

## Office of the Commissioner of INSURANCE

**Commissioner:** JORGE GOMEZ, 267-3782, [jorge.gomez@](mailto:jorge.gomez@oci.state.wi.us)

*Deputy Commissioner:* CLARE STAPLETON CONCORD, 267-1233, [clare.stapleton-concord@](mailto:clare.stapleton-concord@oci.state.wi.us)

*Insurance Administrator:* EILEEN K. MALLOW, 266-7843, [eileen.mallow@](mailto:eileen.mallow@oci.state.wi.us)

*Legal Counsel:* FRED NEPPLE, 266-7726, [fred.nepple@](mailto:fred.nepple@oci.state.wi.us)

*Administrative Services, Division of:* vacancy, *administrator*; 266-5673; JOHN MONTGOMERY, *deputy administrator*; 264-8113, [john.montgomery@](mailto:john.montgomery@oci.state.wi.us)

*Regulation and Enforcement, Division of:* RANDY A. BLUMER, *administrator*; 267-9460, [randy.blumer@](mailto:randy.blumer@oci.state.wi.us)

*Financial Analysis and Examinations, Bureau of:* ROGER PETERSON, *director*; 267-4384, [roger.peterson@](mailto:roger.peterson@oci.state.wi.us)

*Market Regulation, Bureau of:* SUSAN EZALARAB, *director*; 266-8885, [sue.ezalarab@](mailto:sue.ezalarab@oci.state.wi.us)

Address e-mail by combining the user ID and the state extender: [userID@oci.state.wi.us](mailto:userID@oci.state.wi.us)

**Mailing Address:** P.O. Box 7873, Madison 53707-7873.

**Location:** 125 South Webster Street, Madison 53702.

**Telephones:** General: 266-3585; Agent licensing: 266-8699; Insurance complaint hotline: (800) 236-8517; Local Government Property Insurance Fund: (877) 229-0009 (Wisconsin only); State Life Insurance Fund: (800) 562-5558.

**Fax:** 266-9935.

**Internet Address:** <http://oci.wi.gov>

**Publications:** Annual reports; *Wisconsin Insurance News*; various pamphlets and materials for consumers, insurance companies, and agents. (Contact the Office of the Commissioner of Insurance.)

**Number of Employees:** 131.00.

**Total Budget 2003-05:** \$203,461,400.

**Statutory References:** Section 15.73; Chapter 601.

**Agency Responsibility:** The Office of the Commissioner of Insurance supervises insurance industry practices in Wisconsin. The office examines industry financial practices and market conduct, licenses agents, reviews policy forms for compliance with state legislation, investigates consumer complaints, and provides consumer information. Its goals are to ensure the financial soundness of insurers doing business in Wisconsin; secure fair treatment for policyholders, claimants, and insurers; encourage industry self-regulation; emphasize loss prevention as part of good insurance practice; and educate the public on insurance issues.

The office administers two segregated insurance funds. The State Life Insurance Fund offers up to \$10,000 of low-cost life insurance protection to any Wisconsin resident who meets prescribed risk standards. The Local Government Property Insurance Fund provides mandatory coverage for local governments against fire loss, as well as optional coverage for certain property damage or liabilities they may incur.

The agency oversees activities of the Health Care Liability Insurance Plan, which provides liability coverage for hospitals, physicians, and other health care providers in Wisconsin, and the Injured Patients and Families Compensation Fund, which provides medical malpractice coverage for qualified health care providers on claims in excess of a provider's underlying coverage.

**Organization:** The commissioner of insurance is appointed by the governor with the advice and consent of the senate. The commissioner cannot be a candidate for public office and there are stringent restrictions on the commissioner's political activities. The commissioner appoints the deputy commissioner from outside the classified service and the division administrators from the classified service.

**Unit Functions:** The *Division of Administrative Services* provides strategic and contingency planning, information technology, budget, human resources, accounting, contracting and procurement, and other support services for the agency.

The *Division of Regulation and Enforcement* conducts field reviews of insurer underwriting, rating, claim handling, and marketing practices. It investigates insurance agent activities, prepares enforcement proceedings, and prosecutes offenders. It helps consumers resolve problems with insurers and agents and carries out the agency's consumer education program. Other duties include review of rates, forms, and contracts filed with the office to ensure their compliance with state law; examination of insurer advertising files; and licensing and testing of insurance intermediaries.

The division conducts field examinations of the financial condition of insurers domiciled in this state and monitors the financial condition of insurers doing business in this state. It oversees insurer rehabilitation and liquidation, and audits and collects insurer taxes and fees. It also administers the fire department dues program in cooperation with the Department of Commerce and the state treasurer, whereby dues paid by insurers who provide fire coverage are disbursed to municipalities for fire protection and the fire fighters' pension and disability funds.

**History:** State regulation of insurance dates back to 1870 when Chapter 56 created a Department of Insurance in the secretary of state's office to license agents and, upon complaint, examine the books of fire and inland navigation insurance companies. In 1878 (Chapter 214), the legislature created a separate Department of Insurance, headed by a commissioner appointed by the governor, to perform these functions. From 1881 to 1911, based on Chapter 300, Laws of 1881, an elected commissioner administered the insurance department. With the enactment of Chapter 484, Laws of 1911, the insurance commissioner was again made an appointee. The 1967 executive branch reorganization act renamed the department the Office of the Commissioner of Insurance and continued it as an independent regulatory agency.

Other highlights include the development of the standard fire insurance contract in Chapter 195, Laws of 1891, and stricter regulation of the life insurance industry in 1907 to prevent fraud and misrepresentation. In 1911 and 1913, Wisconsin added coverage of local governments' property and buildings under the State Insurance Fund.

Wisconsin became the only state to establish a state life insurance fund for its residents under Chapter 577, Laws of 1911, which authorized the Department of Insurance to issue life insurance and annuity contracts. Since 1947 (Chapters 487 and 521), the office's responsibilities have included the review of all insurance policy forms and the filing of most premium rates. Wisconsin's current insurance laws are largely the result of a recodification developed between 1967 and 1979 by the Legislative Council and they have served as a basis for the model acts adopted by the National Association of Insurance Commissioners (an association of state insurance regulators).

### Statutory Boards and Council

**Insurance Security Fund, Board of Directors of the:** JAMES P. THOMAS (insurer representative appointed by commissioner), *chairperson*; JORGE GOMEZ (insurance commissioner), PEGGY A. LAUTENSCHALGER (attorney general), JACK C. VOIGHT (state treasurer); MARK V. AFABLE, MARK J. BACKE, JOHN F. CLEARY, JAMES E. CRIST, DAVID G. DIERCKS, PETER C. FARROW, J. STANLEY HOFFERT, WILLIAM M. O'REILLY, JAMES P. THOMAS, TOD J. ZACHARIAS (insurance industry representatives appointed by commissioner).

The Board of Directors of the Insurance Security Fund administers a fund that protects certain insurance policyholders and claimants from excessive delay and loss in the event of insurer liquidation. The fund consists of life, allocated annuity, health, HMO, property and casualty, and administrative accounts. The fund supports continuation of coverage under many life, annuity, and health policies. It is financed by assessments paid by most insurers in this state. The board may consist of 7 to 14 members but must include the attorney general, state treasurer, and insurance commissioner or their designees. The industry members must be chosen from representatives of insurers who are subject to the security fund law, and one member must be a representative of a service insurance corporation. The commissioner may provide that specific insurers or associations of insurers will be considered board members and may act through their authorized representatives. The board's advice and recommendations to the commissioner are not subject to the state's open records law. The board was originally created in Chapter 144, Laws of 1969, with substantial revisions in Chapter 109, Laws of 1979, and its composition and duties are prescribed in Sections 646.12 and 646.13 of the statutes.

**Injured Patients and Families Compensation Fund/Wisconsin Health Care Liability Insurance Plan, Board of Governors of the:** JORGE GOMEZ (insurance commissioner), *chairperson*; DAVID MAURER, PAUL MESTELLE, CHRISTOPHER S. SPENCER (insurance industry representatives appointed by commissioner); DONALD TAITELMAN (named by State Bar of Wisconsin); JAMES JANSEN (named by Wisconsin Academy of Trial Lawyers); SUSAN TURNEY, vacancy (named by State Medical Society of Wisconsin); GEORGE QUINN (named by Wisconsin Hospital Association); MARK H. FEMAL, BARBARA KUHL, KERMIT L. NEWCOMER, JOAN T. SCHMIT (public members appointed by governor).

The 13-member Board of Governors of the Injured Patients and Families Compensation Fund/Wisconsin Health Care Liability Insurance Plan oversees the health care liability plans for licensed physicians and nurse anesthetists, medical partnerships and corporations, cooperative sickness care associations, ambulatory surgery centers, hospitals, some nursing homes, and certain other health care providers. The board also supervises the Injured Patients and Families Compensation Fund, which pays medical malpractice claims in excess of a provider's underlying coverage. The 4 public members serve staggered 3-year terms, and at least 2 of them must not be attorneys or physicians nor be professionally affiliated with any hospital or insurance company. The insurance commissioner or the commissioner's designee, who must be an employee of the office of the commissioner, serves as chairperson. The board was created by the medical malpractice law, Chapter 37, Laws of 1975, and its composition and duties are prescribed in Sections 619.04 (3) and 655.27 of the statutes.

**Injured Patients and Families Compensation Fund Peer Review Council:** JOHN KELLY, *chairperson*; MICHAEL GILMAN, SANDRA OSBORN (physicians); TOM KIRSCHBAUM, vacancy (public members).

The 5-member Injured Patients and Families Compensation Fund Peer Review Council reviews within one year of the first payment on a claim each claim for damages arising out of medical care provided by a health care provider or provider's employee, if the claim is paid by any of the following: the Patients Compensation Fund, a mandatory health care risk-sharing plan, a private health care liability insurer, or a self-insurer. The council can recommend adjustments in fees paid to the Injured Patients and Families Compensation Fund and the Wisconsin Health Care Liability Insurance Plan or premiums paid to private insurers, if requested by the insurer. The Board of Governors of the Injured Patients and Families Compensation Fund/Wisconsin Health Care Liability Insurance Plan appoints the council and designates its officers and the terms of the members. Not more than 3 members may be physicians. The chairperson must be a physician, who also serves as an *ex officio* nonvoting member of the Medical Examining Board. The council was created by 1985 Wisconsin Act 340, and its composition and duties are prescribed in Section 655.275 of the statutes.

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## State of Wisconsin INVESTMENT BOARD

**Members:** JAMES A. SENTY, *chairperson*; THOMAS BOLDT, *vice chairperson*; ERIC O. STANCHFIELD (nonteacher participant appointed by Wisconsin Retirement Board), *secretary*; LAURA ENGAN (designated by the secretary of administration); DAVID GEERTSEN (representing Local Government Pooled-Investment Fund participants); WAYNE D. MCCAFFERY (teacher participant appointed by Teachers Retirement Board); STEPHEN E. BABLITCH, WILLIAM H. LEVIT, JR., DELORIS SIMS. (Except as noted, the governor appoints the members with senate consent.)

**Executive Director:** DAVID C. MILLS, 266-9451. □

*Deputy/Assistant Executive Director:* GAIL HANSON, 261-0187. □

*Chief Investment Officer – Public Equities:* JEAN LEDFORD, 261-0188. □

*Chief Investment Officer – Private Markets:* ROBERT SEVERANCE, 266-7111. □

*Head – Public Fixed Income:* ALAIN HUNG, 267-2257. □

*Administrative Services:* KEN JOHNSON, *chief operating officer*, 267-0221. □

*Internal Audit:* BRANDON DUCK, *internal auditor*, 261-2417. □

*Legal Services:* KEITH L. JOHNSON, *chief legal officer*, 266-8824. □

*Public Information Officer:* VICKI HEARING, 261-2415. □

*Legislative and Beneficiary Liaison:* SANDY DREW, 261-0182. □

**Mailing Address:** P.O. Box 7842, Madison 53707-7842. □

**Location:** 121 East Wilson Street, Madison. □

**Telephone:** (608) 266-2381; Toll-Free Beneficiary Hotline: (800) 424-7942. □

**Fax:** (608) 266-2436. □

**Internet Address:** <http://www.swib.state.wi.us> □

**Agency E-mail Address:** [info@swib.state.wi.us](mailto:info@swib.state.wi.us) □

**Publication:** Annual Report. □

**Number of Employees:** 104.50. □

**Total Budget 2003-05:** \$35,441,000. □

**Statutory References:** Section 15.76; Chapter 25. □

**Agency Responsibility:** The State of Wisconsin Investment Board is responsible for investing the assets of the Wisconsin Retirement System, the State Life Insurance Fund, the Local Government Property Insurance Fund, the State Historical Society of Wisconsin Endowment Trust Fund, the Injured Patients and Families Compensation Fund, the Tuition Trust Fund, EdVest, and the State Investment Fund.

For purposes of investment, the retirement system's assets are divided into two funds. The Fixed Retirement Investment Trust is a broadly diversified portfolio of domestic and international common stocks, corporate and government bonds, corporate loans, and private markets that include real estate holdings and private debt and equity. The Variable Retirement Investment Trust is invested primarily in common stocks. On December 31, 2004, Wisconsin Retirement System trust funds constituted 92% (approximately \$64.6 billion) of the \$70 billion managed by the Investment Board.

The State Investment Fund invests the commingled cash balances of various state and local government funds in short-term investments with earnings and losses distributed on a pro rata basis to the individual component funds. The fund encompasses the cash balance of the state's general fund and over 50 separate state funds, including the Children's Trust Fund, the Lottery Fund, the Recycling Fund, the Tuition Trust Fund, and the Wisconsin Election Campaign Fund, as well as various state agency accounts. Authorized local governments may participate by depositing moneys in the Local Government Pooled-Investment Fund, which is a separate fund within the State Investment Fund.

**Organization:** Appointments to the 9-member board, which is a corporate body with power to sue and be sued, are for 6-year terms. At least 4 out of 5 of the general members must have had a minimum of 10 years investment experience, and none may have a financial interest in or be employed by a dealer or broker in securities, mortgages, or real estate investments. The sixth member appointed by the governor must have 10 years of financial experience and be an employee of a government that participates in the Local Government Pooled-Investment Fund.

