

**JUDICIAL AND PUBLIC SAFETY**

## Youth Aids

### Item #67

The Governor's budget increases youth aids funding to counties by \$2 million GPR in FY00 and \$4 million GPR in FY01 to cover the cost increases associated with operating the juvenile correctional institutions. Total youth aids funding is \$84,183,700 in FY00 and \$86,183,700 in FY01.

**BOARD ACTION:** March 12, 1999 Board of Directors: Amend to: 1) Provide additional funding and 2) Restore language which links increases to JCI daily rates to the youth aids appropriation.

## Juvenile Correctional Rates

### Item #68

Under current law relating to youth aids, various state and federal funds are allocated to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. The Department of Corrections (DOC) charges counties for the costs of services provided by DOC. The Governor's budget provides new per person daily cost assessments upon counties for juvenile placements during the 1999-2001 biennium as follows:

Placement	7/1/99 to 12/31/99	1/1/2000 to 12/31/2000	1/1/2001 to 6/30/2001
Juvenile Correctional Institution	\$157.29	\$158.46	\$159.62
Transfers from a JCI to a Treatment Facility	\$157.29	\$158.46	\$159.62
Child Caring Institution	\$169.24	\$172.46	\$175.67
Group Home	\$117.42	\$119.65	\$121.88
Foster Care	\$26.17	\$26.67	\$27.16
Treatment Foster Care	\$75.37	\$76.80	\$78.23
Departmental Corrective Sanctions Services	\$85.18	\$80.67	\$76.67
Departmental Aftercare	\$16.85	\$17.03	\$17.20

**BOARD ACTION:** March 12, 1999 Board of Directors: Monitor.

## **Mendota Juvenile Treatment Center Rates**

Item #69

Under current law, the Department of Health and Family Services (DHFS) operates the Mendota Juvenile Treatment Center (Center), as a juvenile secured correctional facility, to provide evaluations and treatment for juveniles whose behavior presents a serious problem to themselves or others in other juvenile secured correctional facilities and whose mental health needs can be met at the Center. Currently, the Department of Corrections (DOC) is required to transfer to DHFS \$3,125,100 in FY1997-98 and \$3,236,200 in FY1998-99 for those services.

The Governor's budget requires DOC to transfer to DHFS \$3,763,200 in FY1999-2000 and \$3,869,200 in FY2000-01 for those services.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

## **Serious Juvenile Offender Appropriation**

Item #70

Under current law, general purpose revenues (GPR) are appropriated annually to the Department of Corrections (DOC) for juvenile program services for serious juvenile offenders, juvenile correctional services for juveniles who are under the extended jurisdiction of the court assigned to exercise jurisdiction under the juvenile justice code and juvenile correctional services for juveniles who have been sentenced to the Wisconsin state prisons.

The Governor's budget changes that GPR annual appropriation to a GPR biennial appropriation.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Oppose.

## **Aftercare Services Revenue**

Item #71

Under current law relating to youth aids, various state and federal funds are allocated to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. The Department of Corrections (DOC) charges counties for the costs of services provided by DOC. Current law requires DOC to deposit in the general fund moneys received for juvenile aftercare services provided by DOC.

The Governor's budget requires DOC to credit those moneys to DOC's appropriation account for juvenile correctional services.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

## **Corrective Sanctions**

Item #72

Under current law, the Department of Corrections (DOC) provides a corrective sanctions program for juveniles who have been placed under the supervision of DOC. Under the corrective sanctions program, DOC must place a participant in the community, provide intensive surveillance of the participant and provide an average of \$5000 per year per slot to purchase community-based treatment services for each participant.

The Governor's budget reduces the amount that DOC must provide to purchase community-based treatment services for each corrective sanctions program participant to \$3000 per year per slot.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

### **Prairie du Chien Correctional Facility**

Item #73

Under current law, the Department of Corrections (DOC), until July 1, 1999, may operate the juvenile secured correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age.

The Governor's budget extends that authority to July 1, 2001.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

### **Secured Group Homes**

Item #74

The Governor's budget permits a county board of supervisors of not more than one county to establish, and the Department of Corrections (DOC) to license, a secured group home for holding in secure custody juveniles who have been adjudicated delinquent for committing an act that would be punishable by a sentence of six months or more if committed by an adult, who have been found to be a danger to the public and in need of restrictive custodial treatment and who have been placed under the supervision of DOC by the juvenile court.

Under current law, various laws apply to juveniles who are placed in a secured correctional facility or a secured CCI.

