



Legislative Fiscal Bureau

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September 21, 2005

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Senate Bill 143: Deadlines for Submittal of the Governor's Biennial Budget and the Submission of the Biennial State Building Program

Senate Bill 143 was introduced on March 29, 2005, by the Joint Legislative Council at the recommendation of the Legislative Council's Special Committee on Improving Wisconsin's Fiscal Management and referred to the Joint Committee on Finance.

SUMMARY OF BILL

Under current law, state agencies, other than the Legislature and the Courts, are required to submit their biennial budget requests to the Department of Administration (DOA) and the Legislative Fiscal Bureau, no later than September 15 of each even-numbered year. SB 143 would require each agency that does not meet the September 15 deadline to include a written explanation of the reason for the delay with their budget request. The bill would also require DOA, no later than October 1 of each even-numbered year, to submit a report to the Chief Clerk of each house of the Legislature, for distribution to the Legislature, that identifies each agency that met the September 15 deadline. DOA would also be required to identify in the report each agency that failed to meet the September 15 deadline for submittal of agency budget requests and the reason that any agency failed to meet the deadline.

SB 143 would modify the statutorily prescribed deadlines relating to the submission of the Governor's biennial budget message to a joint assembly of both houses of the Legislature. Under current law, in each regular session of the Legislature, the Governor is required to deliver the budget message to the Legislature on or before the last Tuesday in January of the odd-numbered unless a later date is requested by the Governor and approved by the Legislature in the form of a joint resolution.

Over the course of the last several biennia, Governors have requested, and Legislatures have approved, an extension of the statutory budget submission date. The last time that a biennial budget was submitted by the last Tuesday in January was in 1985. Following is a list that identifies the date of submittal of past biennial budgets.

<u>Budget</u>	<u>Submittal Date</u>
2005-07	February 9, 2005
2003-05	February 20, 2003
2001-03	February 20, 2003
1999-01	February 16, 2001
1997-99	February 12, 1997
1995-97	February 14, 1995

SB 143 would delete the current law provision that allows the Governor to request an extension on the submittal of the budget message. In addition, the bill would generally require the Governor to deliver the budget message on or before the 2nd Tuesday in January of the odd-numbered year. However, if January 1, in an odd-numbered year, falls on a Tuesday, the Governor would be required to deliver the budget message on or before the 3rd Tuesday in January of the odd-numbered year. Also, if the Governor was elected Governor for the first time in the most recent gubernatorial election and was not an incumbent Governor at the time of the election, the Governor would be required to deliver the budget message, for the fiscal biennium starting July 1 of the year following the gubernatorial election, on or before either of the following: (a) the fourth Tuesday in January; or (b) the fifth Tuesday in January, if January 1 of that year is on a Tuesday.

SB 143 would also modify the statutorily prescribed deadlines relating to the submission of the Building Commission's biennial state building program recommendations to the Joint Committee on Finance. Under current law, the Building Commission is required to submit its biennial state building program recommendations for the succeeding biennium to the Joint Committee on Finance no later than the first Tuesday in April of each odd-numbered year unless the Commission requests, and Joint Finance Committee approves, a later date. Since the deadline was established, under 1997 Act 27, the Commission has met this deadline each biennium. Prior to Act 27, no specific deadline existed for submission of the Commission's recommendations. During the 1997-99 biennium, the last biennial budget prior to the deadline being established, the Building Commission's building program recommendations were submitted on May 20, near the completion of the Joint Finance Committee's deliberations on the 1997-99 biennial budget.

Under SB 143, the Building Commission would be required to submit its biennial state building program recommendations by the first Tuesday in March of each odd-numbered year.

The proposed changes to the required submission dates for the biennial budget and biennial state building program under SB 143 were included as part of the recommendations of the Joint Legislative Council's Special Committee on Improving Wisconsin's Fiscal Management. Similar legislation passed the Legislature during the 2003 session and was vetoed by the Governor.

The proposed changes would first take effect on July 1, 2006, which would mean that the changes would first affect the 2007-09 biennial budget and building program recommendations.

FISCAL EFFECT

The Department of Administration, the Legislative Fiscal Bureau, and the Legislative Council each submitted fiscal estimates to the bill. None of these agencies indicated that the bill would have a state or local fiscal effect or any long range fiscal implications.

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