



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0207/9
RAC:nwn/kjf/cjs:ph

DOA:.....Frederick, BB0061 - DOA Secretary Lapse Authority

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

This bill requires the secretary of administration to lapse to the general fund from the unencumbered balances of general purpose revenue and program revenue appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$72,500,000 in each fiscal year of the 2011-13 and 2013-15 fiscal biennia, subject to a 14-day passive review process by JCF. Under the bill, all executive branch state agencies, except for the UW System with respect to its program revenue appropriations, are subject to the lapse provisions. The bill further requires the secretary to make additional lapses to the general fund from general purpose revenue and program revenue appropriations to most executive branch state agencies and the courts during the 2011-13 and 2013-15 fiscal biennia.

The bill requires the cochairpersons of the Joint Committee on Legislative Organization to take actions during the 2011-13 and 2013-15 fiscal biennia to ensure that from general purpose revenue appropriations to the legislature an amount equal to \$9,232,200 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, in each fiscal biennium.

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:

SECTION 9230. Fiscal changes; Legislature.

(1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint committee on legislative organization shall take actions during the 2011-13 and 2013-15 fiscal biennia to ensure that from general purpose revenue appropriations to the legislature under section 20.765 of the statutes an amount equal to \$9,232,200 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both, in each fiscal biennium.

SECTION 9255. Fiscal changes; Other.

(1) LAPSE OF UNENCUMBERED MONEYS FROM STATE AGENCY GENERAL PURPOSE REVENUE AND PROGRAM REVENUE APPROPRIATION ACCOUNTS.

(a) In this subsection, “executive branch state agency” means any office, department, or independent agency in the executive branch of state government.

(b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (e), the secretary of administration shall lapse to the general fund from the unencumbered balances of general purpose revenue and program revenue appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$72,500,000 in each fiscal year of the 2011-13 and 2013-15 fiscal biennia. Before lapsing any moneys under this paragraph, the secretary shall develop a plan for lapsing the moneys and shall submit the plan to the joint committee on finance. If

the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date of the submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented by the secretary. If, within 14 days after the date of the submittal of the plan, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting to review the plan, moneys may be lapsed only after the plan has been approved by the committee.

(c) Subject to paragraph (e), the secretary of administration shall lapse to the general fund, from the unencumbered balances of program revenue appropriations to the following executive branch state agencies, and the courts, the following amounts in each fiscal year of each fiscal biennium indicated:

Agency	2011-13 Fiscal Bien- nium	2013-15 Fiscal Bien- nium
Administration	\$ 7,461,200	\$ 7,461,200
Aging and Long-Term Care	103,700	103,700
Agriculture, Trade and Consumer Protection	1,566,600	1,566,600
Child Abuse and Neglected Prevention	369,600	369,600
Children and Families	578,000	578,000
Corrections	765,800	765,800
Courts	638,200	638,200
District Attorneys	40,800	40,800
Educational Communications Board	281,300	281,300
Employment Relations Commission	41,000	41,000
Financial Institutions	1,417,500	1,417,500

Government Accountability Board	38,600	38,600
Health Services	13,510,200	13,510,200
Insurance, Office of Commissioner of	1,337,700	1,337,700
Justice	1,990,000	1,990,000
Military Affairs	569,800	569,800
Natural Resources	2,800,500	2,800,500
Office of State Employment Relations	692,600	692,600
Public Defender Board	117,800	117,800
Public Instruction	2,366,120	2,366,120
Public Service Commission	91,200	91,200
Regulation and Licensing	3,252,300	3,252,300
Revenue	1,107,800	1,107,800
Secretary of State	50,600	50,600
State Fair Park	20,000	20,000
Tourism	3,600	3,600
Wisconsin Technical College System	1,142,910	1,142,910
Workforce Development	2,978,800	2,978,800

(d) Subject to paragraph (e), the secretary of administration shall lapse to the general fund, from the unencumbered balances of general purpose revenue and program revenue appropriations to the following executive branch state agencies, the following amounts in each fiscal year of each fiscal biennium indicated:

Agency	2011-13 Fiscal Bien- nium	2013-15 Fiscal Bien- nium
Administration	\$ 291,600	\$ 236,800
Aging and Long-Term Care	26,300	15,000

Agriculture, Trade and Consumer Protection	273,800	130,300
Children and Families	178,200	14,200
Corrections	8,701,100	133,400
District Attorneys	513,900	2,500
Educational Communications Board	20,400	-0-
Financial Institutions	120,000	120,000
Government Accountability Board	11,600	1,600
Health Services	1,937,000	99,300
Higher Educational Aids Board	6,700	-0-
Historical Society	89,500	11,900
Insurance, Office of Commissioner of	129,200	129,200
Justice	454,600	55,400
Military Affairs	84,500	31,700
Natural Resources	427,900	207,500
Public Defender Board	632,600	900
Public Instruction	291,700	74,000
Regulation and Licensing	268,500	268,500
Revenue	928,800	80,500
Secretary of State	600	600
State Employment Relations	1,100	1,100
Tourism	12,600	-0-
Transportation	14,400	14,400
Wisconsin Technical College System	23,200	8,000
Workforce Development	124,800	8,200

(e) 1. The secretary of administration may not lapse moneys under paragraphs (b), (c), and (d) if the lapse would violate a condition imposed by the federal

government on the expenditure of the moneys or if the lapse would violate the federal or state constitution. The secretary also may not lapse any amount from program revenue appropriations under section 20.285 of the statutes.

2. For the purpose of submitting information under section 16.42 of the statutes for purposes of preparing the 2013-15 biennial budget bill, each executive branch state agency subject to paragraph (d) shall adjust its base general purpose revenue appropriation levels to reflect the general purpose revenue lapses under paragraph (d).

(END)