The Governor's budget applies those laws to juveniles who are placed in a county-operated secured group home in the same manner as those laws apply to juveniles who are placed in a secured correctional facility or a secured CCI operated or contracted for by DOC under current law.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

### **Circuit Court Support Grant/Guardian ad Litem Reimbursement**

Item #75

The Governor's budget provides no increase in the circuit court support grant appropriation. Dollars distributed to counties will remain at \$16,489,600 in each year of the biennium.

The Governor's budget provides no increase in the guardian ad litem reimbursement appropriation. Dollars distributed to counties will remain at \$4,738,500.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Amend to seek additional funding.

### **Probation and Parole**

Item #76

The Governor's budget provides no increase in the appropriation used to reimburse counties for probation and parole holds. The appropriation remains at \$4,019,800 annually.

BOARD ACTION: March 12, 1999  
Board of Directors: Amend to seek additional funding.

### Consumer Information Assessment

Item #77

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) administers, investigates and enforces certain consumer protection and trade practices laws and prosecutes violations of these laws. These laws include laws prohibiting or regulating methods of competition, fraudulent representations, fraudulent drug advertising, prize notices, mail-order sales, purchases of vegetables and dairy products from farmers and advertising of telecommunication services. A person found to have violated one of these laws is subject to a forfeiture or a fine.

Under current law, a person is subject to a forfeiture if he or she violates a law relating to weights and measures. These include laws against obstructing or hindering a state or local inspector of weights or measures, causing any weight or measure used in the buying or selling of a commodity to be incorrect and removing an official weights and measures inspector's tag from a commodity. If the violation is intentional, the person is subject to a fine.

The Governor's budget requires a court to impose an assessment equal to 15% of the fine or forfeiture if the court imposes a fine or forfeiture for a violation of any of these laws or local ordinances enacted pursuant to these laws. The assessments that are collected are deposited in an

appropriation to DATCP to pay for providing consumers with information and education.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

### Funding for Crime Victim and Witness Services

Item #78

Under current law, a county is eligible for reimbursement from the state for the cost of providing services to victims and witnesses of crimes if the county provides certain specified services and if the Department of Justice (DOJ) has approved the county's plan for providing the services. A county may be reimbursed for not more than 90% of the costs that it incurs in providing the services. DOJ pays for the reimbursement to counties using general purpose revenue and a portion of the proceeds from the crime victim and witness assessments that are imposed on persons convicted of a crime.

The Governor's budget provides additional revenue sources for DOJ to use to reimburse counties for crime victim and witness services. Specifically, DOJ may also use any of the following revenue sources to reimburse counties: 1) an additional portion of proceeds from the crime victim and witness assessments; 2) moneys provided by the federal government for crime victim assistance; and 3) moneys DOJ receives from any state agency for providing services related to victims and witnesses.

BOARD ACTION: March 12, 1999  
Board of Directors: Support.

## **Milwaukee County Drug Court Clerks**

Item #79

Under current law, the state is responsible for funding some operational expenses of district attorney offices. Specifically, the state must reimburse Milwaukee County for the costs of clerks working in the Milwaukee County district attorney's office who assist in the handling of felony drug cases and certain violent felony cases.

The Governor's budget increases the maximum amount of reimbursement that the state must provide during the 1999-2001 fiscal biennium.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

## **Supervised Release of Sexually Violent Persons**

Item #80

The Governor's budget clarifies that whenever a court appoints an expert for a sexually violent person as part of a periodic reexamination of the person, the county in which that court sits must pay for the costs of the appointed expert. The Governor's budget also clarifies that whenever a court appoints an expert for a sexually violent person as part of a proceeding for supervised release into the community, the county in which that court sits must pay for the costs of the appointed expert.

The Governor's budget also makes the following changes relating to supervised release of sexually violent persons:

1. The Governor's budget establishes new guidelines for a court's decision concerning

whether to place a person on supervised release. Under the Governor's budget, a court may not order a person to be placed on supervised release if the court finds that it is substantially probable that the person will engage in acts of sexual violence unless the person resides in a facility with a level of security comparable to that of a secure mental health unit or facility.

However, even if it makes this finding, the court may withhold its decision concerning placement in institutional care or on supervised release and order DHFS and the appropriate county department to prepare a plan for supervised release for the person. The court may withhold its decision and order a plan prepared only if the person first establishes that it is likely that the daily cost of providing the necessary programs and facilities for control, care and treatment of the person on supervised release would not exceed the daily cost of control, care and treatment of the person at a secure mental health unit or facility.