The board appoints the executive director and the director of internal audit from outside the classified service. The executive director, with the participation of the board, appoints the assistant executive director, chief investment officers, and the investment directors from outside the classified service. All other professional employees are appointed by the executive director from outside the classified service. Board employees may not have any direct or indirect financial interest in any firm engaged in the sale or marketing of real estate or investments nor give paid investment advice to others.

**Unit Functions:** *Administrative Services* is responsible for administration of the agency's budget, legislative liaison, policy analysis, human resources, information technology, financial operations and accounting, communications, and general administrative services.

The *Chief Investment Officers and the Head of Fixed Income*, operating under the supervision of the executive director, monitor and direct the activities of the investment directors for compliance with board investment policies, guidelines, and reporting procedures. The position of chief investment officer was created by 1995 Wisconsin Act 274.

The *Internal Audit* unit, directed by the internal auditor, may review any activity of the board and has access to records of the board and any external party under contract with the board. The auditor plans and conducts audits under the direction of the board; assists with external audits and reviews of the board; and monitors the board's contractual agreements with financial institutions, investment advisers, and any other external party providing investment services. The internal audit function was created by 1995 Wisconsin Act 274.

**History:** Chapter 459, Laws of 1921, created a mandatory pension system for teachers and three separate boards to invest the annuity funds of public school, normal school, and university teachers. The 1929 Legislature created the State Annuity and Investment Board and made it responsible for investing the assets of the teachers' pension funds and other state funds, except the school funds that remained under control of the Commissioners of Public Lands (Chapter 491). The board also assumed oversight and asset management of funds for the newly created state employee pension system as the result of Chapter 176, Laws of 1943.

Chapter 511, Laws of 1951, replaced the three teacher retirement boards and the Annuity and Investment Board with State Teachers Retirement Board and the State Investment Board, which was responsible for investing the assets of all non-Milwaukee teachers. Chapter 511 also granted the State Investment Board authority to invest the assets of the nonteaching, non-Milwaukee public employees who were covered under the Wisconsin Retirement Fund. Chapter 430, Laws of 1957, brought the funds of the Milwaukee teachers under the control of the State Investment Board. Chapter 96, Laws of 1981, consolidated all public employee retirement plans, with the exception of the City and County of Milwaukee, into the Wisconsin Retirement System (WRS), and the State Investment Board has continued to invest the funds for the WRS.

Chapter 449, Laws of 1925, created a State Board of Deposits to insure state funds on deposit in state banks through a deposit fund, managed by the state treasurer under the direction of the board. The board's duties were to designate the banks in which state funds could be deposited and to specify the maximum amount of state funds each could receive. Participating banks paid into the deposit fund, which was designed to reimburse any losses incurred through bank failure.

Chapter 511, Laws of 1951, authorized the State Investment Board to invest the state's operating funds and directed it to carry out the investment functions of the State Board of Deposits. Although state funds had been invested since 1911, the 1951 reorganization increased the types of investments the board could consider for the funds under its supervision. Previously, the state's operating funds had been placed in noninterest bearing accounts. In 1957, the legislature created the State Investment Fund, which merged all state funds except for a handful that are reported separately. The Local Government Pooled-Investment Fund, created in 1976, allows local government to invest their idle cash at competitive rates of return and withdraw it on a two-day notice with no penalty.

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## Department of JUSTICE

**Attorney General:** PEGGY A. LAUTENSCHLAGER, 266-1221.

*Deputy Attorney General:* DANIEL P. BACH, 266-1221.

**Mailing Address:** P.O. Box 7857, Madison 53707-7857.

**Location:** Attorney General's Office, 114 East, State Capitol; Department of Justice, 17 West Main Street, Madison.

**Telephones:** General: 266-1221; Arson Tip Line: (800) 362-3005; Office of Crime Victims Services: (800) 446-6564; Drug Tip Helpline: (800) 622-DRUG (622-3784); Amber Alert Hotline: (866) 65AMBER.

**Fax:** 267-2779.

**Internet Address:** <http://www.doj.state.wi.us>

**Number of Employees:** 550.18.

**Total Budget 2003-05:** \$143,278,800.

**Constitutional References:** Article VI, Sections 1 and 3.

**Statutory References:** Section 15.25; Chapter 165.

*Criminal Investigation, Division of:* JAMES R. WARREN, *administrator*, 266-1671; JOELL E. SCHIGUR, *administrative officer*, 266-1671; Fax: 267-2777.

*Administrative Services Bureau:* ROBBIE LOWERY, *director*, 266-1671.

*Arson and Special Assignments Bureau:* CAROLYN S. KELLY, *director*, 266-1671.

*Gaming Bureau and Financial Crimes Unit:* ROBERT W. SLOEY, *director*, 266-1671.

*Investigative Services Bureau:* CRAIG S. KLYVE, *director*, 266-1671.

*Narcotics Bureau:* MICHAEL G. MYSEWSKI, *director*, 266-1671.

*Public Integrity Unit:* DEAN NICKEL, *special agent in charge*, 266-0328.

*Law Enforcement Services, Division of:* MICHAEL A. ROBERTS, *administrator*, 266-7052; Fax: 266-1656.

*Crime Information Bureau:* GERRY COLEMAN, *director*, 266-7314.

*Crime Laboratory Bureau-Madison:* JEROME A. GEURTS, *director*, 266-2031, 4706 University Avenue, Madison 53705-2174.

*Crime Laboratory Bureau-Milwaukee:* MICHAEL J. CAMP, *director*, (414) 382-7500, 1578 South 11th Street, Milwaukee 53204-2860.

*Crime Laboratory Bureau-Wausau:* MICHAEL A. HAAS, *director*, (715) 845-8626, 7100 West Stewart Avenue, Wausau 54401.

*Training and Standards Bureau:* DENNIS E. HANSON, *director*, 266-7864.

*Legal Services, Division of:* MICHAEL R. BAUER, *administrator*, 266-0332; Fax: 266-1656.

*Civil Litigation and Employment Unit:* COREY FINKELMEYER, *director*, 266-7906.

*Criminal Appeals Unit:* GREGORY WEBER, *director*, 266-3935.

*Criminal Litigation, Antitrust, Consumer Protection, and Public Integrity Unit:* STEVEN TINKER, *director*, 266-1447.

*Environmental Protection Unit:* THOMAS DAWSON, *director*, 266-8912.

*Medicaid Fraud Control Unit:* WILLIAM HANRAHAN, *director*, 266-9222.

*State Programs, Administration, and Revenue Unit:* SANDY TARVER, *director*, 266-7630.

*Management Services, Division of:* CINDY O'DONNELL, *administrator*, 267-1300; Fax: 266-1656.

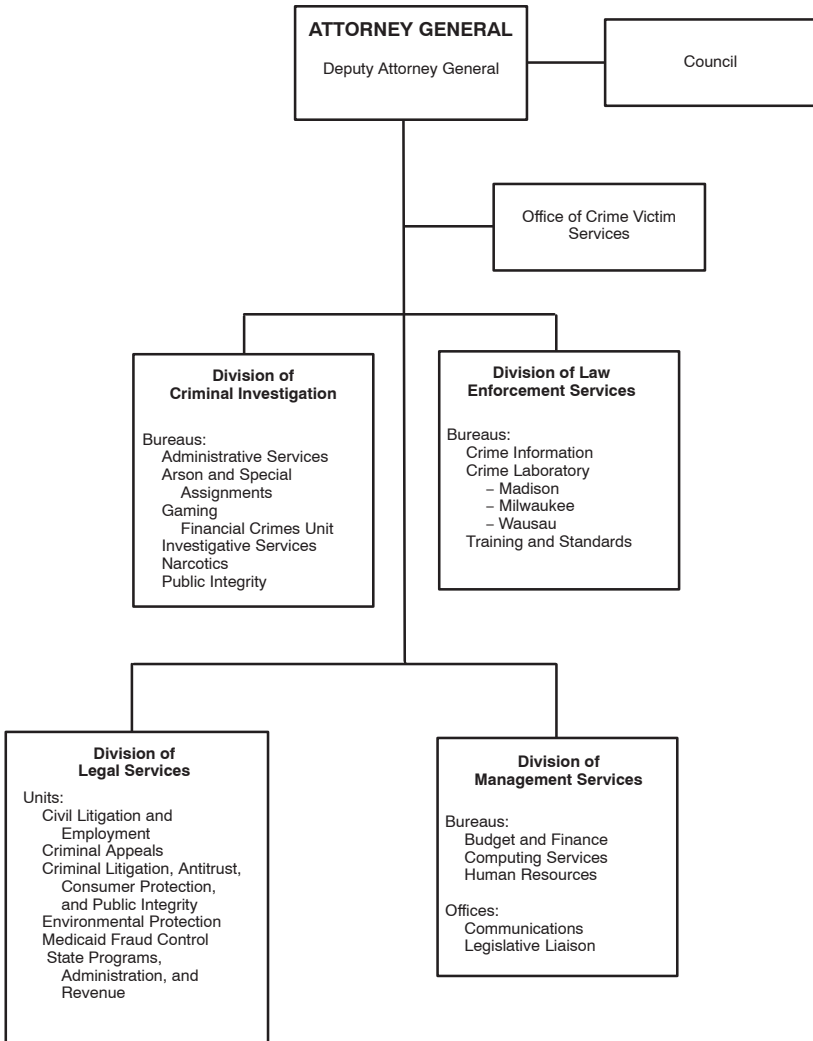
*Budget and Finance, Bureau of:* JACK R. BENJAMIN, *director*, 267-6714.

*Computing Services, Bureau of:* FRANK ACE, *director*, 266-7076.

*Human Resources, Bureau of:* GARY MARTINELLI, *director*, 266-0461.

*Communications, Office of:* BRIAN RIESELMAN, 266-1221.

DEPARTMENT OF JUSTICE



Unit attached for administrative purposes under Sec. 15.03: Crime Victims Rights Board  
Law Enforcement Standards Board

*Legislative Liaison, Office of:* MARK RINEHART, 266-1221.

*Crime Victims Services, Office of:* NANCY J. NUSBAUM, *director*, 266-0109, P.O. Box 7951, Madison 53707-7951.

**Publications:** Opinions of the Attorney General; Annual Report; Criminal Investigation and Physical Evidence Handbook; Domestic Abuse Incident Report; Law Enforcement Bulletin; *When Crime Strikes: Injured Victims Can Get Help*; Wisconsin Law Enforcement Film Catalog; *Wisconsin Open Meetings Law: A Citizen's Guide*; *Wisconsin Open Meetings Law: A Compliance Guide*; Wisconsin Prosecutor's Newsletter.

**Agency Responsibility:** The Department of Justice provides legal advice and representation, criminal investigation, and various law enforcement services for the state. It represents the state in civil cases and handles criminal cases that reach the Wisconsin Court of Appeals or the Wisconsin Supreme Court. It also represents the state in criminal cases on appeal in federal courts and participates with other states in federal cases that are important to Wisconsin. The department provides legal representation in lower courts when expressly authorized by law or requested by the governor, either house of the legislature, or a state agency head. It also represents state agencies in court reviews of their administrative decisions.

**Organization:** The Department of Justice is directed by the attorney general, a constitutional officer who is elected on a partisan ballot to a 4-year term. The attorney general selects the department's division administrators, with the exception of the administrator of the Division of Criminal Investigation, which is a classified position.



*State Crime Laboratory forensic scientist Robert Block extracts residue of controlled substances from a \$100 bill. The Wisconsin Department of Justice's crime laboratories help law enforcement officers analyze physical evidence. (Department of Justice)*



**Unit Functions:** The *Division of Criminal Investigation*, created in Section 15.253 (2), Wisconsin Statutes, by 1991 Wisconsin Act 269, investigates crimes that are statewide in nature. Special agents work closely with local law enforcement officials and prosecuting attorneys to investigate and prosecute arson, explosions of suspected criminal origin, high level drug trafficking, illegal gaming, pornography, antitrust violations, organized crime, financial crimes, and public corruption. Upon request, the division assists local law enforcement agencies on cases, such as murders and multijurisdictional theft or fraud.

The *Division of Law Enforcement Services* provides advanced technical services, information, and training to state and local law enforcement agencies and jails. It maintains central fingerprint identification records and computerized criminal history information, operates the Handgun Hotline, and provides criminal history background check services. The statewide telecommunications system links Wisconsin police agencies to national, state, and local crime files, and three crime laboratories help law enforcement officers analyze physical evidence.

The division ensures that all officers at the municipal, county, and state levels meet the mandatory recruitment and training qualifications established by the Law Enforcement Standards Board. Regional academies are certified by the board to offer basic training for law enforcement recruits, jail officers, or security detention officers or to provide the annual recertification classes required for all officers. Training resources and instructors are also provided to local law enforcement organizations.

The *Division of Legal Services* provides legal representation and advice to the governor, legislature, other state officers and agencies, district attorneys, and county corporation counsels. It enforces state environmental, antitrust, employment, consumer protection, and Medicaid fraud laws. It also prosecutes economic crimes and represents the state in all felony appeals and litigation brought by prison inmates. At the request of district attorneys, the division provides special prosecutors in complex homicide, drug, and white collar cases. It defends the state in civil lawsuits filed against the state or its officers and employees and handles matters related to public records, Indian law, and fair housing.

The *Division of Management Services* prepares the agency budget; manages agency personnel, finances, and facilities; and provides information technology services.

The *Office of Crime Victims Services* administers state and federal programs that assist victims of crime. Three programs receive funding from surcharges assessed against convicted criminals: the Crime Victim Compensation Program reimburses victims and their dependents for out-of-pocket medical and other expenses; the Sexual Assault Victim Services Program provides grants to nonprofit organizations that offer services to sexual assault victims; and the Victim/Witness Assistance Program partially reimburses counties for their costs of providing services. Federal funding supports two departmental programs: the Wisconsin Victim Resource Center, which mediates victims claims, and the Elder Advocacy Program, which provides technical assistance and training to citizens and professionals in the area of financial abuse of the elderly, including consumer fraud and financial abuse by family members and caregivers.

