



2009 SENATE BILL 512

February 2, 2010 - Introduced by Senators HOLPERIN, PLALE, VINEHOUT, SCHULTZ and GROTHMAN, cosponsored by Representatives CULLEN, SOLETSKI, MOLEPSKE JR., FRISKE, BALLWEG and KAUFERT. Referred to Committee on Commerce, Utilities, Energy, and Rail.

1 **AN ACT relating to:** the transfer of moneys from the general fund to the utility
2 public benefits fund and the calculation of the low-income assistance fee for the
3 2010-11 fiscal year.

Analysis by the Legislative Reference Bureau

Currently, each electric utility in this state, other than a municipal electric utility, must charge customers a low-income assistance fee. The fees are deposited in the utility public benefits fund and the amount of the fees is set by the Department of Administration (DOA) by rule. Moneys in the utility public benefits fund are used for low-income energy assistance grants, the Wisconsin Works program, and air quality improvement. In addition, moneys in the utility public benefits fund are used to partially pay the salaries and fringe benefits of district attorneys and state employees of the office of the district attorney.

This bill provides that if the ending balance of the general fund for the 2009-10 fiscal year, as reported by DOA, exceeds the estimated ending gross balance of the general fund under 2009 Wisconsin Act 28 (the biennial budget act), as reported by the Legislative Fiscal Bureau, the secretary of administration, before January 1, 2011, must transfer from the general fund to the utility public benefits fund the ending balance excess or \$9,139,700, whichever is less. The amounts transferred to the utility public benefits fund must be used to pay the salaries and fringe benefits of district attorneys and state employees of the office of the district attorney. In addition, the bill requires the secretary of administration, in calculating the low-income assistance fee for the 2010-11 fiscal year, to deduct the amount

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transferred from the general fund to the utility public benefits fund from the amount of the low-income assistance fee that is determined for that fiscal year.

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. Nonstatutory provisions.**

2 (1) TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE UTILITY PUBLIC BENEFITS
3 FUND; LOW-INCOME ASSISTANCE FEE ASSESSMENTS. If the ending general fund
4 unreserved balance for the 2009–10 fiscal year, as reported in the 2010 Annual Fiscal
5 Report for the State of Wisconsin, published by the department of administration,
6 is greater than the ending gross balance of the general fund for that year, as reported
7 in the Comparative Summary of Budget Recommendations, 2009 Act 28, published
8 by the legislative fiscal bureau, the secretary of administration shall do all of the
9 following before January 1, 2011:

10 (a) Transfer from the general fund to the utility public benefits fund the
11 difference under subsection (1) (intro.) or \$9,139,700, whichever is less. The amount
12 transferred under this paragraph shall be used to fund the appropriation under
13 section 20.475 (1) (s) of the statutes. Notwithstanding section 16.518 of the statutes,
14 the secretary shall transfer moneys to the utility public benefits fund under this
15 paragraph before transferring any moneys to the budget stabilization fund under
16 section 16.518 of the statutes.

17 (b) Notwithstanding section 16.957 (4) (c) 1. of the statutes, in determining the
18 amount of the low-income assistance fee for fiscal year 2010–11, the secretary of
19 administration shall deduct the amount transferred under paragraph (a) from the

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1 amount of the low-income assistance fee that is determined for that fiscal year under
2 section 16.957 (4) (c) 1. of the statutes.

3 (END)