2. The Governor's budget creates a new procedure that the court must use to approve or disapprove a supervised release plan. Under the Governor's budget, the court must hold a hearing on a proposed supervised release plan within 30 days after the plan is presented to the court. Based on evidence provided at the hearing, the court must approve the plan if it determines

that the plan provides adequate treatment and services to the person and adequate protection to the community. Likewise, the court must disapprove the plan if it determines that the plan does not provide adequate treatment and services to the person and adequate protection to the community. If the court disapproves the plan, DHFS and the county department must revise the plan and present it to the court again. If the court approves the plan the court must also order the person placed on supervised release in the county that prepared the plan. Finally, the Governor's budget requires DHFS and the county department that prepared the plan to implement the plan and allows DHFS to ask the court for any orders that are necessary to ensure implementation of the plan.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

### **New State Correctional Institutions**

Item #81

The Governor's budget requires the Department of Corrections (DOC) to establish a probation and parole holding and alcohol and other drug abuse treatment facility in Milwaukee, a medium security correctional institution in Redgranite and a medium security correctional facility in New Lisbon.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

### **Justice Information System Fees**

Item #82

Under current law, when a clerk of circuit court collects a fee from a person commencing a civil action, including garnishment, small claims and forfeiture actions, the clerk is also required to collect a \$7 justice information system fee. Four-sevenths of the \$7 fee is used to pay for the costs incurred by the Department of Administration (DOA) to develop and operate the automated justice information system, which is used by the Director of State Courts, circuit courts, the public defender, the Department of Corrections (DOC), the Department of Justice (DOJ) and district attorneys. Two-sevenths of the \$7 fee is used to pay the costs incurred by the Director of State Courts for the operation of the circuit court automated system, the court of appeals automated information system, the Supreme Court automated information system and for the payment of interpreter fees. The remaining \$1 of the fee goes into the general fund without any designated purpose.

The Governor's budget raises the justice information system fee from \$7 to \$9 and uses the additional \$2 fee to pay the costs incurred by the Director of State Courts for the operation of the circuit court automated system, the court of appeals automated information system, the Supreme Court automated information system and for the payment of interpreter fees.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

**Distribution of Funds Collected  
from Penalty Assessments**

*BOARD ACTION:* March 12, 1999  
Board of Directors: Monitor.

Item #83

With certain exceptions, current law imposes a penalty assessment on any person who is ordered to pay a fine or forfeiture for violating a state law or a local ordinance. The penalty assessment is set at 23% of the total amount of the fines or forfeitures imposed for the violation. The moneys collected from penalty assessments are currently credited directly to various appropriation accounts based on a formula in the statutes and the appropriation accounts specify the purposes for which the moneys may be used. One of the purposes is county-tribal law enforcement projects.

The Governor's budget provides that, instead of being credited to specific appropriation accounts based on a statutory formula, all moneys collected from penalty assessments will be credited to a single appropriation account in the Office of Justice Assistance (OJA). Specified amounts of the moneys in this OJA appropriation account will then be transferred to other appropriation accounts to be used for the same purposes as under current law, except that under the Governor's budget, no penalty assessment moneys will be provided to fund county-tribal law enforcement projects. The Governor's budget also provides that penalty assessment moneys will be used for several new purposes, including information technology systems for DOC, automated justice information systems and reimbursement to counties for the costs of providing crime victim and witness services.



**PERSONNEL AND LABOR  
RELATIONS**

## **Retirement and Group Insurance**

Item #84

The Governor's budget provides that for most state employees including district attorneys who became state employees in 1990 and elected to keep their county health insurance coverage, accumulated unused sick leave credits may only be used to purchase health insurance under a plan which is contracted or provided by the group insurance board.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

## **WERC Fees**

Item #85

The Governor's budget requires that the Wisconsin Employment Relations Commission (WERC) assess and collect a fee from any party who requests that WERC assemble a panel of individuals who are not members or employees of WERC to act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

# **TAXATION AND FINANCE**

## **Shared Revenue/Mandate Relief**

Item #86

The Governor's budget provides no increase in the county shared revenue account or in the county mandate relief account. The shared revenue funds have been frozen since 1995. The county shared revenue allocation remains at \$168.9 million and the county mandate relief account remains at \$20.1 million.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Amend to provide inflationary increases.

## **Personal Property Exemption for Computers**

Item #87

Effective January 1, 1999, computers are exempt from property taxes for businesses, but excludes computers owned by ad valorem companies. The Governor's budget exempts from ad valorem taxation, computers owned by other ad valorem taxpayers such as railroads, airlines, pipeline companies, conservation and regulation companies and municipal electric association projects.

The Governor's budget reimburses local governments for their lost of tax base resulting from this computer tax exemption.

The first payment to local governments will total \$76 million in the year 2000. In 2001, the local government reimbursement for the computer tax exemption will be \$80 million.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Monitor.

