected by the acts of 2005 and 2007, the
18 dollar amount is increased by \$35,000,000 for fiscal year 2006-07 to carry out the
19 purpose for which the appropriation is made.

20 (END)

Champagne, Rick

From: Reines, Bruce - DOA
Sent: Thursday, January 18, 2007 12:12 PM
To: Champagne, Rick
Subject: RE: Good ol' LRB 07-1106

Thanks. I double checked to make sure that those were the only two DOT appropriations to be covered. The answer was yes.

Kirsten Grinde mentioned that when the Legislature has reduced carryover balances in continuing, "amounts in the schedule" appropriations in the past, LRB has drafted the reduction as a lapse to the fund. One example is in 2005 Act 25 section 9235 (3f) - Well compensation program lapse.

Her assumption would be that the Committee would probably need the ability to lapse the determined amounts from carryover authority through s. 13.101 rather than reduce the FY07 amounts that are in the schedule.

br

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]
Sent: Thursday, January 18, 2007 10:03 AM
To: Reines, Bruce - DOA
Subject: RE: Good ol' LRB 07-1106

I'll take care of these on the next version.

From: Reines, Bruce - DOA
Sent: Thursday, January 18, 2007 9:52 AM
To: Champagne, Rick
Subject: Good ol' LRB 07-1106

I was informed that we need two additional changes to draft LRB 07-1106.

The first addition is rather mundane. We need to transfer \$19,371,900 currently in Joint Finance Committee appropriation s.20.865(4)(a) to the Department of Corrections appropriation s.20.410(1)(a).

The second change is bit more novel. The bill should provide a one time opportunity for the Department of Transportation to seek Joint Finance Committee approval in state fiscal year 2007 to reduce appropriations s.20.395 (3) (bq) and (cq).

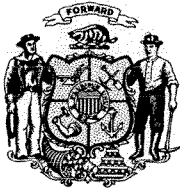
I would imagine it would be a session law provision providing this opportunity, notwithstanding at least s.13.101(6).

Thanks

Bruce Reines
 State Budget Office
 (608)266-8270

01/18/2007

Bruce.Reines@Wisconsin.gov



(D-Nate)
State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1106/2
ALL:kjf&jld:pg

Teddy
2007 BILL

RMK

-regen. cat.

1 AN ACT *to amend* 20.866 (2) (xm) of the statutes; and *to affect* 2005 Wisconsin
2 Act 25, section 9155 (1w) (b); **relating to:** authorizing the secretary of
3 administration to lapse moneys from appropriation accounts and transfer
4 moneys between funds during the 2006-07 fiscal year, affecting position
5 authorizations for certain state agencies, and making appropriations.

Analysis by the Legislative Reference Bureau

This bill makes numerous appropriation changes, fund transfers, and position authorizations for the 2006-07 fiscal year. The bill:

1. 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 \$17,000,000 during the 2006-07 fiscal year.
2. Renews authorization for 270.92 FTE positions in six state agencies that expire on April 1, 2007, to enable continued operation of numerous state-owned power and waste water treatment plants.
3. Transfers from the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year 2006-07.
4. Transfers from the agrichemical management fund to the general fund \$3,500,000 in fiscal year 2006-07.
5. Transfers from the recycling fund to the general fund \$3,500,000 in fiscal year 2006-07.

BILL

\$ 50,371,900 ✓

6. Increases a Department of Corrections (DOC) appropriation for funding adult correctional services by ~~\$31,000,000~~ for fiscal year 2006-07.

7. Increases a DOC appropriation for payments made under certain contracts by \$6,000,000 for fiscal year 2006-07.

8. Increases a DOC appropriation for funding serious juvenile offender programs by \$1,000,000 for fiscal year 2006-07.

9. Decreases a Department of Health and Family Services (DHFS) appropriation for funding state foster care and adoption services by \$3,000,000 for fiscal year 2006-07.

10. Decreases a DHFS appropriation for funding the state's share of the Medical Assistance program by \$57,000,000 for fiscal year 2006-07.

11. Decreases a DHFS appropriation for payments to pharmacies and pharmacists for prescription drug assistance for the elderly by \$13,000,000 for fiscal year 2006-07.

12. Increases a DHFS appropriation for funding the Badger Care health care program by \$5,500,000 for fiscal year 2006-07.

13. Lapses to the general fund \$7,000,000 from the general program operations appropriation of the Office of the Commissioner of Insurance.