**History:** When Wisconsin became a territory in 1836, the U.S. President appointed the attorney general. In 1839, a territorial act gave the governor the power to appoint the attorney general with the consent of the Legislative Council (the upper house of the territorial legislature) to a term of 3 years. The Wisconsin Constitution, as adopted in 1848, provided for an elected attorney general with a 2-year term. A constitutional amendment ratified in 1967 increased the term to 4 years, effective in 1971.

Chapter 75, Laws of 1967, named the agency headed by the attorney general the Department of Justice and transferred to its control the State Crime Laboratory, the arson investigation program from the Commissioner of Insurance, and the criminal investigation functions of the Beverage and Cigarette Tax Division of the Department of Revenue. The 1975 Legislature returned alcohol and tobacco tax enforcement to the Department of Revenue.

The 1969 Legislature added enforcement of certain laws related to dangerous drugs, narcotics, and organized crime to the duties of the department and created the public intervenor to intervene in or initiate proceedings to protect public rights in water and other natural resources. In Chapter 189, Laws of 1979, the legislature transferred the crime victims program from the Department of Industry, Labor and Human Relations to the Department of Justice. 1995 Wisconsin Act 27

transferred the public intervenor to the Department of Natural Resources and consumer protection functions to the Department of Agriculture, Trade and Consumer Protection.

### Statutory Council

**Crime Victims Council:** BETH TABOR, MARY VAN DYKE (victim services representatives); ANN GOLLNER (law enforcement representative); MARTIN LIPSKE (district attorney representative); BARBARA H. KEY (judicial representative); JENNY BELICH, JULIA BURNLEY-WITHERSPOON, QUALA CHAMPAGNE, KATHY CONNOLLY, NORM GAHN, MELINDA HUGHES, MARION MORGAN, JEN SENICK-CELMER, RICHARD SICCHIO, JOAN TERRY (citizen members). (All are appointed by attorney general.)

The 15-member Crime Victims Council provides advice and recommendations on victims' rights issues and legislation. Members are appointed for staggered 3-year terms, and the 10 citizen members must have demonstrated sensitivity and concern for crime victims. The council was created by Chapter 189, Laws of 1979, as the Crime Victims Compensation Council. It was renamed in Chapter 20, Laws of 1981, and its duties and composition are prescribed in Sections 15.09 (5) and 15.257 (2) of the statutes.

### INDEPENDENT UNITS ATTACHED FOR BUDGETING, PROGRAM COORDINATION, AND RELATED MANAGEMENT FUNCTIONS BY SECTION 15.03 OF THE STATUTES

#### CRIME VICTIMS RIGHTS BOARD

**Members:** KEN KRATZ (district attorney appointed by Wisconsin District Attorneys' Association); CHARLES MCGEE (local law enforcement representative appointed by the attorney general); TRISHA ANDERSON (county provider of victim and witness services appointed by attorney general); CHRISTINE NOLAN (citizen member appointed by the Crime Victims Council); ANGELA SUTKIEWICZ (citizen member appointed by governor).

**Statutory References:** Sections 15.255 (2) and 950.09.

The 5-member Crime Victims Rights Board may review complaints made to the Department of Justice regarding the rights of a crime victim in cases where there is probable cause to believe a crime victim's rights have been violated, but the board cannot act until the department has completed its actions on the complaint.

Actions of the board are not subject to approval or review by the attorney general. The board may issue a private or public reprimand against a public officer or agency that violates a crime victim's rights; refer a possible violation of a victim's rights by a judge to the judicial commission; seek appropriate relief on behalf of a crime victim necessary to protect that person's rights; or bring a civil action against a public officer or agency for intentional violations. In a criminal case, the board may not seek to appeal, reverse, or modify a conviction or sentence. Civil actions brought by the board may result in a forfeiture of not more than \$1,000.

Members serve 4-year terms. The 2 citizen members may not be employed in law enforcement, by a district attorney, or by a county board to provide crime victim's services. The board was created by 1997 Wisconsin Act 181.

#### LAW ENFORCEMENT STANDARDS BOARD

**Members:** EDWARD BAUMANN (law enforcement representative), *chairperson*; SCOTT E. PEDLEY (law enforcement representative), *vice chairperson*; WILLIAM BRANDIMORE, STEVEN J. LELINSKI, ROBERTA E. SINDELAR, vacancy (law enforcement representatives); TIMOTHY C. BAXTER (district attorney); MICHAEL J. SERPE, vacancy (local government representatives); JACK ROBINSON (public member); DAVID COLLINS (designated by secretary of transportation), PEGGY A. LAUTENSCHLAGER (attorney general), DAVID O. STEINGRABER (executive director, Office of Justice Assistance), RANDY STARK (designated by secretary of natural resources). Nonvoting member: DAVID WILLIAMS (special agent in charge, Milwaukee FBI Office). (All except *ex officio* members are appointed by governor.)

**Secretary:** MICHAEL A. ROBERTS, *administrator*, Division of Law Enforcement Services, P.O. Box 7857, Madison 53707-7857.

**Statutory References:** Sections 15.255 and 165.85.

**Agency Responsibility:** The 15-member Law Enforcement Standards Board sets minimum employment, education, and training standards for law enforcement, tribal law enforcement, and jail and secure detention officers. It certifies persons who meet the standards as qualified to be officers. The board consults with other government agencies regarding the development of training schools and courses, conducts research to improve law enforcement and jail administration and performance, and evaluates governmental units' compliance with standards. Its appointed members serve staggered 4-year terms. The law enforcement representatives must include at least one sheriff and one chief of police. The public member cannot be employed in law enforcement. Chapter 466, Laws of 1969, created the board.

**Curriculum Advisory Committee:** RONALD CRAMER (sheriff), CHARLES MCGEE (police chief), *cochairpersons*; TONY BARTHULY, JOSEPH COUGHLIN, MICHAEL KING, STEVEN LINTON, DANIEL VERGIN (police chiefs); DARRELL BERGLIN, DAVID GRAVES, EVERETT MUHLHAUSEN, ROBERT SCHMIDT, TERRY VOGEL (sheriffs); DARREN PRICE (training director, Wisconsin State Patrol) □ (appointed by Law Enforcement Standards Board). □

The 13-member Curriculum Advisory Committee advises the Law Enforcement Standards Board on the establishment of curriculum requirements for training of law enforcement and jail and secure detention officers. The board may appoint no more than one sheriff and one police chief from any one of the state's 8 administrative districts. The statutes do not stipulate length of terms. Chapter 466, Laws of 1969, created the committee and its composition and duties are prescribed in Section 165.85 (3) (d) of the statutes.

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## Department of MILITARY AFFAIRS

**Commander in Chief:** GOVERNOR JIM DOYLE.

**Adjutant General:** MAJOR GENERAL ALBERT H. WILKENING, 242-3001, al.wilkening@wi.ngb.army.mil

*Deputy Adjutant General for Army:* BRIG. GEN. KERRY G. DENSON, 242-3010, kerry.denson@wi.ngb.army.mil

*Deputy Adjutant General for Air:* MAJ. GEN. FRED R. SLOAN, 242-3020, fred.sloan@wimadi.ang.af.mil

*Division of Emergency Management:* JOHNNIE L. SMITH, *administrator*, 242-3210, johnnie.smith@dma.state.wi.us

*Executive Assistant:* LARRY L. OLSON, 242-3009, larry.olson@wi.ngb.army.mil

**Mailing Address:** P.O. Box 8111, Madison 53708-8111.

**Location:** 2400 Wright Street, Madison 53704-2572.

**Telephones:** General: 242-3000; Division of Emergency Management: 242-3232; 24-hour hotline for emergencies and hazardous materials spills: (800) 943-0003.

**Fax:** 242-3111; Division of Emergency Management: 242-3247.

**Internet Address:** Department of Military Affairs and Wisconsin National Guard: <http://dma.wi.gov>; Wisconsin Emergency Management: □ <http://emergencymanagement.wi.gov>; Wisconsin Homeland Security: □ <http://homelandsecurity.wi.gov> □

**Number of State Employees:** 385.16. □

**Total State Budget 2003-05:** \$112,677,600. □

**Total Federal Budget:** Approximately \$259.8 million annually. □

**Constitutional References:** Article IV, Section 29; Article V, Section 4. □

**Statutory References:** Sections 15.31 and 15.313; Chapters 21 and 166. □

*Adjutant General Staff:*

*Assistant Adjutant General:* BRIG. GEN. BRUCE D. SCHRIMPF,  
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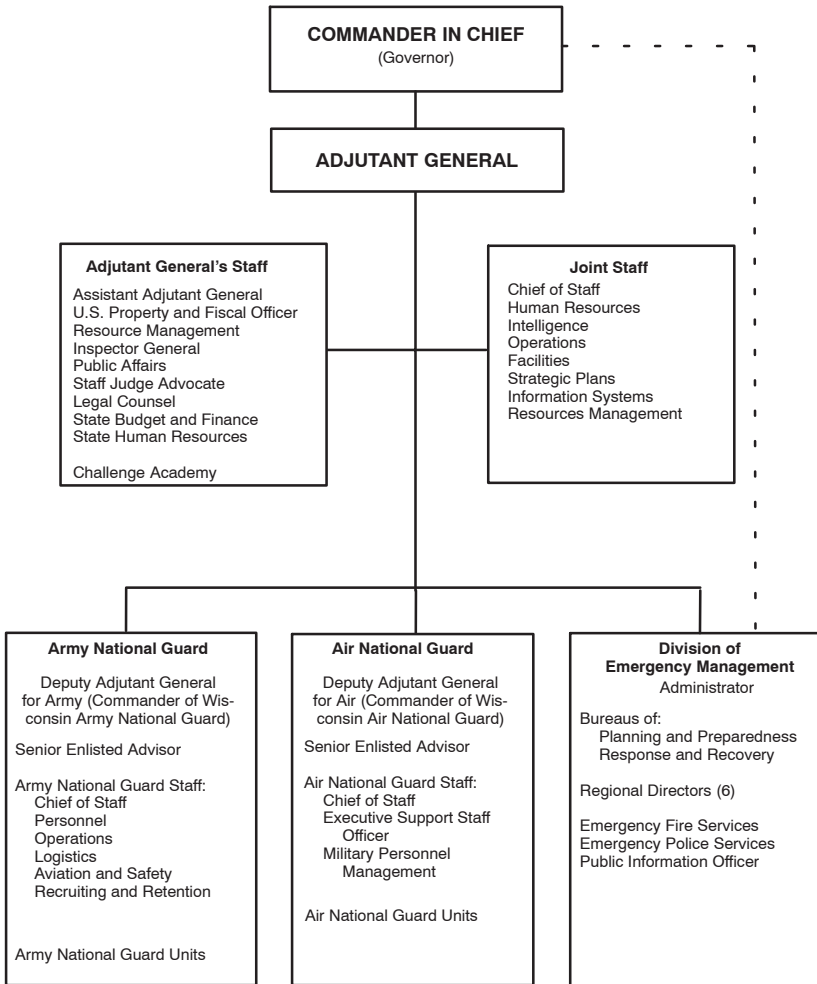
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## DEPARTMENT OF MILITARY AFFAIRS

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*32nd (Separate) Infantry Brigade (Light) (Camp Douglas):* BRIG. GEN. JAMES A. KRUECK, *commander*, (608) 427-7357, james.krueck@wi.ngb.army.mil; LT. COL. MARK R. GREENWOOD, *administrative officer*, (608) 427-7349, mark.greenwood@wi.ngb.army.mil

*57th Field Artillery Brigade (Milwaukee):* COL. DOMINIC A. CARIELLO, *commander*, LT. COL. JOHN SCHROEDER, *administrative officer*, (414) 961-8605, john.schroeder@wi.ngb.army.mil

*64th Troop Command (Madison):* COL. WILLIAM KASTEN, *commander*; LT. COL. JULIE GERETY, *administrative officer*, 242-3840, julie.gerety@wi.ngb.army.mil

*264th Engineer Group (Chippewa Falls):* COL. MARK MICHIE, *commander*; LT. COL. JAMES LEWIS, *administrative officer*, (715) 720-3403, james.lewis@wi.ngb.army.mil

*426th Regiment (Wisconsin Military Academy) (Fort McCoy):* COL. DALE POMMERENING, *commander*; MAJ. JEFF KURKA, *administrative officer*, (608) 388-9990, jeff.kurka@wi.ngb.army.mil

*Wisconsin Air National Guard:* MAJ. GEN. FRED R. SLOAN, *commander*, 242-3020, fred.sloan@wimadi.ang.af.mil

*Senior Enlisted Advisor:* vacancy.

*Air National Guard Staff:*

*Chief of Staff, Air Staff:* BRIG. GEN. STEVEN E. FOSTER.

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*Military Personnel Management Officer:* CHIEF MASTER SGT. JANET GAEDKE, 242-3122, janet.gaedke@wimadi.ang.af.mil

*Air National Guard Units (major commands):*

*115th Fighter Wing (Madison):* COL. JOSEPH BRANDEMUEHL, *commander*, 245-4501, joe.brandemuehl@wimadi.ang.af.mil

*128th Air Refueling Wing (Milwaukee):* COL. DONALD DUNBAR, *commander*, (414) 944-8405, donald.dunbar@wimilw.ang.af.mil

*Volk Field Combat Readiness Training Center (Camp Douglas):* COL. GUNTHER H. NEUMANN, *commander*, (608) 427-1200, gunther.neumann@wicrtc.ang.af.mil

*128th Air Control Squadron (Volk Field):* LT. COL. HERBERT T. DANNENBERG, *commander*, (608) 427-1295, herb.dannenberg@wicrtc.ang.af.mil

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*Response and Recovery, Bureau of:* ROB RUDE, *director*, 242-3203, rob.rude@dma.state.wi.us

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*East Central Regional Office (Fond du Lac):* DAN DAHLKE, *director*, (920) 929-3730, dan.dahlke@dma.state.wi.us

*Northeast Regional Office (Wausau):* ERIK LOWMAN, *director*, (715) 845-9517, erik.lowman@dma.state.wi.us

*Northwest Regional Office (Spooner):* RHONDA REYNOLDS, *director*, (715) 635-8704, rhonda.reynolds@dma.state.wi.us

*Southeast Regional Office (Waukesha):* PATRICK O'CONNOR, *director*, (262) 782-1515, pat.oconnor@dma.state.wi.us

*West Central Regional Office (Eau Claire):* LOIS RISTOW, *director*, (715) 839-3825, wemwco@discover-net.net □

*Emergency Fire Services:* vacancy. □

*Emergency Police Services:* vacancy. □

**Publications:** *At Ease*; Biennial Report; Wisconsin Emergency Management *Digest*.

**Agency Responsibility:** The Department of Military Affairs provides an armed military force through the Wisconsin National Guard, which is organized, trained, equipped, and available for deployment under official orders in state and national emergencies. The federal mission of the National Guard is to provide trained units to the U.S. Army and U.S. Air Force in time of war or national emergency. Its state mission is to help civil authorities protect life and property and preserve peace, order, and public safety in times of natural or human-caused emergencies.