## **Personal Property Tax Exemption for Certain Computerized Equipment**

Item #88

In addition to exempting computers from the personal property tax, the Governor's budget creates a personal property tax exemption for fax machines, copiers, cash registers and automatic teller machines. The Governor's budget provides no reimbursements to local governments for these lost revenues.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Oppose.

## **Delinquent Property Taxes**

Item #89

Under current law, a taxation district transfers its tax roll to the county or counties in which the taxation district is located. The county accepts all delinquent property taxes from the taxation district and credits the taxation district for delinquent property taxes in the next tax levy. The county attempts to collect the delinquent property taxes by issuing a tax certificate. After the county issues a tax certificate, an owner of real property has two years to redeem the certificate by paying the delinquent taxes. If the taxes remain unpaid after two years, the county may record the tax deed on the property.

However, a county may cancel the delinquent taxes if the property is contaminated by a hazardous substance and the property owner agrees to clean up, and maintain and monitor the property. The taxation district that transferred the relevant tax roll receives a credit on its tax levy from the county

even though the county has canceled the tax.

The Governor's budget requires a county that cancels delinquent taxes to charge back to the appropriate taxation district any or all of the amount of the canceled taxes and to include that amount in the county's next tax levy against the taxation district.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

### **Increased State Administrative Fee for Sales Tax Collection**

Item #90

Under current law, a county may adopt an ordinance to impose sales and use taxes imposed by county retailers. The Department of Revenue (DOR) collects the sales and use taxes imposed by counties. The state retains 1.5% of the sales and use taxes collected to cover the costs incurred by the state to administer, enforce and collect the taxes. DOR distributes the remaining taxes collected to the respective counties.

The Governor's budget increases, from 1.5% to 1.75%, the amount of taxes collected that are retained by the state.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Oppose.

### **Transfer of Tax Delinquent Brownfields**

Item #91

Under current law, if a person does not pay the tax that is due on a parcel of real property before September 1, the county treasurer is required to issue a tax certificate to the county that relates to

that property. The issuance of a tax certification begins the redemption period during which the taxpayer may retain his or her property by paying the delinquent taxes. In most cases, the redemption period is two years after the issuance of the tax certification. If the property is not redeemed during the redemption period, the county may acquire the property by taking the tax deed, by commencing an action to foreclose the certificate or by commencing an action to foreclose the tax lien. Once a county acquires title to the property, the county may sell the property as directed by the county board.

Also under current law, if a city, a village or town acquires, through a tax delinquency proceeding, tax delinquent property that is contaminated by a hazardous substance, the municipality is generally exempt from clean-up requirements that otherwise apply to owners of property that is contaminated by a hazardous substance.

Under the Governor's budget if a county does not take a tax deed for property that is subject to a tax certification and that is contaminated by a hazardous substance, within two years after the expiration of the redemption period, the county must, upon receiving a written request from the municipality within whose jurisdiction the property is located, acquire the property by taking a tax deed. The county may then either retain ownership of the property or, if the county does not wish to retain ownership, the county must transfer the ownership of the property, without consideration, to the municipalities within 180 days after receiving the written request from the municipality.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

### **Eminent Domain**

Item #92

Under current law, a property owner whose property has been partially condemned for a sewer or transportation facility must pay property taxes in the year of the condemnation for both the condemnee's remaining property and the portion of the property that was awarded to the condemnor. Current law also provides that, in partial condemnation, the prorated portion of the condemnee's current property tax obligation must be subtracted from the award of compensation for the taking. To recover both the condemnor's and the condemnee's prorated share of property taxes; the condemnee must file a claim with the condemnor.

The Governor's budget provides that, if the property owner retains a majority interest in the property after the condemnation, the condemnor may choose not to subtract the condemnor's prorated taxes from the award payment and then may include the condemnor's prorated taxes from the award payment, thereby eliminating the need to file a claim with the condemnor.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

### **Appeal of DOR Assessment**

Item #93

Under current law, the Department of Revenue (DOR) assesses the value of taxable property in a county or taxation district. A county or taxation district may appeal a DOR assessment of the

property in the county or taxing district by filing an appeal with the tax appeals commission. If the tax appeals commission determines on an appeal that DOR incorrectly assessed the taxable property in a county or taxation district, the tax appeals commission may redetermine the assessment. The tax appeals commission is authorized to hear appeals of tax matters, at times and places designated by the commission, including tax matters that are small claims cases where the amount in controversy is less than \$2500. The tax appeals commission may impose a \$1000 penalty on a taxpayer whose pursues a frivolous appeal.