14. Increases a Department of Natural Resources appropriation from the conservation fund for paying debt service costs for state forest acquisitions by \$2,500,000 for fiscal year 2006-07.

15. Increases a Public Defender Board appropriation for paying private bar and investigator reimbursements by \$10,976,300 for fiscal year 2006-07.

16. Increases a Department of Workforce Development appropriation for the Wisconsin Works child care program by \$35,000,000 for fiscal year 2006-07.

Amends a provision in 2005 Wisconsin Act 25 that required the elimination of 13 attorney positions in the executive branch on June 30, 2007. The bill, instead, eliminates these positions on June 30, 2009.

19. Increases the amount of indebtedness that the state may contract to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities from \$1,400,000,000 to \$1,775,000,000.

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

18

Insert Analysis RAC ✓

Insert Analysis RAC ✓

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

1 SECTION 1. 20.866 (2) (xm) of the statutes is amended to read:
2 20.866 (2) (xm) *Building commission; refunding tax-supported and*
3 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
4 sufficient to refund the whole or any part of any unpaid indebtedness used to finance

BILL

1 tax-supported or self-amortizing facilities. In addition to the amount that may be
2 contracted under par. (xe), the state may contract public debt in an amount not to
3 exceed ~~\$1,400,000,000~~ \$1,775,000,000 for this purpose. Such indebtedness shall be
4 construed to include any premium and interest payable with respect thereto. Debt
5 incurred by this paragraph shall be repaid under the appropriations providing for
6 the retirement of public debt incurred for tax-supported and self-amortizing
7 facilities in proportional amounts to the purposes for which the debt was refinanced.
8 No moneys may be expended under this paragraph unless the true interest costs to
9 the state can be reduced by the expenditure.

10 **SECTION 2.** 2005 Wisconsin Act 25, section 9155 (1w) (b) is amended to read:

11 [2005 Wisconsin Act 25] Section 9155 (1w) (b) On June 30, ~~2007~~ 2009, 13.0 FTE
12 attorney positions in all state agencies that are vacant on that date are eliminated.
13 If fewer than 13.0 FTE attorney positions in all state agencies are vacant on June 30,
14 2007, there are eliminated the requisite number of FTE attorney positions, as
15 identified by the secretary of administration, so that a total of 13.0 FTE attorney
16 positions are eliminated.

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

18 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
19 of administration are increased by 23.25 PR positions on April 1, 2007, to be funded
20 from the appropriation under section 20.505 (5) (ka) of the statutes, for the purpose
21 of enabling continued operation of state-owned power and waste water treatment
22 plants.

23 **SECTION 9109. Nonstatutory provisions; Corrections.**

24 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
25 of corrections are increased by 20.25 GPR positions on April 1, 2007, to be funded

BILL

1 from the appropriation under section 20.410 (1) (a) of the statutes, for the purpose
2 of enabling continued operation of state-owned power and waste water treatment
3 plants.

4 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
5 of corrections are increased by 19.00 PR positions on April 1, 2007, to be funded from
6 the appropriation under section 20.410 (1) (kk) of the statutes, for the purpose of
7 enabling continued operation of state-owned power and waste water treatment
8 plants.

9 (3) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
10 of corrections are increased by 5.00 PR positions on April 1, 2007, to be funded from
11 the appropriation under section 20.410 (3) (hm) of the statutes, for the purpose of
12 enabling continued operation of state-owned power and waste water treatment
13 plants.

14 **SECTION 9121. Nonstatutory provisions; Health and Family Services.**

15 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
16 of health and family services are increased by 33.00 PR positions on April 1, 2007,
17 to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, for
18 the purpose of enabling continued operation of state-owned power and waste water
19 treatment plants.

20 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
21 of health and family services are increased by 8.00 PR positions on April 1, 2007, to
22 be funded from the appropriation under section 20.435 (2) (kx) of the statutes, for the
23 purpose of enabling continued operation of state-owned power and waste water
24 treatment plants.

25 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

BILL

1 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
2 of public instruction are increased by 10.00 GPR positions on April 1, 2007, to be
3 funded from the appropriation under section 20.255 (1) (a) of the statutes, for the
4 purpose of enabling continued operation of state-owned power and waste water
5 treatment plants.