The *Division of Emergency Management* is headed by a division administrator appointed by the governor with the advice and consent of the senate. It coordinates the development and imple-



*Soldiers of Company A, 1st Battalion, 128th Infantry, Wisconsin Army National Guard, share a moment with Iraqi children, while elders in traditional garb look on. (U.S. Army, 1st Battalion, 128th Infantry)*

mentation of the state emergency operations plan; provides assistance to local jurisdictions in the development of their programs and plans; administers private and federal disaster and emergency relief funds; and maintains the state's 24-hour duty officer reporting and response system. The division also conducts training programs in emergency planning for businesses and state and local officials, as well as educational programs for the general public. Under Title III of the federal 1986 Superfund Amendments and Reauthorization Act and 1987 Wisconsin Act 342, the division requires public and private entities that possess hazardous substances to file reports on these substances. It establishes local emergency response committees and oversees implementation of their plans and corresponding state plans. The division administers emergency planning performance grants that assist local emergency planning committees in complying with state and federal law. In addition, the division contracts with regional hazardous materials response teams which respond to the most dangerous levels of hazardous substance releases. It also coordinates planning and training for off-site radiological emergencies at nuclear power plants in and near Wisconsin. The Emergency Police Services (EPS) program provides support to law enforcement in times of crisis. The program coordinates state law enforcement response to emergencies, including coordination of mutual aid for law enforcement assistance in natural disasters, prison disturbances, and other emergencies.

A key resource within Wisconsin Emergency Management (WEM) is its system of 6 regional offices located throughout the state. The regional offices are co-located with the Wisconsin State Patrol district headquarters in Waukesha, Fond du Lac, Eau Claire, Spooner, and Wausau and at WEM's central office in Madison. Each office is assigned to work with a group of surrounding counties ranging in number from 8 to 14. Regional Directors are knowledgeable in each of the division's programs, and support both municipal and county programs in planning, training, exercising, response and recovery activities, as well as the coordination of administrative activities between the division and local governments. When disasters and emergencies strike, they are the division's initial responders, serving as field liaisons for the State Emergency Operations Center.

**Organization:** The Wisconsin Constitution designates the governor as the commander in chief of the Wisconsin National Guard. The department is directed by the adjutant general, who is appointed by the governor for a 5-year term and may serve successive terms. The adjutant general must be an officer actively serving in the Army or Air National Guard of Wisconsin who has attained at least the rank of lieutenant colonel with a minimum of 5 years of continuous, federally recognized commissioned service in the National Guard immediately preceding the date of appointment.

In addition to state support, the Wisconsin National Guard is also funded and maintained by the federal government, and when it is called up in an active federal duty status, the President of the United States becomes its commander in chief. The federal government provides arms and ammunition, equipment and uniforms, major outdoor training facilities, pay for military and support personnel, and training and supervision. The state provides personnel; conducts training as required under the National Defense Act; and shares the cost of constructing, maintaining, and operating armories and other military facilities. The composition of Wisconsin Army and Air National Guard units is authorized by the U.S. Secretary of Defense through the National Guard Bureau. All officers and enlisted personnel must meet the same physical, education, and other eligibility requirements as members of the active-duty U.S. Army or U.S. Air Force.

**History:** Until the 20th century, the United States relied heavily on military units organized by the states to fight its wars. Known as “minutemen” in the American Revolution, state militias, which could be called up on brief notice, provided soldiers for the Revolutionary War, the Mexican War, the Civil War, and the Spanish-American War.

In 1792, the U.S. Congress passed a law that required all able-bodied men between 18 and 45 years of age to serve in local militia units, a provision that was incorporated into the territorial statutes of Wisconsin. The Wisconsin Constitution, as adopted in 1848, authorized the legislature to determine the composition, organization, and discipline of the state militia.

The 1849 Wisconsin Statutes specified the procedure for the organization of locally controlled “uniform companies”. Each uniform company included 30 men who had to equip themselves with arms and uniforms.

By 1858 (Chapter 87), the legislature provided for the organization of the State Militia, which ultimately replaced the uniform companies. As commander in chief of the militia, the governor appointed the adjutant general and the general officers and issued commissions to the elected officers of uniform companies. The governor could provide arms for the officers, but they were required to supply their own uniforms and horses. Not until 1873 (Chapter 202) was money appropriated from the general fund to help support militia companies. Chapter 208, Laws of 1879, changed the militia’s name to the Wisconsin National Guard.

Federal supervision of and financial responsibility for the National Guard came with Congressional passage of the Dick Act in 1903. Congress passed the law in response to the lack of uniformity among state units, which became evident during the Spanish-American War and subsequent occupation of the Philippines. The act set standards for Guard units, granted federal aid, and provided for inspections by regular U.S. Army officers.

The National Defense Act of 1933 formally created the National Guard of the United States, a reserve component of the active U.S. Army. The act allowed the mobilization of intact National Guard units through their simultaneous dual enlistment as state and federal military forces. This permitted Guard personnel to mobilize for federal duty directly from state status in event of a federal emergency, rather than being discharged to enlist in the federal forces, as was done in World War I. A 1990 U.S. Supreme Court case upheld the authority of the U.S. Congress to send Army National Guard units (under U.S. Army command) out of the country to train for their federal mission.

Wisconsin National Guard troops fought in the Civil War, the Spanish-American War, World War I, and World War II. Wisconsin troops from the “Iron Brigade” gained national recognition in the Civil War, and the 32nd “Red Arrow” Infantry Division won fame for its combat record in both World Wars. The Wisconsin Air National Guard became a separate service in 1947, and members of the Wisconsin Air Guard served in the Korean War. Over the past 50 years, Wisconsin units have been called to active federal service on numerous occasions. In 1961, the 32nd Division was activated during the Berlin Crisis. More than 1,400 Guard members from Wisconsin





*In Iraq, soldiers of Company A, 1st Battalion, 128th Infantry, Wisconsin Army National Guard, train soldiers of the Iraqi National Army. (U.S. Army, 1st Battalion, 128th Infantry)*

were sent to the Persian Gulf to participate in Operations Desert Shield and Desert Storm in 1990-91. Beginning in 1996, units were called to support peacekeeping efforts in the Balkans. Wisconsin Air National Guard units were deployed to enforce U.N. no-fly zones in Southwest Asia in the 1990s, and two units were called to support Operation Allied Force, the NATO air operations over Kosovo in 1999.

Within hours of the September 11, 2001, terrorist attacks on America, the Wisconsin National Guard began yet another period of extensive support to U.S. military operations. Air National Guard units in Wisconsin have provided fighter aircraft to patrol the skies over major U.S. cities and critical national infrastructure, tanker aircraft to refuel patrolling fighters and U.S. military aircraft overseas, and critical radar support to North American Aerospace Defense Command and the Federal Aviation Administration. Wisconsin Army Guard soldiers enhanced security at nine of Wisconsin's commercial airports until the federal Transportation Security Agency could establish a new security system. Wisconsin Army National Guard units began mobilizing into active federal service in December 2001, and unit mobilizations have continued in support of military efforts in Afghanistan (Operation Enduring Freedom) and Iraq (Operation Iraqi Freedom), as well as Operation Noble Eagle homeland defense missions in the United States. By June 6, 2005, more than 5,500 members of the Wisconsin Army and Air National Guard had been mobilized to serve on active duty since September 11, 2001.

The 1967 executive branch reorganization created the Department of Military Affairs to assume the state's responsibilities for the Wisconsin National Guard and the functions of the Wisconsin State Armory Board that had been created in 1943 to construct or acquire armories to house and train the National Guard.

The **Division of Emergency Management** originated as the Office of Civil Defense, which was developed to administer emergency programs in case of enemy attack and was located in the governor's office under Chapter 443, Laws of 1951. Its predecessors include the Wisconsin Council of Defense, organized by executive order of Governor Julius P. Heil in 1940, and the State Council on Civil Defense, created in the governor's office by Chapter 9, Laws of 1943. The 1943 council was abolished in 1945 and its functions transferred to the adjutant general, who was appointed director of the Office of Civil Defense by the governor, as permitted in the 1951 law.

Chapter 628, Laws of 1959, renamed the office the Bureau of Civil Defense and added responsibilities for natural and human-caused disasters. The 1967 executive branch reorganization transferred the bureau to the Department of Local Affairs and Development as the Division of Emergency Government. In Chapter 361, Laws of 1979, the division was transferred to the Department of Administration. The division became part of the Department of Military Affairs in 1989 Wisconsin Act 31 and was renamed by 1995 Wisconsin Act 247. When 1997 Wisconsin Act 27 abolished the State Emergency Response Board, the division assumed the board's responsibilities pertaining to hazardous chemical substances and spills and the contracts with regional hazardous materials response teams. Since 1997, Wisconsin Emergency Management has coordinated the state's terrorism preparedness efforts, by working to deter, prevent, respond to, and recover from terrorist attacks. In March 2003 (Executive Order 7), Governor Doyle created the Governor's Homeland Security Council to advise the governor and coordinate the efforts of state and local officials regarding the prevention of, and response to, potential threats to the homeland security of the state. The council works with federal, state, and local agencies, nonprofit organizations, and private industry to prevent and respond to any threat of terrorism, to promote personal preparedness and to make recommendations to the governor on what additional steps are needed to further enhance Wisconsin's homeland security.

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*Major General Al Wilkening, the adjutant general of Wisconsin, talks with soldiers of the 829th Engineer Detachment deployed at a base in southern Kuwait in support of Operation Iraqi Freedom. (Wisconsin Army National Guard, 829th Engineer Detachment)*

## Department of NATURAL RESOURCES

*Natural Resources Board:* GERALD M. O'BRIEN (member-at-large), *chairperson*; HOWARD D. POULSON (southern member), *vice chairperson*; JONATHAN P. ELA (southern member), *secretary*; HERBERT F. BEHNKE, JOHN W. WELTER, STEPHEN D. WILLETT (northern members); CHRISTINE L. THOMAS (southern member). (All are appointed by governor with senate consent.)

**Secretary of Natural Resources:** SCOTT HASSETT, 266-2121, scott.hassett@□

*Deputy Secretary:* WILLIAM H. SMITH, 264-6133, william.h.smith@□

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*Legal Services, Bureau of:* RICHARD L. PROSISE, *director*, 266-0060, richard.prosise@□

*Management and Budget, Bureau of:* JOSEPH P. POLASEK, JR., *director*, 266-2794, □  
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*Diversity Affairs, Office of:* TERESA J. SCOLLON, *director*, 266-5833, teresa.scollon@

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**Fax:** (608) 267-3579.

**Internet Address:** www.dnr.wi.gov

Address e-mail by combining the user ID and the state extender: [userid@dnr.state.wi.us](mailto:userid@dnr.state.wi.us)

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*Technology Services, Bureau of:* ARTHUR K. PRZYBYL, *director*, 266-7547, arthur.przybyl@

*Enforcement and Science, Division of:* AMY SMITH, *administrator*, 266-0015, amy.smith@

*Integrated Science Services, Bureau of:* JOHN R. SULLIVAN, *director*, 267-9753, john.r.sullivan@

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*Forestry, Division of:* PAUL DELONG, *administrator and State Forester*, 264-9224, paul.delong@

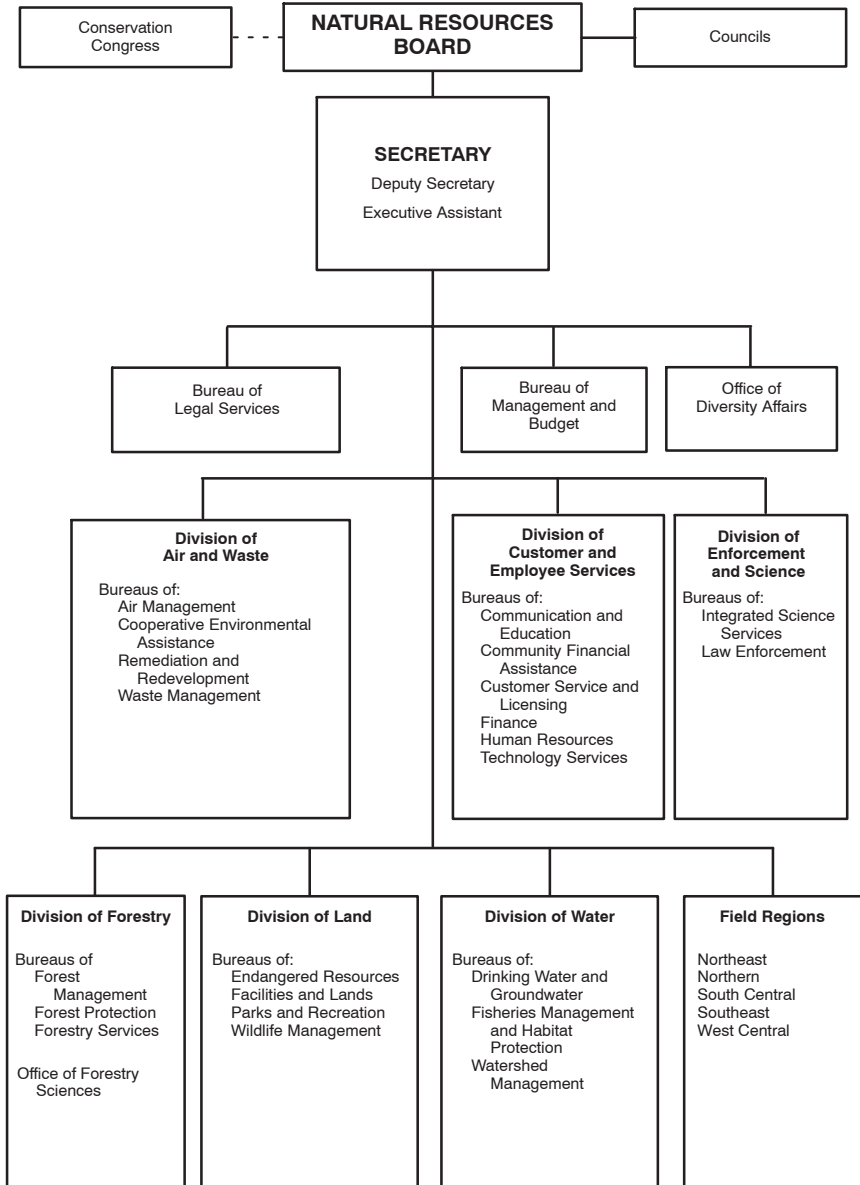
*Forest Management, Bureau of:* ROBERT J. MATHER, *director*, 266-1727, robert.mather@