Under the Governor's budget, a county or taxation district may appeal DOR's assessment of the property of the county or taxation district by filing an appeal with DOR. DOR hears the appeal and, if DOR determines that the appealed assessment is incorrect, DOR redetermines the assessment. DOR's decision on appeal may be appealed to the tax appeals commission.

Under the Governor's budget the tax appeals commission may submit a case to summary proceedings (an alternative dispute resolution proceeding) if the amount in controversy is less than \$100,000. The Governor's budget also increases the penalty for pursuing a frivolous appeal to \$5000 and provides that the commission may only hold hearings in any of the following places: Appleton, Eau Claire, La Crosse, Madison, Milwaukee and Wausau.

BOARD ACTION: March 12, 1999  
Board of Directors: Monitor.

**TRANSPORTATION AND  
PUBLIC WORKS**

## **Weight Limit Notice Signs**

Item #94

Under current law, highway authorities may impose weight limitations on highways that, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if such limitations were not imposed. The weight limits are effective only if weight limit notice signs are posted on or along the weight-limited highway.

The Governor's budget requires the posting of advance notice signs, in addition to the weight limit notice signs, to allow motorists to avoid the weight-limited highway altogether.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Oppose.

## **Driver's License Suspension Fee**

Item #95

Current law authorizes circuit courts and municipal courts to suspend or revoke a person's motor vehicle operating privilege for a variety of reasons, such as failing to properly keep sidewalks clear of snow and ice. Suspensions and revocations for failure to pay generally lasts until the person pays the amount owed. The suspension and revocation orders are forwarded to the Department of Transportation (DOT), which updates the person's driving record to reflect the suspension or revocation.

The Governor's budget requires DOT to charge courts a processing fee for each court order that suspends or revokes a person's operating privilege for failure to pay forfeiture that was imposed for violating an ordinance unrelated to the violator's operation of a motor vehicle.

The governor's budget also allows courts to charge the person whose operating privilege is suspended or revoked a fee in an amount not more than the fee DOT charges the court for processing the order.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Oppose.

## **Scenic Byways Program**

Item #96

The Governor's budget creates a scenic byways program, under which the Department of Transportation (DOT) may designate highways that have outstanding intrinsic value as "scenic byways". The Governor's budget allows DOT to apply for federal designation of a scenic byway, which federal designation would make the scenic byway eligible for federal aid for scenic byways.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

## **Elderly and Disabled Transportation Capital Assistance Program**

Item #97

Under current law, the Department of Transportation (DOT) administers an elderly and disabled transportation capital assistance program. Under the program, DOT annually awards grants of state and federal moneys to qualified private, nonprofit organizations and local public bodies for capital costs related to specialized vehicles and facilities used to provide transportation services to elderly and disabled persons. Grants of state aid are paid from an annual appropriation in the segregated



transportation fund. An annual appropriation is expendable only up to the amount shown in the schedule and only for the fiscal year for which it is made. At the end of the fiscal year the unencumbered balance reverts to the transportation fund.

The Governor's budget changes the appropriation account from which state aids are payable for the elderly and disabled transportation capital assistance program from an annual appropriation to a continued appropriation. A continued appropriation is expendable until fully depleted or repealed by subsequent action of the Legislature; unencumbered balances do not revert to the transportation fund at the end of the fiscal year.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

### **Mass Transit Aids**

Item #98

Under the current law, the Department of Transportation (DOT) administers an urban mass transit operating assistance program, which provides state aid payments to local public bodies in urban areas served by mass transit systems (eligible applicants) to assist the eligible applicants with the expenses of operating those systems. An urban mass transit system is transportation by bus, shared-ride taxicab, rail, or other conveyance, either publicly or privately owned, that provides the public with general or special service on a regular and continuing basis. DOT makes state aid payments in amounts sufficient to ensure that the combination of state and federal aids contributed toward the operating expenses of an urban mass

transit system equals the uniform percentage established by DOT for the class of mass transit system. The percentage varies for each of the three classes of mass transit systems, based on the state appropriations and the federal aid policy, but is uniform for all mass transit systems within each class. The three classes are: 1) mass transit systems serving urban areas having a population of less than 50,000; 2) mass transit systems serving urban areas having a population of more than 50,000 but having an annual operating expense of less than \$20,000,000; and 3) mass transit systems having an annual operating expenses of more than \$20,000,000.

The Governor's budget modifies the classes of mass transit systems and revises the amount of aids payable to the eligible applicants served by those systems. The Governor's budget creates two classes of mass transit systems: 1) those having operating expenses of more than \$20,000,000 (Tier A); and 2) those having expenses of \$20,000,000 or less (Tier B). Under the Governor's budget, the sum of state and federal aid provided to an eligible applicant served by Tier A mass transit system may not exceed 50% of the mass transit system's projected operating expenses. The sum of state and federal aid provided to an eligible applicant served by Tier B mass transit system may not exceed 65% of the mass transit system's projected operating expenses, except that the sum of aids provided to the eligible applicants served by Tier B mass transit systems may not exceed 60% for calendar years 2000 and 2001.