6 **SECTION 9152. Nonstatutory provisions; University of Wisconsin**
7 **System.**

8 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the Board of
9 Regents of the University of Wisconsin System are increased by 146.42 GPR
10 positions on April 1, 2007, to be funded from the appropriation under section 20.285
11 (1) (a) of the statutes, for the purpose of enabling continued operation of state-owned
12 power and waste water treatment plants.

13 **SECTION 9153. Nonstatutory provisions; Veterans Affairs.**

14 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
15 of veterans affairs are increased by 6.00 PR positions on April 1, 2007, to be funded
16 from the appropriation under section 20.485 (1) (gk) of the statutes, for the purpose
17 of enabling continued operation of state-owned power and waste water treatment
18 plants.

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

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

22 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to
23 paragraph (b), the secretary of administration shall lapse to the general fund or
24 transfer to the general fund from the unencumbered balances of state operations

BILL

1 appropriations, other than sum sufficient appropriations and appropriations of
2 federal revenues, an amount equal to \$17,000,000 during the 2006-07 fiscal year.

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

7 **SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer**
8 **Protection.**

9 (1) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from
10 the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year
11 2006-07.

12 (2) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the
13 agrichemical management fund to the general fund \$3,500,000 in fiscal year
14 2006-07.

15 **SECTION 9209. Fiscal changes; Corrections.**

16 (1) ADULT CORRECTIONAL SERVICES. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the department of corrections under section
18 20.410 (1) (a) of the statutes, as affected by the acts of 2005 and 2007, the dollar
19 amount is increased by ~~\$31,000,000~~ ^{✓ \$50,371,900} for fiscal year 2006-07 to carry out the purpose
20 for which the appropriation is made.

21 (2) CORRECTIONS CONTRACTS AND AGREEMENTS. In the schedule under section
22 20.005 (3) of the statutes for the appropriation to the department of corrections under
23 section 20.410 (1) (ab) of the statutes, as affected by the acts of 2005 and 2007, the
24 dollar amount is increased by \$6,000,000 for fiscal year 2006-07 to carry out the
25 purpose for which the appropriation is made.

BILL

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

6 **SECTION 9221. Fiscal changes; Health and Family Services.**

7 (1) STATE FOSTER CARE AND ADOPTION SERVICES; DECREASE. In the schedule under
8 section 20.005 (3) of the statutes for the appropriation to the department of health
9 and family services under section 20.435 (3) (dd) of the statutes, as affected by the
10 acts of 2005 and 2007, the dollar amount is decreased by \$3,000,000 for fiscal year
11 2006-07.

12 (2) MEDICAL ASSISTANCE; DECREASE. In the schedule under section 20.005 (3) of
13 the statutes for the appropriation to the department of health and family services
14 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2005 and 2007,
15 the dollar amount is decreased by \$57,000,000 for fiscal year 2006-07.

16 (3) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; DECREASE. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of health
18 and family services under section 20.435 (4) (bv) of the statutes, as affected by the
19 acts of 2005 and 2007, the dollar amount is decreased by \$13,000,000 for fiscal year
20 2006-07.

21 (4) BADGER CARE HEALTH CARE PROGRAM; INCREASE. In the schedule under section
22 20.005 (3) of the statutes for the appropriation to the department of health and family
23 services under section 20.435 (4) (bc) of the statutes, as affected by the acts of 2005
24 and 2007, the dollar amount is increased by \$5,500,000 for fiscal year 2006-07 for
25 the purpose for which the appropriation is made.

BILL

SECTION 9225. Fiscal changes; Insurance.

(1) LAPSE TO GENERAL FUND FROM GENERAL PROGRAM OPERATIONS APPROPRIATION.

Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the general fund \$7,000,000 from the appropriation account to the office of the commissioner of insurance under section 20.145 (1) (g) of the statutes, as affected by the acts of 2005 and 2007.

SECTION 9235. Fiscal changes; Natural Resources.

(1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to the general fund \$3,500,000 in fiscal year 2006-07.

(2) STATE FOREST ACQUISITION DEBT SERVICE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (7) (au) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount is increased by \$7,000,000 for fiscal year 2006-07 to increase funding for the purposes for which the appropriation is made.

SECTION 9236. Fiscal changes; Public Defender Board.

(1) PRIVATE BAR AND INVESTIGATOR REIMBURSEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (d) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount is increased by \$10,976,300 for fiscal year 2006-07 to carry out the purpose for which the appropriation is made.