*Forest Protection, Bureau of:* TRENT L. MARTY, *director*, 266-7978, trent.marty@

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*Forestry Sciences, Office of:* DARRELL E. ZASTROW, *director*, 266-0290, darrell.zastrow@

DEPARTMENT OF NATURAL RESOURCES



Units attached for administrative purposes under Sec. 15.03: □ Groundwater Coordinating Council  
 Invasive Species Council  
 Lake Michigan Commercial Fishing Board  
 Lake Superior Commercial Fishing Board  
 Council on Recycling  
 Wisconsin Waterways Commission



*School children help Department of Natural Resources Secretary Scott Hassett plant an oak tree at the State Capitol in honor of the Year of Wisconsin Forestry. (Department of Natural Resources)*

*Land, Division of:* LAURIE OSTERNDORF, *administrator*, 267-7552, laurie.osterndorf@; SARAH S. HURLEY, *deputy administrator*, 267-7472, sarah.hurley@

*Endangered Resources, Bureau of:* SIGNE L. HOLTZ, *director*, 264-9210, signe.holtz@

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*West Central:* SCOTT HUMRICKHOUSE, *director*, (715) 839-3712, 1300 W. Clairemont Avenue, P.O. Box 4001, Eau Claire 54702-4001, scott.humrickhouse@

**Publications:** *Wisconsin Natural Resources* (bimonthly magazine by subscription – call (608) 267-7410 or (800) 678-9472); *Wisconsin State Parks – Explore and Enjoy*; parks newspapers and visitor guides; hunting, fishing, trapping, snowmobiling, ATV, and boating regulations; various brochures, fact sheets, and reports (lists available). Teachers may write to the Bureau of Communication and Education for a list of publications.

**Number of Employees:** 2,823.75.

**Total Budget 2003-05:** \$912,056,700.

**Statutory References:** Sections 15.05 (1) (c), 15.34, and 15.343; Chapters 23, 26-33, 87, 88, and 160.

**Agency Responsibility:** The Department of Natural Resources (DNR) is responsible for implementing state and federal laws that protect and enhance Wisconsin's natural resources, including its air, land, water, forests, wildlife, fish, and plants. It coordinates the many state-administered programs that protect the environment and provides a full range of outdoor recreational opportunities for Wisconsin residents and visitors.

**Organization:** The 7 members of the Natural Resources Board serve staggered 6-year terms. At least 3 of them must be from the northern part of the state and at least 3 from the southern part. Board members are subject to restrictions on holding DNR permits or depending on permit holders for a significant portion of their income. The board directs and supervises the department and acts as a formal point of contact for citizens.

The department is administered by a secretary appointed by the governor with the advice and consent of the senate. The secretary appoints the department's division administrators from outside the classified service. The regional directors, who are appointed from the classified service, manage all of the agency's field operations for their respective areas and report directly to the secretary.

**Unit Functions:** The *Division of Air and Waste* protects the state's air quality and general environmental health through air pollution control and solid and hazardous waste management in cooperation with the federal Environmental Protection Agency, international agencies, local governments, private industry, and citizens. It develops air quality implementation plans, monitors air quality, conducts inspections, operates a permit program, and initiates compliance actions in accordance with state and federal requirements. The division's waste management program oversees plan review, licensing, inspection, and compliance actions, relating to the generation, transportation, treatment, storage, reuse, and disposal of solid and hazardous waste materials. It reviews and approves local recycling programs and provides technical and marketing assistance and public outreach in support of recycling efforts and expertise for businesses regarding pollution prevention and waste reduction. It also regulates metallic mining activities and oversees the statewide implementation of county and local nonmetallic mining reclamation programs. The division's remediation and redevelopment program is responsible for the cleanup of contaminated sites that fall under the following legislation: the hazardous substances spills law, the environmental repair law, the abandoned container law, the federal Superfund law, the state land recycling law, and the Resource Conservation and Recovery Act.

The *Division of Customer and Employee Services* provides a variety of customer services including the sale of hunting and fishing licenses, boat, ATV, and snowmobile registration, environmental education programs and public information. It oversees distribution of financial aids for environmental programs that benefit local governments and nonprofit conservation organizations, such as the Clean Water Fund and the Stewardship Fund, and acts as liaison to federal and

state agencies. The division also provides a variety of management services for the department, including budgetary and financial services, personnel and human resource management, computer and information technology support, affirmative action, employee assistance, training, and telecommunication services.

The *Division of Enforcement and Science* is responsible for enforcing the state's conservation, hunting, fishing, environmental, and safety laws and for conducting research on natural resource issues. Its game wardens and environmental staff promote compliance with the law through educational outreach programs, such as classes in hunting, boating, snowmobile, and all-terrain vehicle safety. The division reviews major public and private proposals under the federal and state Environmental Policy Acts, certifies laboratories and operators of wastewater treatment systems, water supply systems, incinerators, sanitary landfills, and septage services. The division is also responsible for provision of agency laboratory services (analytical chemistry and biological) through the Wisconsin State Laboratory of Hygiene and other private contract laboratories as necessary. The division also conducts biological and social science research, provides technical writing, editing, and publication of research results, and it provides expertise to assist other divisions and guide the department in policy formation. The Office of Energy is also housed in the division, and is responsible for improving and increasing the coordination of transmission construction project reviews between the Public Service Commission and the department. The Office of Energy is responsible for coordinating the regulatory review for siting utility projects and serves all DNR programs by developing guidance and information on natural resources issues as they relate to the broader planning and infrastructure development efforts for Wisconsin's energy future.

The *Division of Forestry*, created by 1999 Wisconsin Act 9, is responsible for the administration and implementation of programs that protect and manage the state's forest resources in a sustainable manner so as to provide economic, ecological, social, recreational, and cultural benefits. The division is involved with the management of about 16 million acres of public and private forest land and millions of urban trees in the state. All of the 490,000 acres of state forest land were certified in 2004 as sustainably managed by third party auditors from the Forest Stewardship Council and Sustainable Forestry Initiative. Foresters provide assistance to private woodlot owners; offer expertise in urban forestry; manage and monitor forest insects and diseases; operate three tree nurseries; provide public education and awareness activities; and work in partnership with county foresters, the timber industry, and environmental groups. The division administers grants and loans to county forests, urban forestry grants to communities, forest landowner grants to woodland owners, and forest fire protection grants to fire departments. The fire management program is responsible for forest fire protection on 18 million acres of forest, brush, and grassland and coordinates with local fire departments to prevent and control forest fires.

The *Division of Land* has major responsibility for protecting and conserving state wildlife; state lands, parks, trails, southern forests, and recreation areas; rare and endangered animal and plant species, and natural communities; and outdoor recreational resources. The division operates educational programs and helps private landowners manage their lands for the benefit of wildlife and rare resources. It manages wildlife and habitats on about 1.5 million acres of land owned or leased by the state and works with federal, county, and other local government authorities to protect and manage the resources on an additional 3.6 million acres of public lands, including national and county forests. The wildlife program manages populations such as deer, bear, furbearers, waterfowl and birds, and maintains and restores habitats such as wetlands, grasslands, and prairies. The endangered resources program works to restore and maintain the endangered populations of Wisconsin's native plant and animal species, supported primarily by funds derived from voluntary contributions designated by taxpayers on their state income tax returns and through the Endangered Resources license plate. Parks personnel manage the state's extensive parks, southern forests, recreation areas, and trails systems, which are designed for the conservation of natural resources and a wide variety of recreational activities including biking, hiking, snowmobiling, and camping. The division is also responsible for land acquisition and the development of public use facilities on state lands, and it coordinates the Stewardship Program, which provides grants for the purchase of lands for natural and recreational areas, wildlife habitats, urban green spaces, local parks, trails, and riverways.

The *Division of Water* works with many partners to protect public health and safety, and the quality and quantity of Wisconsin's groundwater, surface water, and aquatic ecosystems. The division is responsible for implementing the Clean Water Act in order to achieve the goal of fishable and swimmable waters throughout Wisconsin. Division staff work to prevent or regulate water pollution from industries, municipal sewage treatment facilities, construction sites, farms, and urban areas. The division monitors compliance, sets water quality standards, and provides financial and technical assistance. Division programs protect drinking water and groundwater resources for both human and ecosystem health, and ensure the safety and security of the state's drinking water systems and private wells. The division strives to enhance and restore outstanding fisheries in Wisconsin's waters. It regulates sport and commercial fishing through licensing and provides fish hatchery services, fish stocking and surveying, aquatic habit improvement, angler education, and public access programs. The division helps protect the waters of the state that are held in trust for all the people of the state through the Public Trust Doctrine. Division staff oversee the placement of structures in state waters, wetland management and restoration, shoreland zoning, and floodplain management. The division helps local government units to protect lives and property through floodplain management and dam safety inspections. The division cooperates with many states and Canada to protect the water quality, quantity, and ecosystems of the Mississippi River and Great Lakes basins.

The *Field Regions* enable the department to make its programs accessible to the general public. Each of the 5 regions is divided into 4 to 6 geographic management units whose boundaries are principally based on major river basins. Most DNR field staff work within these units, although some, such as conservation wardens, are assigned to counties within units. This structure combines employees with different types of expertise into interdisciplinary teams responsible for assessing natural resource and environmental needs from a broader perspective.

**History:** Today, the Department of Natural Resources has dual responsibility for both traditional conservation duties and environmental protection. Its history and structure reflect more than a century of government and citizen involvement with these concerns. Wisconsin's earliest conservation legislation focused on fish, game, and forests. Chapter 253, Laws of 1874, created a Board of Fish Commissioners charged with hatching fish eggs received from the federal government and distributing the fry to Wisconsin waters. The governor was authorized in 1885 by Chapter 455 to appoint 3 fish wardens to enforce fishing regulations and collect statistics from commercial fishermen. Chapter 456, Laws of 1887, directed the governor to appoint 4 game wardens to enforce all laws protecting fish and game.

Chapter 229, Laws of 1897, established a 3-member commission to develop legislation creating a forestry department. The commission was directed to devise ways to use the state's forest resources without harming the climate or water supplies and to preserve forest resources without retarding the state's economic development. The report of this commission led to Chapter 450, Laws of 1903, which established a Department of State Forestry with a superintendent appointed by the Board of State Forest Commissioners. Chapter 495, Laws of 1907, created a State Park Board with authority to acquire and manage land for park purposes.

Chapter 406, Laws of 1915, consolidated all park and conservation functions under a 3-member Conservation Commission of Wisconsin, appointed by the governor with senate approval. From then until 1995, the management and conservation of Wisconsin's natural resources was directed by a part-time commission or board, except for the period 1923 to 1927, when a single full-time commissioner was created by Chapter 118, Laws of 1923, to head the Department of Conservation. Since the enactment of 1995 Wisconsin Act 27, which provided that the secretary would be appointed by the governor with senate consent rather than appointed by the board, the current board's role has been an advisory one.

The 1960s saw major changes in conservation legislation. Chapter 427, Laws of 1961, created a committee charged with developing a long-range plan for acquiring and improving outdoor recreation areas. It initiated the Outdoor Recreation Act Program (ORAP) to fund land acquisitions. In 1969, Chapter 353 expanded ORAP and authorized the state to incur debt up to \$56 million between 1969 and 1981 for the purpose of providing outdoor recreation opportunities. With enactment of 1989 Wisconsin Act 31, the legislature created the Stewardship Program, which





*State park naturalists guide hikes, chat with campers around campfires, and answer questions from school children. Visitors to Wisconsin state parks, such as Kohler-Andrae State Park pictured here, enjoy a wide range of interpretive programs including guided or self-guided nature hikes, displays and exhibits, evening programs, and the Junior Ranger/Wisconsin Explorer Program. (Robert Queen, Department of Natural Resources)*

authorized up to \$250 million in state debt to acquire and develop land for recreational uses, wild-life habitats, fisheries, and natural areas.

Wisconsin's antipollution efforts date back to Chapter 412, Laws of 1911, when the legislature gave the State Board of Health investigative powers in water pollution cases. Prior to that, such investigations were primarily the responsibility of local government. In Chapter 264, Laws of 1927, the legislature created a committee to supervise the water pollution control activities carried out by several state agencies, including the Conservation Commission. The Department of Resource Development, which had been created by Chapter 442, Laws of 1959, assumed water pollution control duties under Chapter 614, Laws of 1965, and statewide air pollution regulation with Chapter 83, Laws of 1967.

In the 1967 executive branch reorganization, the legislature created the Department of Natural Resources by combining the Department of Conservation and the Department of Resource Development. The new department was given authority to regulate air and water quality, as well as solid waste disposal, and directed to develop an integrated program to protect air, land, and water resources.

Chapter 274, Laws of 1971, required all state agencies to report on the environmental impacts of proposed actions that could significantly affect environmental quality. Chapter 275, Laws of 1971, provided for state protection of endangered fish and wildlife, and Chapter 370, Laws of 1977, placed nongame species and endangered wild plants under state protection. A program protecting surface waters from nonpoint source pollution was created by Chapter 418, Laws of 1977, and a groundwater protection program, based on numerical standards for polluting substances, was created by 1983 Wisconsin Act 410. In Wisconsin Act 335, the 1989 Legislature made major changes in the laws governing recycling, source reduction, and disposal of solid wastes.