Current law requires that a local public body that receives state aid under the

urban mass transit operating assistance program to pay a local contribution towards the mass transit system's operating expenses in an amount equal to at least 20% of the amount of state aid received under this program. This local contribution does not apply to local public bodies served exclusively by shared-ride taxicab system. This bill requires all recipients to pay at least 10% of the operating expenses, regardless of the amount of state aid received under the program, except that recipients served exclusively by a shared-ride taxicab system to pay at least 5% of the system's operating expenses.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Amend to: 1) Oppose 50% cap on combined state and federal aid to Tier A transit systems; 2) Oppose "Tier System" for different size transit systems; and 3) Support reduction of local contribution toward operating expenses.

### **Public Radio System Services**

Item #99

Under current law, the Department of Transportation (DOT) administers a statewide public safety radio management program, under which DOT provides statewide tower management, public safety frequency management, public safety data base administration and planning services related to statewide public safety radio management.

The Governor's budget expressly authorizes DOT to contract with political subdivisions of this state and other local governmental units to provide public safety radio management services.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Support.

### **General Transportation Aids**

Item #100

Under current law, the Department of Transportation (DOT) administers a General Transportation Aids (GTA) program that makes payments to a county based on a share-of-costs formula.

The Governor's budget increases the amount of aid that may be paid under the GTA program from the current limit of \$78,744,300 to \$81,106,600 for counties.

The Governor's budget also decreases the amount of law enforcement costs to be considered under the share of costs formula from 50% to 40%.

**BOARD ACTION:** March 12, 1999  
Board of Directors: Amend to provide additional funding.

### **General Transportation Aids Local Road Data Collection**

Item #101

Under current law, each city, village, town and county is biennially required to file with the Department of Transportation (DOT) and the county clerk a certified plat that shows the total mileage of local public roads that will be open for travel within the following year and that the municipality or county is responsible for maintaining. A municipality or county is not required to file a plat if no roads have been added or deleted since that last plat was filed.

Under the governor's budget, beginning 2001, each municipality or county is required to file a certified statement that the total mileage has not changed since the last plat was filed or a plat showing the current mileage. The Governor's budget allows DOT to require all municipalities and counties to file plats in the year following a federal decennial census. The Governor's budget eliminates the requirement that plats be filed with the county clerk. His budget requires each municipality to assess the condition of the roads under its jurisdiction and report the results to DOT, which must assess the accuracy of the reports, by December 15, 2001, and biennially thereafter. The Governor's budget specifies that collected information pertaining to road condition is inadmissible as evidence in a legal proceeding.

BOARD ACTION: March 12, 1999  
Board of Directors: Amend to providing funding.

### Local Road Improvement Program

Item #102

The Local Road Improvement Program (LRIP) was established in the 1991-1993 biennium to assist local governments in improving *seriously deteriorating* local roads. Each local unit of government receives funding through a different component of the program.

In the Governor's Budget, counties do not receive an increase in the CHIP program; revenues are frozen at \$12,998,073.

In addition to initial LRIP funding, counties receive \$10,000,000 for

projects with total costs of at least \$250,000 through the CHIP-D program. In the governor's budget, there is no increase in Chip-D program.

BOARD ACTION: March 12, 1999  
Board of Directors: Amend to increase funding.

### County Forest Road Aid

Item #103

The County Forest Road Aid program is designed to defray the county costs for the improvement and maintenance of public roads within county forests.

The Governor's budget did not increase the County Forest Road Aid program and funding is frozen at \$303,300.

BOARD ACTION: March 12, 1999  
Board of Directors: Amend to seek more funding.

### Elderly and Disabled County Transportation Aids

Item #104

The Governor's budget increases Elderly and Disabled County Transportation Aids by 3%. In 2000 the program funding level is \$6,632,800 and in 2001 the program funding level is \$6,831,800.

BOARD ACTION: March 12, 1999  
Board of Directors: Support.

# **INDIAN GAMING INITIATIVES**

## **Indian Gaming Initiatives**

Item #105

### **Tribal Law Enforcement Assistance**

The Governor's budget creates a grant program in the Office of Justice Assistance (OJA) that will provide money to fund the law enforcement operations of federally recognized Indian tribes and bands in this state.