SECTION 9254. Fiscal changes; Workforce Development.

(1) WISCONSIN WORKS CHILD CARE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of workforce development under section 20.445 (3) (cm) of the statutes, as affected by the acts of 2005 and 2007, the

Insert 8-6

Insert 8-21

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BILL

1 dollar amount is increased by \$35,000,000 for fiscal year 2006-07 to carry out the
2 purpose for which the appropriation is made.

3 (END)

d-note
↓

Insert Analysis RAC1:

17. Decreases an appropriation to the Joint Committee on Finance (JCF) to supplement general fund appropriations by \$19,371,900 for fiscal year 2006-2007. *

Insert Analysis RAC2:

20. Authorizes JCF, during the 2006-2007 fiscal year, to lapse to the transportation fund any amount requested by the Department of Transportation (DOT) from the unencumbered balances of the appropriations to DOT for major development of state trunk and connecting highways and for the improvement of existing state trunk and connecting highways. *

Insert 8-6:

SECTION 9227. Fiscal changes; Joint Committee on Finance.

(1) GENERAL FUND APPROPRIATION SUPPLEMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount is decreased by \$19,371,900 for fiscal year 2006-2007. *

Insert 8-21:

SECTION 9248. Fiscal changes; Transportation.

(1) LAPSES TO TRANSPORTATION FUND. Notwithstanding sections 13.101 (6) and 20.001 (3) (c) of the statutes, during the 2006-2007 fiscal year, the joint committee on finance may lapse to the transportation fund any amount requested by the department of transportation from the unencumbered balances of the appropriation accounts under section 20.395 (3) (bq) and (cq) of the statutes. *

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1106/2dn

RAC: A:...

date

JLD

Bruce Reines:

For the transfer of funds from the s. 20.865 (4) (a) [✓] appropriation to the s. [✓]20.410 (1) (a) appropriation, because both are GPR sum certain appropriations, I instead decreased the s. 20.865 (4) (a) appropriation by \$19,371,900 [✓] and increased the s. 20.410 (1) (a) appropriation by an additional \$19,371,900.

Please review ^{CS} section 9248 (1) ^{of this act} to make certain I have captured the manner in which you want the moneys to be lapsed to the transportation fund.

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-1106/2dn
RAC:jld:nwn

January 18, 2007

Bruce Reines:

For the transfer of funds from the s. 20.865 (4) (a) appropriation to the s. 20.410 (1) (a) appropriation, because both are GPR sum certain appropriations, I instead decreased the s. 20.865 (4) (a) appropriation by \$19,371,900 and increased the s. 20.410 (1) (a) appropriation by an additional \$19,371,900.

Please review SECTION 9248 (1) of this act to make certain I have captured the manner in which you want the moneys to be lapsed to the transportation fund.

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



D-Note
State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-11062 3
ALL:kjf&jld:nwn

Today
2007 BILL

RMR

rym. cad.

1 AN ACT *to amend* 20.866 (2) (xm) of the statutes; and *to affect* 2005 Wisconsin
2 Act 25, section 9155 (1w) (b); **relating to:** authorizing the secretary of
3 administration to lapse moneys from appropriation accounts and transfer
4 moneys between funds during the 2006-07 fiscal year, affecting position
5 authorizations for certain state agencies, and making appropriations.

Analysis by the Legislative Reference Bureau

This bill makes numerous appropriation changes, fund transfers, and position authorizations for the 2006-07 fiscal year. The bill:

1. 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 \$17,000,000 during the 2006-07 fiscal year.
2. Renews authorization for 270.92 FTE positions in six state agencies that expire on April 1, 2007, to enable continued operation of numerous state-owned power and waste water treatment plants.
3. Transfers from the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year 2006-07.
4. Transfers from the agricultural chemical management fund to the general fund \$3,500,000 in fiscal year 2006-07.
5. Transfers from the recycling fund to the general fund \$3,500,000 in fiscal year 2006-07.

BILL

6. Increases a Department of Corrections (DOC) appropriation for funding adult correctional services by \$50,371,900 for fiscal year 2006-07.

7. Increases a DOC appropriation for payments made under certain contracts by \$6,000,000 for fiscal year 2006-07.

8. Increases a DOC appropriation for funding serious juvenile offender programs by \$1,000,000 for fiscal year 2006-07.

9. Decreases a Department of Health and Family Services (DHFS) appropriation for funding state foster care and adoption services by \$3,000,000 for fiscal year 2006-07.