### Statutory Councils

**Dry Cleaner Environmental Response Council:** JILL C. FITZGERALD (small dry cleaning operation); RICHARD W. KLINKE, STEVEN PLATER (large dry cleaning operation); JAMES E. CHERWINKA (wholesale distributor of dry cleaning solvent); JEANNE TARVIN (engineer, professional geologist, hydrologist, or soil scientist); JIM FITZGERALD (manufacturer or seller of dry cleaning equipment) (appointed by governor).

The 6-member Dry Cleaner Environmental Response Council advises the department on matters related to the Dry Cleaner Environmental Response Program, which is administered by DNR and provides awards to dry cleaning establishments for assistance in the investigation and cleanup of environmental contamination. Council members are appointed for staggered 3-year terms. The council, which is scheduled to sunset on June 30, 2032, was created by 1997 Wisconsin Act 27, as amended by 1997 Wisconsin Act 300. Its composition and duties are prescribed in Sections 15.347 (2) and 292.65 (13) of the statutes.

**Council on Forestry:** PAUL DELONG (chief state forester); SENATORS BRESKE, DECKER; REPRESENTATIVES FRISKE, HUBLER; FREDERIC SOUBA, JR. (forest products company which owns and manages large forest land tracts representative); WILLIAM HORVATH (owners of nonindustrial, private forest land representative); vacancy (counties containing county forests representative); WILLIAM WARD (paper and pulp industry representative); TROY BROWN (lumber industry representative); MARY HUSTON (nonprofit conservation organization representative); FRED CLARK (forester who provides consultation services); JEFFREY STIER (school of forestry representative); JAMES HEEREY (conservation education representative); JON GEENEN (forestry-affiliated labor union representative); KENNETH OTTMAN (urban and community forestry representative); ROBERT ROGERS (Society of American Foresters representative); DENNIS BROWN (timber producer organization representative); LEON CHURCH (secondary wood industry representative).

The 19-member Council on Forestry advises the governor, the legislature, the Departments of Natural Resources and Commerce, and other state agencies on topics relating to forestry in Wisconsin including: protection from fire, insects, and disease; sustainable forestry; reforestation and forestry genetics; management and protection of urban forests; increasing the public's knowledge and awareness of forestry issues; forestry research; economic development and marketing of forestry products; legislation affecting forestry; and staff and funding needs for forestry programs. The council shall submit a biennial report on the status of the state's forestry resources and indus-

try to the governor and the appropriate standing committees of the legislature by June 1 of each odd-numbered year. All members are appointed by the governor. Lengths of terms are not specified by law. The council was created by 2001 Wisconsin Act 109. Its composition and duties are prescribed in Sections 15.347 (19) and 26.02 of the statutes.

**Metallic Mining Council:** Inactive.

The 9-member Metallic Mining Council advises the department on matters relating to the reclamation of mined land. Its members are appointed by the secretary of natural resources for staggered 3-year terms, and they are expected to represent “a variety and balance of economic, scientific, and environmental viewpoints.” The council was created by Chapter 377, Laws of 1977, and its composition and duties are prescribed in Sections 15.347 (12) and 144.448 of the statutes.

**Milwaukee River Revitalization Council:** SHARON GAYAN (designated by secretary of natural resources), KIT SORENSON (designated by secretary of tourism); GARY A. AHRENS, JOHN D. BUECHEL, PETER J. GUNNLAUGSSON, JAMES HEILIGENSTEIN, RAYMOND R. KRUEGER, PATRICK T. MARCHESE, MARY ANN PETERSON, ALFRED L. SCHLECHT, 3 vacancies. (All except *ex officio* members are appointed by governor.) □

The 13-member Milwaukee River Revitalization Council advises the legislature, governor, and department on matters related to environmental, recreational, and economic revitalization of the Milwaukee River Basin, and it assists local governments in planning and implementing projects. It is also responsible for developing and implementing a plan that encourages multiple recreational, entrepreneurial, and cultural activities along the streams of the Milwaukee River Basin. Its 11 appointed members serve 3-year terms. Each of the priority watersheds in the basin must be represented by at least one council member. The council was created by 1987 Wisconsin Act 399, and its composition and duties are prescribed in Sections 15.347 (15) and 23.18 of the statutes.

**Natural Areas Preservation Council:** SUSAN SULLIVAN BORKIN (MPM employee appointed by Milwaukee Public Museum board of directors), *chairperson*; PATRICIA MARINAC (DPI employee appointed by superintendent of public instruction), *vice chairperson*; SIGNE HOLTZ (DNR employee appointed by Natural Resources Board), *secretary*; CRAIG THOMPSON (DNR employee appointed by Natural Resources Board); JOHN W. ATTIG, TIMOTHY J. EHLINGER, DENNIS H. YOCKERS, JOY B. ZEDLER (UW employees appointed by UW System Board of Regents); EVELYN A. HOWELL, SUSAN E. LEWIS, CHARLES LUTHIN (appointed by council of the Wisconsin Academy of Sciences, Arts and Letters).

The 11-member Natural Areas Preservation Council advises the department on matters pertaining to the protection of natural areas that contain native biotic communities and habitats for rare species. It also makes recommendations about gifts or purchases for the state natural areas system. The council was created by Chapter 566, Laws of 1951, as the State Board for Preservation of Scientific Areas. It was renamed the Scientific Areas Preservation Council in Chapter 327, Laws of 1961, and given its current name in 1985 Wisconsin Act 29. One of the appointments from the Wisconsin Academy of Sciences, Arts and Letters must represent private colleges in the state. Its composition and duties are prescribed in Sections 15.347 (4) and 23.26 of the statutes.

**Snowmobile Recreational Council:** NICHOLAS BERENS, KAREN CARLSON, THOMAS CHWALA, BEVERLY ANN DITTMAR, LARRY ERICKSON, ANDY MALECKI, KATHLEEN RASMUSSEN, THOMAS THORNTON, MICHAEL WILLMAN (northern representatives); MICHAEL J. CERNY, JERRY GREEN, SAM LANDES, JON SCHWEITZER, RICHARD J. STEIMEL, DONNA JEAN WHITE (southern representatives). (All are appointed by governor with senate consent.)

The 15-member Snowmobile Recreational Council carries out studies and makes recommendations to the governor, the legislature, and the Department of Natural Resources and the Department of Transportation regarding all matters affecting snowmobiling. Council members are appointed for staggered 3-year terms. At least 5 must represent the northern part of the state, and at least 5 must represent the southern part. The council was created by Chapter 277, Laws of 1971, and its composition and duties are prescribed in Sections 15.347 (7) and 350.14 of the statutes.

**State Trails Council:** KEN L. CARPENTER, THOMAS HUBER, CHRISTOPHER KEGEL, DONALD M. KIRN, RAMSEY A.R. LEE, CONNIE LODEN, MICHAEL MCFADZEN, DAVID PHILLIPS, THOMAS J. THORNTON (appointed by governor).

The 9-member State Trails Council advises the department about the planning, acquisition, development, and management of state trails. Its members are appointed for 4-year terms. It was created by 1989 Wisconsin Act 31, and its composition and duties are prescribed in Sections 15.347 (16) and 23.175 (2) (c) of the statutes.

### Independent Organization — Conservation Congress

**Conservation Congress Executive Council:** STEVEN OESTREICHER (District 3), *chairperson*; EDGAR HARVEY, JR. (District 8), *vice chairperson*; ALLEN OPALL (District 3), *secretary-treasurer*; RALEIGH FOX, RICHARD KIRCHMEYER (District 1); MICHAEL REITER, RAYMOND SMITH (District 2); JERRY AULIK, ROBERT ELLINGSON, JR. (District 4); RUSSELL HITZ, MARC SCHULTZ (District 5); MERLIN LINDOW, DAVID PUHL (District 6); DICK KOERNER, DALE MAAS (District 7); LARRY BONDE (District 8); DAVID LADD, MICHAEL ROGERS (District 9); JOE CAPUTO, KENNETH RISLEY (District 10); PAUL MADDEN, DAVID POFF (District 11); THEODORE LIND, EDWARD REWOLINSKI (District 12).

The Conservation Congress is a private citizens group, and its 24-member executive council advises the Natural Resources Board on all matters under the board's jurisdiction. The Conservation Congress is organized into 12 districts statewide. Each district elects 2 members to one-year terms on the executive council. The congress originated in 1934 and received statutory recognition in Chapter 179, Laws of 1971. Its duties are prescribed in Section 15.348 of the statutes.

### INDEPENDENT UNITS ATTACHED FOR BUDGETING, PROGRAM COORDINATION, AND RELATED MANAGEMENT FUNCTIONS BY SECTION 15.03 OF THE STATUTES

#### GROUNDWATER COORDINATING COUNCIL

**Groundwater Coordinating Council:** TODD AMBS (designated by secretary of natural resources), BERNI MATSSON (designated by secretary of commerce), NICHOLAS J. NEHER (designated by secretary of agriculture, trade and consumer protection), HENRY ANDERSON (designated by secretary of health and family services), DAN SCUDDER (designated by secretary of transportation), FRANCES GARB (designated by president, UW System), JAMES ROBERTSON (state geologist), vacancy (representing governor).

**Statutory References:** Sections 15.347 (13) and 160.50.

**Agency Responsibility:** The 8-member Groundwater Coordinating Council advises state agencies on the coordination of nonregulatory programs related to groundwater management. Member agencies exchange information regarding groundwater monitoring, budgets for groundwater programs, data management, public information efforts, laboratory analyses, research, and state appropriations for research. The council reports annually to the legislature, governor, and agencies represented regarding the council's activities and recommendations and its assessment of the current state of groundwater resources and related management programs. Persons designated to serve on behalf of their agency heads must be agency employees with "sufficient authority to deploy agency resources and directly influence agency decision making." The governor's representative serves a 4-year term. The council was created by 1983 Wisconsin Act 410.

#### INVASIVE SPECIES COUNCIL

**Invasive Species Council:** LAURIE OSTERNDORF (DNR secretary designee); LAURA ARBUCKLE (DOA secretary designee); ESTHER CHAPMAN (DATCP secretary designee); BERNICE MATSSON (Commerce secretary designee); WILL CHRISTIANSON (Tourism secretary designee); RICHARD STARK (DOT secretary designee); CHARLES HENRIKSEN, GREGORY LONG, PETER MURRAY, KENNETH RAFFA, JAMES REINARTZ, REBECCA SAPPER, DENNIS SEEVERS (appointed by governor).

The 13-member Invasive Species Council conducts studies related to controlling invasive species and makes recommendations to the Department of Natural Resources regarding a system for classifying invasive species under the department's statewide invasive species control program and procedures for awarding grants to public and private agencies engaged in projects to control invasive species. All except *ex officio* members or their designees are appointed by the governor to 5-year terms to represent public and private interests affected by the presence of invasive spe-

cies in the state. The council was created by 2001 Wisconsin Act 109. Its composition and duties are prescribed in Sections 15.347 (18) and 23.22 of the statutes.

### LAKE MICHIGAN COMMERCIAL FISHING BOARD

**Lake Michigan Commercial Fishing Board:** CHARLES W. HENRIKSEN, RICHARD R. JOHNSON, MICHAEL LECLAIR, MARK MARICQUE, DEAN SWAER (licensed, active commercial fishers); NEIL A. SCHWARZ (licensed, active wholesale fish dealer); DAN PAWLITZKE (state citizen). (All are appointed by governor.)

**Statutory References:** Sections 15.345 (3) and 29.33 (7).

**Agency Responsibility:** The 7-member Lake Michigan Commercial Fishing Board was created by Chapter 418, Laws of 1977. Its members must live in counties contiguous to Lake Michigan. The 5 commercial fishers must represent fisheries in specific geographic areas. The board reviews applications for transfers of commercial fishing licenses between individuals, establishes criteria for allotting catch quotas to individual licensees, assigns catch quotas when the department establishes special harvest limits, and assists the department in establishing criteria for identifying inactive license holders.

### LAKE SUPERIOR COMMERCIAL FISHING BOARD

**Lake Superior Commercial Fishing Board:** MAURINE HALVORSON, CRAIG HOOPMAN, ERIC JOHNSON (licensed, active commercial fishers); JEFF BODIN (licensed, active wholesale fish dealer); BILL DAMBERG (state citizen). (All are appointed by governor.)

**Statutory References:** Sections 15.345 (2) and 29.33 (7).

**Agency Responsibility:** The 5-member Lake Superior Commercial Fishing Board was created by Chapter 418, Laws of 1977. Its members must live in counties contiguous to Lake Superior. The board reviews applications for transfers of commercial fishing licenses between individuals, establishes criteria for allotting catch quotas to individual licensees, assigns catch quotas when



*Department of Natural Resources fisheries biologists remove scales from a walleye before releasing it back into White Sand Lake in Vilas County. Sampling scales from fish reveals age and growth patterns within the population, and environmental conditions of the lake. (Robert Queen, Department of Natural Resources)*

the department establishes special harvest limits, and assists the department in establishing criteria for identifying inactive license holders.

### COUNCIL ON RECYCLING

**Council on Recycling:** JEFFREY A. FIELKOW, NEIL PETERS-MICHAUD, JOHN S. PIOTROWSKI, JOHN REINDL, CECELIA A. STENCIL, WILLIAM R. SWIFT, CHARLOTTE R. ZIEVE (appointed by governor).

**Statutory References:** Sections 15.347 (17) and 159.22.

**Agency Responsibility:** The 7 members of the Council on Recycling are appointed to 4-year terms that coincide with that of the governor. The council, which was created by 1989 Wisconsin Act 335, promotes implementation of the state's solid waste reduction, recovery, and recycling programs; helps public agencies coordinate programs and exchange information; advises state agencies about creating administrative rules and establishing priorities for market development; and advises the DNR and the UW System about education and research related to solid waste recycling. The council also promotes a regional and interstate marketing system for recycled materials and reports to the legislature about market development and research to encourage recycling. The council advises the department about statewide public information activities and advises the governor and the legislature.

### WISCONSIN WATERWAYS COMMISSION

**Wisconsin Waterways Commission:** JAMES F. ROONEY (Lake Michigan area), *chairperson*; KENNETH GENISOT (Lake Superior area), MAUREEN KINNEY (Mississippi River area), KURT KOEPLER (Lake Winnebago watershed), ROGER WALSH (inland area). (All are appointed by governor with senate consent.)