### **County-Tribal Law Enforcement Projects**

The Governor's budget changes the source of funding for the aid that the Department of Justice (DOJ) gives to cooperative county-tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

### **Elk Management Costs**

The Governor's budget creates a program revenue appropriation from the general fund authorizing the Department of Natural Resources (DNR) to expend moneys associated with the management of the state's elk population and associated with the transportation of elk into the state. The appropriation is funded by certain moneys received by the state pursuant to Indian gaming compacts.

### **Spearfishing Law Enforcement**

Under current law, the Department of Natural Resources (DNR) is authorized to expend moneys from the general fund to make payments to counties and

municipalities to reimburse them for certain law enforcement costs associated with spearfishing. The Governor's budget provides that those expenditures be made from a program revenue service appropriation funded by certain moneys received by the state pursuant to Indian gaming compacts.

### **Conservation Fund**

The Governor's budget provides that \$2,000,000 in moneys received by the state from Indian gaming compacts are to be transferred to the conservation fund.

### **Northern Great Lakes Center and Arts Board**

The state currently appropriates money to the State Historical Society from the conservation fund for interpretive programming at the Northern Great Lakes Center. The Governor's budget appropriates additional money derived from the Indian gaming compacts for the operation of the Northern Great Lakes Center historic site.

The state currently appropriates GPR to the Arts Board to award grants to individuals and groups concerned with the arts and to contract with individuals, organizations, units of government and institutions for services furthering the development of the arts and humanities. The Governor's budget appropriates money derived from the Indian gaming compacts for such grants awarded to, and such contracts entered into with, American Indian individuals, groups, organizations, tribal governments and institutions.

### **Payments to Lac du Flambeau**

Under current law, if the Department of Natural Resources (DNR) and the Lac du Flambeau band of the Lake Superior Chippewa (band) have in effect an agreement under which the band agrees to limit its treaty-based, off-reservation rights to fish, the band may elect to issue DNR fishing licenses and inland waters trout stamps as an agent of DNR and to retain the fees that the band collects for these licenses and stamps. Current law also authorizes DNR to pay the band an amount equal to the amount that DNR collects from its other agents, who issue DNR fishing licenses and trout stamps on the reservation, if the agreement is in effect. Under current law, these payments are made under an appropriation from the conservation fund.

The Governor's budget creates a program revenue appropriation from the general fund that is funded by certain moneys received by the state pursuant to Indian gaming compacts. The Governor's budget requires that DNR first make the payments to the band under that general fund appropriation. The Governor's budget provides that after DNR makes the payments from that general fund appropriation, it must make the balance of the payments, if any, from the conservation fund appropriation.

### **Cooperative Indian Health Projects**

The Governor's budget provides that some of the moneys received by the state from Indian gaming compacts are to be transferred to the Department of Health and Family Services (DHFS) to fund grants for cooperative American Indian health projects.

### **Medical Relief Block Grants**

The Governor's budget provides that some of the moneys received by the state from Indian gaming compacts are to be transferred to the Department of Health and Family Services (DHFS) to fund relief block grants to tribal governing bodies.

### **Aid to Alternative Schools**

Under current law, an alternative school for American Indians may voluntarily establish an American Indian language and culture education program. If the alternative school meets certain management and accounting criteria, it is eligible to receive \$185 from DPI for each pupil who has completed the fall semester in the program of instruction. The Governor's budget increases the aid for which the alternative school is eligible to \$200 per pupil and provides that this aid is paid from an appropriation funded by the Indian gaming compact revenues.

### **American Indian Services Coordinator and Grants for Veterans Affairs**

The Governor's budget transfers some of the money received under the Indian gaming compacts to provide an American Indian services coordinator as a project position in the Department of Veterans Affairs. The Governor's budget also transfers some of the money to provide grants to the governing bodies of federally recognized American Indian tribes and bands for the creation of a model program that helps American Indians overcome barriers to the receipt of federal and state veterans benefits.

### **Compulsive Gambling Program**

Under current law, the Department of Health and Family Services (DHFS) is authorized to provide grants to one or more individuals or organizations in the private sector to conduct compulsive gambling awareness campaigns. These grants are funded from moneys from the lottery fund, from revenues generated by pari-mutuel wagering and from moneys paid to the state under Indian gaming compacts. The Governor's budget provides that the grants must be funded entirely from moneys paid to the state under Indian gaming compacts.

### **Indian Drug Abuse Prevention and Education**

The Governor's budget provides that some of the moneys received by the state from Indian gaming compacts are to be transferred to the Department of Health and Family Services (DHFS) to fund the American Indian drug abuse prevention and education program.

### **Social Services**

The Governor's budget provides that some of the moneys received by the state from Indian gaming compacts are to be transferred to the Department of Health and Family Services (DHFS) to fund the delivery of social services and mental hygiene services to American Indians.