10. Decreases a DHFS appropriation for funding the state's share of the Medical Assistance program by \$57,000,000 for fiscal year 2006-07.

11. Decreases a DHFS appropriation for payments to pharmacies and pharmacists for prescription drug assistance for the elderly by \$13,000,000 for fiscal year 2006-07.

12. Increases a DHFS appropriation for funding the Badger Care health care program by \$5,500,000 for fiscal year 2006-07.

13. Lapses to the general fund \$7,000,000 from the general program operations appropriation of the Office of the Commissioner of Insurance.

14. Increases a Department of Natural Resources appropriation from the conservation fund for paying debt service costs for state forest acquisitions by \$2,500,000 for fiscal year 2006-07.

15. Increases a Public Defender Board appropriation for paying private bar and investigator reimbursements by \$10,976,300 for fiscal year 2006-07.

16. Increases a Department of Workforce Development appropriation for the Wisconsin Works child care program by \$35,000,000 for fiscal year 2006-07.

17. Decreases an appropriation to the Joint Committee on Finance (JCF) to supplement general fund appropriations by \$19,371,900 for fiscal year 2006-07.

18. Amends a provision in 2005 Wisconsin Act 25 that required the elimination of 13 attorney positions in the executive branch on June 30, 2007. The bill, instead, eliminates these positions on June 30, 2009.

19. Increases the amount of indebtedness that the state may contract to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities from \$1,400,000,000 to \$1,775,000,000.

20. Authorizes JCF, during the 2006-07 fiscal year, to lapse to the transportation fund any amount requested by the Department of Transportation (DOT) from the unencumbered balances of the appropriations to DOT for major development of state trunk and connecting highways and for the improvement of existing state trunk and connecting highways.

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:

BILL

1 **SECTION 1.** 20.866 (2) (xm) of the statutes is amended to read:

2 20.866 (2) (xm) *Building commission; refunding tax-supported and*
3 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
4 sufficient to refund the whole or any part of any unpaid indebtedness used to finance
5 tax-supported or self-amortizing facilities. In addition to the amount that may be
6 contracted under par. (xe), the state may contract public debt in an amount not to
7 exceed ~~\$1,400,000,000~~ \$1,775,000,000 for this purpose. Such indebtedness shall be
8 construed to include any premium and interest payable with respect thereto. Debt
9 incurred by this paragraph shall be repaid under the appropriations providing for
10 the retirement of public debt incurred for tax-supported and self-amortizing
11 facilities in proportional amounts to the purposes for which the debt was refinanced.
12 No moneys may be expended under this paragraph unless the true interest costs to
13 the state can be reduced by the expenditure.

14 **SECTION 2.** 2005 Wisconsin Act 25, section 9155 (1w) (b) is amended to read:

15 [2005 Wisconsin Act 25] Section 9155 (1w) (b) On June 30, ~~2007~~ 2009, 13.0 FTE
16 attorney positions in all state agencies that are vacant on that date are eliminated.

17 If fewer than 13.0 FTE attorney positions in all state agencies are vacant on June 30,
18 ~~2007~~, there are eliminated the requisite number of FTE attorney positions, as
19 identified by the secretary of administration, so that a total of 13.0 FTE attorney
20 positions are eliminated.

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

22 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
23 of administration are increased by 23.25 PR positions on April 1, 2007, to be funded
24 from the appropriation under section 20.505 (5) (ka) of the statutes, for the purpose

2009

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1 of enabling continued operation of state-owned power and waste water treatment
2 plants.

SECTION 9109. Nonstatutory provisions; Corrections.

3
4 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
5 of corrections are increased by 20.25 GPR positions on April 1, 2007, to be funded
6 from the appropriation under section 20.410 (1) (a) of the statutes, for the purpose
7 of enabling continued operation of state-owned power and waste water treatment
8 plants.

9 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
10 of corrections are increased by 19.00 PR positions on April 1, 2007, to be funded from
11 the appropriation under section 20.410 (1) (kk) of the statutes, for the purpose of
12 enabling continued operation of state-owned power and waste water treatment
13 plants.

14 (3) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
15 of corrections are increased by 5.00 PR positions on April 1, 2007, to be funded from
16 the appropriation under section 20.410 (3) (hm) of the statutes, for the purpose of
17 enabling continued operation of state-owned power and waste water treatment
18 plants.