**Mailing Address:** P.O. Box 7921, Madison 53707. □

**Location:** State Natural Resources Building (GEF 2), 101 South Webster Street, Madison. □

**Telephone:** (608) 266-5897. □

**Statutory References:** Sections 15.345 (1) and 30.92. □

**Agency Responsibility:** The 5-member Wisconsin Waterways Commission was created by Chapter 274, Laws of 1977. Its members serve staggered 5-year terms, and each must represent a specific geographic area and be knowledgeable about that area's recreational water use problems. The commission may have studies conducted to determine the need for recreational boating facilities; approve financial aid to local governments for development of recreational boating projects, including the acquisition of weed harvesters; and recommend administrative rules for the recreational facilities boating program.

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### Office of the STATE PUBLIC DEFENDER

**Public Defender Board:** DANIEL M. BERKOS, *chairperson*; STELLA A. YOUNG (public member), *secretary*; JAMES M. BRENNAN, JOHN HOGAN, PAMELA PEPPER, ELLEN THORN, NANCY C. WETTERSTEN (State Bar members); JOSEPH G. MORALES, MAI NENG XIONG (public members). (Except as indicated, all are state bar members. All are appointed by governor with senate consent.)

**State Public Defender:** NICHOLAS L. CHIARKAS, 266-0087, chiarkasn@ □

**Deputy State Public Defender:** KELLI THOMPSON, 266-5480, thompsonk@ □

**Executive Assistant/Legislative Liaison:** KRISTA GINGER, 264-8572, gingerk@ □

**Legal Counsel:** KELLIE KRAKE, 267-0299, krakek@ □

**Public Information Officer:** RANDY KRAFT, 267-3587, kraftr@ □

**Chief Information Officer:** GAIL ZAUCHA, 261-0621, zauchag@ □

*Administrative Services Division:* ARLENE F. BANOUL, *director*, 266-9447, banoula@

*Appellate Division:* MARLA J. STEPHENS, *director*, Madison: 264-8573; Milwaukee: (414) 227-4891; stephensm@

*Assigned Counsel Division:* DEBORAH M. SMITH, *director*, 261-8856, smithd@

*Trial Division:* MICHAEL TOBIN, *director*, 266-8259, tobinm@

*Deputy Trial Division Director/Affirmative Action Officer:* JENNIFER BIAS, 261-7981, biasj@

For e-mail combine the user ID and the state extender: userid@[mail.opd.state.wi.us](mailto:mail.opd.state.wi.us)

**Mailing Address:** P.O. Box 7923, Madison 53707-7923. □

**Location:** 315 North Henry Street, 2nd Floor, Madison. □

**Telephone:** 266-0087. □

**Fax:** 267-0584. □

**Internet Address:** <http://www.wisspd.org> □

**Number of Employees:** 527.55. □

**Total Budget 2003-05:** \$140,930,600. □

**Statutory References:** Section 15.78; Chapter 977. □

**Agency Responsibility:** The Office of the State Public Defender makes determinations of indigence and provides legal representation for specified defendants who are unable to afford a private attorney. The state public defender, who must be a member of the state bar, serves at the pleasure of the Public Defender Board.

**Organization:** The 9-member Public Defender Board appoints the state public defender, promulgates rules for determining indigence, and establishes procedures for certifying lists of private attorneys who can be assigned as counsel. Board members are appointed for staggered 3-year terms, and at least 5 of these must be members of the State Bar of Wisconsin. Members may not be or be employed by a judicial or law enforcement officer, a district attorney, a corporation counsel, or the state public defender.

**Unit Functions:** The *Administrative Services Division* oversees purchasing, personnel and payroll services, budget preparation, case management, and fiscal analysis.

The *Appellate Division* uses both program staff and private attorneys to provide appellate assistance to indigents in all counties. It represents indigents involved in post-conviction or post-commitment proceedings in certain state and federal courts. It also acts upon certain cases relating to persons confined to state correctional and mental health institutions.

The *Assigned Counsel Division* oversees a variety of functions related to appointment of private attorneys to represent indigent clients in cases not handled by staff, including certification and training, logistical support, and payment of fees.

The *Trial Division* provides legal representation at the trial level to indigent persons who have been charged with adult felony crimes or misdemeanors punishable by imprisonment. It also represents minors charged with juvenile offenses, persons petitioned mentally ill, or individuals involved in family disputes, including paternity actions and termination of parental rights.

**History:** Both the United States Constitution (Sixth and Fourteenth Amendments) and the Wisconsin Constitution (Article I, Section 7), as interpreted by the U.S. and Wisconsin Supreme Courts, guarantee the right to publicly-provided counsel for poor people charged with crimes or facing potential deprivations of liberty. In 1859, the Wisconsin Supreme Court ruled, in *Carpenter and Sprague vs. the County of Dane* (9 Wis. 274), that a county is liable to pay for an attorney provided by the court in a criminal case to represent an indigent defendant who cannot otherwise afford representation.

The position of state public defender was created in 1966 by Chapter 479, Laws of 1965, under the supervision of the Wisconsin Supreme Court and funded, in part, by a private grant from the Ford Foundation. The duties of the office were originally confined to appellate defense, and its mission was to pursue post-conviction appeals for indigents before the appropriate court, including the U.S. Supreme Court. Defense of indigents at the trial court level remained a county responsibility, dependent upon court-appointed private counsel paid by the county or privately funded public defender services.

Chapter 29, Laws of 1977, transferred the state public defender from the judicial branch to the executive branch as an independent agency under the Public Defender Board, which was authorized to appoint the defender to a 5-year renewable term with removal only for cause. (Chapter 356, Laws of 1979, later provided that the public defender serve at the pleasure of the board.) Chapter 29 also transferred the responsibility for defense of indigents at the trial level from the counties to the public defender's office, but representation by the defender's staff was limited, based on funding and statutory criteria. Trial duties were, and continue to be, divided between state attorneys and private counsel paid by the state.

Chapter 29, Laws of 1977, directed the public defender to determine the percentage of cases that private counsel would handle in each county. Chapter 356, Laws of 1979, established those percentages by law with the public defender staff assuming various portions of the caseloads in 47 counties and private counsel responsible for all cases in the remaining 25 counties. 1985 Wisconsin Act 29 expanded the use of public defender staff attorneys to all 72 counties and repealed the sunset provision enacted in 1979, which would have abolished the agency, effective November 15, 1985.

1995 Wisconsin Act 27 directed the public defender to enter into annual fixed fee contracts with private counsel and limited the number of trial-level cases assigned to private attorneys to one-third of all cases handled. It also eliminated public defender representation in some cases, including certain matters related to prison and jail conditions, sentence modifications, probation and parole revocations, child support, and parents of children in need of protection or services (CHIPS).

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## Department of PUBLIC INSTRUCTION

**State Superintendent:** ELIZABETH BURMASTER, 266-1771, elizabeth.burmaster@□

*Deputy State Superintendent:* ANTHONY EVERS, 266-1771, anthony.evers@□

*Chief of Staff/Executive Assistant to State Superintendent:* TRICIA YATES, 266-1771, tricia.yates@□

*Special Assistant:* SUE GRADY, 266-1771, sue.grady@□

*Policy Initiatives Advisor:* MICHAEL THOMPSON, 266-3584, michael.thompson@□

*Legal Services, Office of:* vacancy, chief legal counsel, 266-9353.□

*Education Information Services:* JOHN JOHNSON, director, 266-1098, john.johnson@□

**Mailing Address:** P.O. Box 7841, Madison 53707-7841.□

**Location:** State Education Building (GEF 3), 125 South Webster Street, Madison.□

**Telephones:** 266-3390; (800) 441-4563; TDD: 267-2427.□

**Fax:** 267-1052.□

**Internet Addresses:** Departmental: <http://www.dpi.state.wi.us>□

BadgerLink: <http://www.badgerlink.net>

Address e-mail by combining the user ID and the state extender: <a href="mailto:userID@dpi.state.wi.us">userID@dpi.state.wi.us</a>
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**Number of Employees:** 637.14.□

**Total Budget 2003-05:** \$11,118,309,600.□

**Constitutional Reference:** Article X, Section 1.□

**Statutory References:** Section 15.37; Chapters 43 and 115-121.□

*Academic Excellence, Division for:* DEBORAH MAHAFFEY, assistant superintendent, 266-3361,□  
deborah.mahaffey@; Division Fax: 267-9275.□

*Career and Technical Education:* MARGARET ELLIBEE, director, 267-9251,□  
margaret.ellibee@

*Content and Learning:* MICHAEL G. GEORGE, director, 266-2364, michael.george@

*Teacher Education, Professional Development, and Licensing:* KATHRYN M. LIND, director,  
266-1788, kathryn.lind@



*Finance and Management, Division for:* BRIAN PAHNKE, *assistant superintendent*, 267-9124, brian.pahnke@; Division Fax: 266-3644.

*Community Nutrition:* DAVID C. DEES, *director*, 267-9123, david.dees@

*Human Resources:* KATHERINE J. KNUDSON, *director*, 267-9200, katherine.knudson@

*Management Services:* SUZANNE LINTON, *director*, 266-3320, suzanne.linton@

*Policy and Budget:* MICHAEL BORMETT, *director*, 266-2804, michael.bormett@

*School Financial Services:* DAVID R. CARLSON, *director*, 266-6968, david.carlson@

*School Management Services:* ROBERT A. SOLDNER, *director*, 266-7475, robert.soldner@

*School Nutrition:* RICHARD A. MORTENSEN, *director*, 267-9121, richard.mortensen@

*Learning Support: Equity and Advocacy, Division for:* CAROLYN STANFORD TAYLOR, *assistant superintendent*, 266-1649, carolyn.stanford.taylor@; Division Fax: 267-3746, Division TTY: 267-2427.

*Special Education:* STEPHANIE PETSKA, *director*, 266-1781, stephanie.petska@

*Student Services, Prevention and Wellness:* DOUGLAS WHITE, *director*, 266-3584, douglas.white@

*Statewide Vision and Hearing Services:* SUE ENOCH, *director*, 266-9849, sue.enoch@

*Wisconsin Center for the Blind and Visually Impaired:* 1700 West State Street, Janesville 53546-5399, (608) 758-6100, (800) 832-9784, Fax: (608) 758-6161.

*Wisconsin Educational Services Program for the Deaf and Hard of Hearing:* ALEX SLAPPEY, *director*, 309 West Walworth Avenue, Delavan 53115-1099, (262) 740-2066, voice: (877) 973-3323, TTY: (877) 973-3324, Fax: (262) 728-7160, alex.slappay@

*Libraries, Technology, and Community Learning, Division for:* RICHARD GROBSCHMIDT, *assistant superintendent*, 266-2205, richard.grobschmidt@

Division Internet Address: <http://www.dpi.state.wi.us/dpi/dltcl>

*Applications Development:* TIFFANY BOYD, *supervisor*, 266-6947, tiffany.boyd@

*Bright Beginnings/Family-School-Community Involvement:* JANE L. GRINDE, *director*, 266-9356, jane.grinde@

*Information Technology:* BRIAN WILMOT, *director*, 266-7049, brian.wilmot@

*Instructional Media and Technology:* vacancy, *director*, 266-3856.

*Library and Statistical Information:* KAY IHLENFELDT, 266-3108, kay.ihlenfeldt@

*Public Library Development:* MICHAEL CROSS, *director*, 267-9225, michael.cross@

*Reference and Loan Library:* SALLY DREW, *director*, 224-6161, sally.drew@

*Reading and Student Achievement, Division for:* MARGARET PLANNER, *assistant superintendent*, 266-5450, margaret.planner@

*Educational Accountability:* JAMES M. WALL, *director*, 267-1072, james.wall@

*Successful Schools and Student Achievement:* JAMES M. WALL, *director*, 267-1072, james.wall@

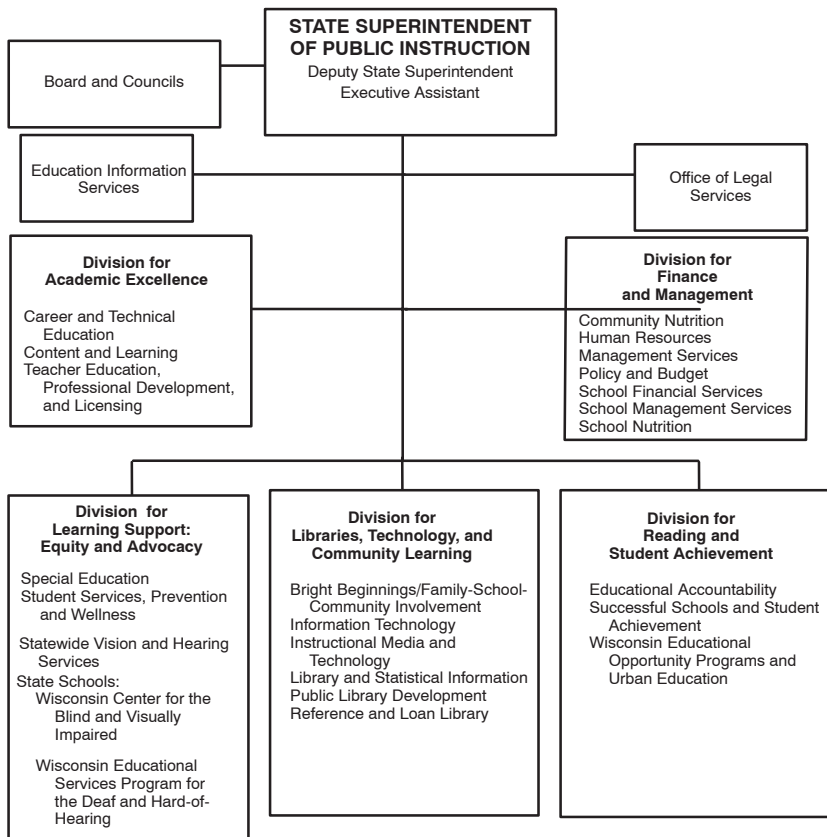
*Wisconsin Educational Opportunity Programs and Urban Education:* KEVIN INGRAM, (414) 227-4413, kevin.ingram@

**Publications:** Biennial Report; *Channel*; Directory of Wisconsin Public/Private Schools; various curriculum, instruction, library and student services publications and research studies. SEA-change, School Performance Report, Wisconsin Information Network for Successful Schools (WINSS), and electronic publications are available at the department's Internet site.