### **Business Grants and Loans**

The Governor's budget creates two grant and loan programs, funded with Indian gaming revenues, to provide grants and low-interest loans to businesses negatively impacted by casinos and low-interest loans to businesses in the same

county as a casino, or in a county adjacent to a county with a casino.

The Governor's budget also requires the appropriation to be used for economic development grants for Brown County in FY1999-2000 and 2000-2001.

The Governor's budget also changes the source of funding for three Department of Commerce appropriations relating to economic development for American Indians from general purpose revenue to Indian gaming receipts.

### **WHEDA Loan Guarantees**

The Governor's budget utilizes Indian gaming revenue to guarantee loans by the Wisconsin Housing and Economic Development Authority (WHEDA) for guarantees and interest subsidies under the small business development loan guarantee program for loans made to businesses located in the same counties as American Indian casinos or in counties adjacent to those counties.

### **Tourism Marketing and Economic Development**

Under current law, Indian gaming receipts are deposited in an appropriation to the Department of Administration (DOA). The Governor's budget requires an annual transfer from that appropriation to a new appropriation to the Department of Tourism (DOT) for tourism marketing expenditures and for providing funds to nonprofit organizations for the joint effort marketing of tourism in the state.

### **Indian Litigation Appropriation for DOJ**

Currently, the Department of Justice (DOJ) provides legal services to the state in litigation involving Indian law. DOJ is also involved with the regulation of Indian gaming and Indian gaming vendors. The Indian tribes pay money to the state as reimbursement for state costs resulting from all of the following: 1) regulation of Indian gaming; 2) certification and background investigations of Indian gaming vendors; 3) Indian gaming services and assistance. The Governor's budget allows part of the moneys received by the state from Indian gaming compacts to be used to fund DOJ legal services involving Indian litigation.

### **Gaming Revenues for Drinking Water Study**

The Governor's budget requires the Department of Natural Resources (DNR) to provide a grant to the Town of Swiss, Burnett County, and the St. Croix Band of Chippewa to study methods of addressing water quality problems.

### **Aquaculture Demonstration Facility**

The Governor's budget enumerates in the 1999-2001 state building program a full-scale aquaculture demonstration facility to be built at Ashland and to be operated by the Board of Regents of the University Wisconsin (UW) System.

The Governor's budget authorizes \$3,000,000 in program revenue (PR) supported borrowing for the construction of the facility. The PR that will support the borrowing consists of moneys

received by the state from the Indian gaming compacts.

### **Fish and Wildlife Initiatives**

Provide \$75,000 SEG in FY00 and \$100,000 SEG in FY01 to expand deer herd monitoring capabilities, including \$50,000 SEG-O annually and 0.5 FTE SEG-O position for educational materials and skills workshops.

The Governor's budget also makes clarification of the Department of Natural Resources' authority over wildlife rehabilitation and creating a natural resources violation hotline and reward program.

- Provide \$2 million PR-S annually from gaming compact revenues to minimize fishing and hunting fee increases necessary to support current programs. This is the first time non-license fee revenues have been provided for these activities.
- Transfers \$2 million Native American gaming revenue annually, increases fish and wildlife fees and increase captive wildlife license fees.
- Creates a bonus deer issuance fee and a reserved backtag handling fee.
- Lapse from the continuing balance of the beaver control appropriations.
- Increases major resident license fee types by \$1 and non-resident license fee types by \$3 to \$5 to balance expenditures with revenues in the fish and wildlife account of the state conservation fund. This increase should maintain a positive balance in the account for the next four years.
- Provides \$100,000 PR-S annually from gaming compact revenues to offset reduced fee revenues associated with fishing and hunting



license issuance by the Lac du Flambeau tribe.

- Authorizes DNR to raise funds for rewards to individuals who provide information on hunting and fishing violations.
- Provides \$934,000 SEG in FY00 and \$915,600 SEG in FY01 to fully implement the automated system for issuing fishing and hunting licenses. Funding will support vendor contractual costs and the purchase of 1,800 license terminals. Statewide operations of the system are scheduled to begin March 15, 1999.
- Provides \$250,000 PR-S and 0.5 FTE PR-S positions in FY01 from gaming compact revenues for management of the existing elk herd and expansion of the herd. The University of Wisconsin-Stevens Point will transfer responsibility for the herd to DNR in July 2000.
- Provides \$150,000 SEG and 0.5 FTE SEG position annually to support efforts to expand participation in hunting, camping and other outdoor skills and activities.

BOARD ACTION: March 12, 1999  
Board of Directors: Amend to provide a significant portion of the Indian Gaming funds received by the state to counties.