SECTION 9121. Nonstatutory provisions; Health and Family Services.

19
20 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
21 of health and family services are increased by 33.00 PR positions on April 1, 2007,
22 to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, for
23 the purpose of enabling continued operation of state-owned power and waste water
24 treatment plants.

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1 (2) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
2 of health and family services are increased by 8.00 PR positions on April 1, 2007, to
3 be funded from the appropriation under section 20.435 (2) (kx) of the statutes, for the
4 purpose of enabling continued operation of state-owned power and waste water
5 treatment plants.

SECTION 9137. Nonstatutory provisions; Public Instruction.

6 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
7 of public instruction are increased by 10.00 GPR positions on April 1, 2007, to be
8 funded from the appropriation under section 20.255 (1) (a) of the statutes, for the
9 purpose of enabling continued operation of state-owned power and waste water
10 treatment plants.
11

SECTION 9152. Nonstatutory provisions; University of Wisconsin System.

12 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the Board of
13 Regents of the University of Wisconsin System are increased by 146.42 GPR
14 positions on April 1, 2007, to be funded from the appropriation under section 20.285
15 (1) (a) of the statutes, for the purpose of enabling continued operation of state-owned
16 power and waste water treatment plants.
17

SECTION 9153. Nonstatutory provisions; Veterans Affairs.

18 (1) POSITION AUTHORIZATIONS. The authorized FTE positions for the department
19 of veterans affairs are increased by 6.00 PR positions on April 1, 2007, to be funded
20 from the appropriation under section 20.485 (1) (gk) of the statutes, for the purpose
21 of enabling continued operation of state-owned power and waste water treatment
22 plants.
23

SECTION 9201. Fiscal changes; Administration.

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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 paragraph (b), the secretary of administration shall lapse to the general fund or
5 transfer to the general fund from the unencumbered balances of state operations
6 appropriations, other than sum sufficient appropriations and appropriations of
7 federal revenues, an amount equal to \$17,000,000 during the 2006-07 fiscal year.

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

12 **SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer**
13 **Protection.**

14 (1) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from
15 the agricultural chemical cleanup fund to the general fund \$1,000,000 in fiscal year
16 2006-07.

17 (2) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the
18 agrichemical management fund to the general fund \$3,500,000 in fiscal year
19 2006-07.

20 **SECTION 9209. Fiscal changes; Corrections.**

21 (1) ADULT CORRECTIONAL SERVICES. In the schedule under section 20.005 (3) of
22 the statutes for the appropriation to the department of corrections under section
23 20.410 (1) (a) of the statutes, as affected by the acts of 2005 and 2007, the dollar
24 amount is increased by \$50,371,900 for fiscal year 2006-07 to carry out the purpose
25 for which the appropriation is made.

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

6 (3) SERIOUS JUVENILE OFFENDERS. In the schedule under section 20.005 (3) of the
7 statutes for the appropriation to the department of corrections under section 20.410
8 (3) (cg) of the statutes, as affected by the acts of 2005 and 2007, the dollar amount
9 is increased by \$1,000,000 for fiscal year 2006-07 to carry out the purpose for which
10 the appropriation is made.

11 **SECTION 9221. Fiscal changes; Health and Family Services.**

12 (1) STATE FOSTER CARE AND ADOPTION SERVICES; DECREASE. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of health
14 and family services under section 20.435 (3) (dd) of the statutes, as affected by the
15 acts of 2005 and 2007, the dollar amount is decreased by \$3,000,000 for fiscal year
16 2006-07.

17 (2) MEDICAL ASSISTANCE; DECREASE. In the schedule under section 20.005 (3) of
18 the statutes for the appropriation to the department of health and family services
19 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2005 and 2007,
20 the dollar amount is decreased by \$57,000,000 for fiscal year 2006-07.

21 (3) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; DECREASE. In the schedule under
22 section 20.005 (3) of the statutes for the appropriation to the department of health
23 and family services under section 20.435 (4) (bv) of the statutes, as affected by the
24 acts of 2005 and 2007, the dollar amount is decreased by \$13,000,000 for fiscal year
25 2006-07.

BILL

1 (4) BADGER CARE HEALTH CARE PROGRAM; INCREASE. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the department of health and family
3 services under section 20.435 (4) (bc) of the statutes, as affected by the acts of 2005
4 and 2007, the dollar amount is increased by \$5,500,000 for fiscal year 2006-07 for
5 the purpose for which the appropriation is made.

SECTION 9225. Fiscal changes; Insurance.

6 (1) LAPSE TO GENERAL FUND FROM GENERAL PROGRAM OPERATIONS APPROPRIATION.
7 Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this
8 subsection, there is lapsed to the general fund \$7,000,000 from the appropriation
9 account to the office of the commissioner of insurance under section 20.145 (1) (g) of
10 the statutes, as affected by the acts of 2005 and 2007.

SECTION 9227. Fiscal changes; Joint Committee on Finance.

11 (1) GENERAL FUND APPROPRIATION SUPPLEMENTS. In the schedule under section
12 20.005 (3) of the statutes for the appropriation to the joint committee on finance
13 under section 20.865 (4) (a) of the statutes, as affected by the acts of 2005 and 2007,
14 the dollar amount is decreased by \$19,371,900 for fiscal year 2006-07.

SECTION 9235. Fiscal changes; Natural Resources.

15 (1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
16 the general fund \$3,500,000 in fiscal year 2006-07.

17 (2) STATE FOREST ACQUISITION DEBT SERVICE. In the schedule under section 20.005
18 (3) of the statutes for the appropriation to the department of natural resources under
19 section 20.370 (7) (au) of the statutes, as affected by the acts of 2005 and 2007, the
20 dollar amount is increased by \$7,000,000 for fiscal year 2006-07 to increase funding
21 for the purposes for which the appropriation is made.

SECTION 9236. Fiscal changes; Public Defender Board.

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1 (1) PRIVATE BAR AND INVESTIGATOR REIMBURSEMENT. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the public defender board under
3 section 20.550 (1) (d) of the statutes, as affected by the acts of 2005 and 2007, the
4 dollar amount is increased by \$10,976,300 for fiscal year 2006-07 to carry out the
5 purpose for which the appropriation is made.

SECTION 9248. Fiscal changes; Transportation.

7 (1) LAPSES TO TRANSPORTATION FUND. Notwithstanding sections 13.101 (6) and
8 20.001 (3) (c) of the statutes, during the 2006-07 fiscal year, the joint committee on
9 finance may lapse to the transportation fund any amount requested by the
10 department of transportation from the unencumbered balances of the appropriation
11 accounts under section 20.395 (3) (bq) and (cq) of the statutes.

SECTION 9254. Fiscal changes; Workforce Development.

13 (1) WISCONSIN WORKS CHILD CARE. In the schedule under section 20.005 (3) of the
14 statutes for the appropriation to the department of workforce development under
15 section 20.445 (3) (cm) of the statutes, as affected by the acts of 2005 and 2007, the
16 dollar amount is increased by \$35,000,000 for fiscal year 2006-07 to carry out the
17 purpose for which the appropriation is made.

18 (END)

D-Note

This version corrects a date in the
~~section~~ amendment to 2005 WISCONSIN ACT
25, section 9155 (1w) (b). ✓

RAC

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1106/3dn
RAC:kjf&jld:rs

January 19, 2007

This version corrects a date in the amendment to 2005 Wisconsin Act 25, section 9155 (1w) (b).

Rick A. Champagne
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Champagne, Rick

From: Reines, Bruce - DOA
Sent: Monday, January 29, 2007 2:22 PM
To: Champagne, Rick
Subject: FW: Draft review: LRB 07-1106/P5 Topic: Budget adjustment bill

Please make the following modifications to draft #1106/5:

The amount of the lapse authorized in Section 9201 should be changed to \$15,132,000;

In Section 9221 (1) the amount of the decrease should be \$3,065,600

In Section 9221 (2) the amount of the decrease should be \$69,700,600

In Section 9221 (3) the amount of the decrease should be \$15,700,000

Add a transfer of \$5 million in FY07 from the petroleum inspection fund to the general fund;

Thanks!

br

From: Basford, Sarah [mailto:Sarah.Basford@legis.wisconsin.gov]
Sent: Thursday, January 11, 2007 10:55 AM
To: Reines, Bruce - DOA
Subject: Draft review: LRB 07-1106/P5 Topic: Budget adjustment bill

Draft Requester: Administration

Following is the PDF version of draft LRB 07-1106/P5 and drafter's note.