**Agency Responsibility:** The Department of Public Instruction provides direction and technical assistance for public elementary and secondary education in Wisconsin. The department offers a broad range of programs and professional services to local school administrators and staff. It distributes state school aids and administers federal aids to supplement local tax resources, improves curriculum and school operations, ensures education for children with disabilities, offers professional guidance and counseling, and develops school and public library resources.

**Organization:** The department is headed by the State Superintendent of Public Instruction, a constitutional officer who is elected on the nonpartisan spring ballot for a term of 4 years. The

## DEPARTMENT OF PUBLIC INSTRUCTION



state superintendent appoints a deputy state superintendent and assistant state superintendents from outside the classified service. The assistant superintendents are responsible for administering the operating divisions of the department. The superintendent also appoints the director of the Office of Educational Accountability, which was created in Section 15.374 (1), Wisconsin Statutes, by 1993 Wisconsin Act 16.

**Unit Functions:** The *Division for Academic Excellence* offers assistance with curriculum development, developing and implementing academic and technical skills standards, instructional methods and strategies, educational opportunity programs, “virtual” schools and other online education programs, and professional development. The division reviews college and university teacher and administrator training programs and licenses public school teachers, pupil services personnel, administrators, and library professionals, as well as private school teachers and administrators who request and qualify for a license. It monitors school district and vocational education compliance with state nondiscrimination laws and rules.

The division administers a variety of programs that provide assistance, scholarships, and grants to public school students and teachers on the basis of merit and need. These programs include presidential awards for mathematics and science teachers, U.S. Senate youth, talent search and talent incentive grants, the federal Robert C. Byrd Honors Scholarships, and international exchanges with Germany and Japan. It conducts youth options and technical preparation programs, and the high school equivalency/general educational development (HSED/GED) program for state residents who have not completed high school. It administers federal programs that pro-

vide grants under Blue Ribbon Schools, foreign language assistance, student advanced placement, and alternate education. The division also administers funds for school districts under the Carl D. Perkins Vocational and Technical Education Act of 1998 to enhance and improve vocational and technical educational programs. It administers part of the state and federally funded Bilingual/English as a Second Language Program.

The *Division for Finance and Management* distributes state and federal school aids and grants; administers school district revenue limits; monitors the Milwaukee Parental Choice Program and the interdistrict open enrollment program; prescribes school financial accounting methods; consults with school districts on their budgets; and collects, analyzes, and publishes school finance data. Consulting services are provided to assist districts and charter schools with management and planning, school district reorganization, pupil transportation, private school relations, school board elections and duties, and finance and asset management. The division is responsible for both state and federally funded school food and nutrition services, nonschool child care food services, and elderly nutrition programs. It also provides support services to the department for financial management, human resources, budget preparation, educational policy and administrative rule development, and legislative analysis.

The *Division for Learning Support: Equity and Advocacy*, created in Section 15.373 (1), Wisconsin Statutes, as the Division for Handicapped Children by Chapter 327, Laws of 1967, and most recently renamed in 1993 Wisconsin Act 335, provides technical assistance, leadership, advocacy, staff development, training, and education to help meet the diverse cultural, emotional, social, health, and educational needs of Wisconsin's youth. The mission is met through collaboration with federal, state, and local groups. The division, through the state schools, Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired, provides direct instruction to students and technical assistance through outreach to local educational agencies, communities, and families statewide. The division manages state and federal resources, monitors and evaluates programs and practices, and facilitates school-district and community efforts to meet specific needs of students. The division administers programs involving school nursing, social work, and psychological services; guidance and counseling services; alcohol, tobacco, and other drug abuse; suicide prevention; alcohol and traffic safety; school-age parents; school violence; prevention of HIV and other sexually transmitted diseases; pregnancy prevention; character education; health education; physical activity; comprehensive school health programs; compulsory school attendance; and after-school programs.

The division offers technical assistance and financial aid to help school districts provide a better education for children with disabilities, combat educational discrimination, and train professional staff. It is responsible for special educational programs and services for children with disabilities. It must ensure that all children with disabilities are identified, evaluated, and given appropriate education and services. It supervises all special education programs and checks their compliance with departmental standards and state and federal law. The division provides consultation for and supervision of the Pupil Nondiscrimination Program and Gender Equity Program.

The division administers the Wisconsin Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired (WCBVI). Each program operates a residential school for state residents who are ages 3 to 20, impaired, and in need of individualized instruction free of charge. Both schools provide academic and vocational education on site. Both programs also offer instructional and technical assistance, teaching materials, and evaluations of pupils to local school districts and other agencies. WCBVI also provides summer programs for students and adults and administers the Federal Quota Funds for student materials.

The *Division for Libraries, Technology, and Community Learning*, created as the Division for Library Services in Section 15.373 (2), Wisconsin Statutes, by Chapter 327, Laws of 1967, and most recently renamed in 2001 Wisconsin Act 48, provides assistance for the development and improvement of public and school libraries; fosters interlibrary cooperation and resource sharing; and promotes information and instructional technology in libraries. The division administers the state aid program for Wisconsin's 17 public library systems. It also administers the federal Library Services and Technology Act, the federal Educational Technology Grants, and the federal Learn and Serve America Program. Electronic content is provided through WINSS (Wisconsin

Information Network for Successful Schools), and other department resources. The division provides interlibrary loan and reference services to the state's libraries, maintains an electronic union catalog of statewide library holdings, and administers BadgerLink, the statewide full-text database project that allows access to thousands of magazines, newsletters, newspapers, pamphlets, and historical documents ([www.badgerlink.net](http://www.badgerlink.net)). It operates a professional library for department staff, state educators, and librarians. The division directs the public librarian certification program, the summer library reading program, and programs that foster family and community involvement and quality early childhood programs (including kindergarten) in schools, libraries, and communities. With grants from the Corporation for National and Community Service, the division oversees VISTA (Volunteers In Service To America) and AmeriCorps members who work around the state to promote learning and partnerships to close the achievement gap. Other grants enable the division to develop and enhance early childhood collaboration and civic learning. It also administers the department's data processing, information technology support, and school and library data collections.

The *Division for Reading and Student Achievement* is responsible for ensuring that all children attain proficiency in meeting the Wisconsin Model Academic Standards. The three teams in this division, Educational Accountability, Successful Schools and Student Achievement, and Wisconsin Educational Opportunity Programs and Urban Education, have as a major focus closing the achievement gap that exists among children of color, the economically disadvantaged, and their peers.

The Successful Schools and Student Achievement Team provides assessment results through statewide tests that measure student proficiency related to the Wisconsin Model Academic Standards. These data assist district and school personnel in evaluating and making decisions related to educational planning and programming. This team provides accountability outcomes related to state and federal legislation and gives technical assistance in evaluating results and developing improvement plans to schools and districts. Resources provided to districts and schools include a number of programs under the federal Elementary and Secondary Education Act of 1965 and the No Child Left Behind Act of 2001, including programs under Title I-Part A, Reading First, Even Start Family Literacy, Migrant Education, Neglected and Delinquent Youth, Comprehensive School Reform, Innovative Programs, McKinney-Vento Homeless Assistance Act, and the state class size reduction program Students Achievement Guarantee in Education (SAGE).

The Wisconsin Educational Opportunity Programs and Urban Education Team focuses on improving high school graduation rates, reducing dropouts and encourages non-traditional, minority, disadvantaged, and low-income students with college potential to pursue postsecondary education. Programs to achieve team objectives include state and federal Talent Search, Talent Incentive Program, Early Identification Program, Minority Pre-College Scholarship Program, Gear Up, and Upward Bound. The Urban Education program was established in 1995 to provide services to urban areas including Beloit, Kenosha, Milwaukee, and Racine to facilitate cooperative efforts to address the challenges and equity needs facing families, children, and educators in an urban setting. The Preschool to Grade 5 (P-5) program was created to provide for the special needs of this population.

**History:** The Wisconsin Constitution, as adopted in 1848, required the state legislature to provide by law for the establishment of district schools that would be free to all children between the ages of 4 and 20 years. It also created a State Superintendent of Public Instruction to supervise public education. Under the 1849 Wisconsin Statutes, the superintendent was ordered to visit schools in all the counties, recommend textbooks and courses of instruction, and distribute state money for public schools to the counties.

Originally, the superintendent was elected to a 2-year term at the partisan general election in November. With the adoption of a constitutional amendment in 1902, the superintendent was placed on the nonpartisan April ballot and given a 4-year term of office.

In the early years of statehood, the hiring of teachers was entirely a local matter. In 1861, the legislature created county superintendents of schools with the power to license teachers beginning in 1862. The state superintendent was also given licensing authority in 1868 (Chapter 169). Local districts and county superintendents continued to license teachers until 1939, when the legislature gave that power exclusively to the Department of Public Instruction.



*State Superintendent of Public Instruction Elizabeth Burmaster reads to early childhood students. Beginning with the nation's first kindergarten in 1856, Wisconsin has been a leader in providing learning opportunities to younger students. (Department of Public Instruction)*

For a number of years, state support of public education consisted of money derived principally from the sale of public lands that the federal government had granted to the state. In Chapter 287, Laws of 1885, the legislature levied a one-mill (one-tenth of a cent) state property tax to be collected by the state and distributed to counties for school support. The state's first attempt to equalize tax support for schools in property-poor districts was the Wisconsin Elementary Equalization Law of 1927 (Chapter 536). It was promoted by State Superintendent John Callahan, who also urged a 40% level of state support for local school costs – a figure not reached until after 1970. The 1995 Legislature enacted a law to ensure that state aids and school levy tax credits would cover two-thirds of local school revenues, but subsequently repealed that requirement in 2003.

Originally, Wisconsin only required tax support for elementary schools. Individual cities, such as Racine and Kenosha, funded their own high schools. The legislature enacted public support for high schools in 1875 (Chapter 323). Kindergarten originated in 1856 when Margarethe Schurz started a German-speaking program for children 2 through 5 years of age in Watertown, Wisconsin. The first public school kindergarten opened in Manitowoc in 1873 for 4- and 5-year-old children. The program continued to spread until, in 1973, the legislature required school districts to provide a 5-year-old kindergarten. In the 1990s, an increasing number of school districts offered full-day programs for 5-year-old children and kindergarten programs for 4-year-olds.

Although state law had contained some curriculum requirements as early as 1849, the legislature did not establish high school graduation requirements until 1983. In 1985, it prescribed a detailed set of standards local districts must meet to be eligible for state aid. The 1997 Legislature mandated that school boards adopt pupil academic standards in certain subjects, a series of examinations to measure pupil achievement in 4th, 8th, and 10th grades, and a high school graduation examination. The 2003 Legislature eliminated the high school graduation examination.

State concern for special education began with the establishment of the Wisconsin Institute for Education of the Blind in Janesville in 1850 and a school for the deaf in Delavan in 1852. These schools were administered by public welfare agencies until transferred to the Department of Public Instruction in 1947. The 1927 Legislature enacted laws to provide aid for special classes for “crippled children” and increased aid for districts to educate mentally handicapped children. Funding for education of all handicapped children was enacted in 1973 to comply with federal law.

While state administration of school libraries fell under the jurisdiction of the superintendent, the Free Library Commission set standards for public libraries. In 1965, the legislature transferred this function to the department.

### **Statutory Board and Councils**

**Alcohol and Other Drug Abuse Programs, Council on:** HOLLY HART, *chairperson*; JEAN CRUIKSHANK, DOROTHY CRUST, PAT DEMOS, CLAUDE GILMORE, JOHN GREENWOOD, LISA HESCH, BARBARA HICKMAN, TASHA JENKINS, BOB KOVAR, PAT NEUDECKER, EVAN NORRIS, BARBARA PARISI, CINDY RINDFLEISCH, ROBERT RYKAL, GEORGE THATTAKARA, DENIS TUCKER, ROBERT ULLMAN (appointed by state superintendent).

The Council on Alcohol and Other Drug Abuse Programs advises the state superintendent about programs to prevent or reduce alcohol, tobacco, and other drug abuse by minors. The council consists of 18 members (by administrative rule) who serve at the pleasure of the state superintendent. The council was created by Chapter 331, Laws of 1979, and its duties are prescribed in Section 115.36 of the statutes.

**Blind and Visual Impairment Education Council:** NISSAN BAR-LEV (special education director), *chairperson*; AMY JONES, KAREN SMITH, TRUDY SWENSON (parents of visually impaired children); KAY GLODOWSKI, CHERYL ORGAS, RICHARD POMO (members of organizations affiliated with visually impaired); SUSAN KOKKO, DAWN SOTO (licensed teachers of visually impaired); JULIE HAPEMAN (licensed teacher of orientation and mobility); vacancy (licensed general education teacher); NANCY THOMPSON (school board member); RON DAYTON (school district administrator); FRED WOLLENBURG (CESA representative); LYN AYER (higher education representative); MARY ANN DAMM (Braille transcriber); ERICA WEISE (visually impaired representative) (all appointed by superintendent).

The 17-member Blind and Visual Impairment Education Council advises the state superintendent on statewide activities that will benefit visually impaired pupils; makes recommendations for improvements in services provided by the Wisconsin Center for the Blind and Visually Impaired; and proposes ways to improve the preparation of teachers and staff and coordination between the department and other agencies that offer services to the visually impaired. Members serve 3-year terms. At least one must be certified by the Library of Congress as a Braille transcriber. The higher education representative must either have experience as an educator of the visually impaired or an educator of teachers of the visually impaired. At least one of the three remaining members must be visually impaired. The council was created as the Council on the Blind by Chapter 276, Laws of 1969, renamed as the Council on the Education of the Blind in

Chapter 292, Laws of 1971, and renamed and substantially revised by 1999 Wisconsin Act 9. Its composition and duties are prescribed in Sections 15.377 (1) and 115.37 of the statutes.

**Deaf and Hard-of-Hearing Education Council:** CORA CORAZON-HOLLOWAY, CHRISTIANNE MURN (parents of hearing impaired children); POLLY ANN WILLIAMS-SLAPPEY (teacher of hearing impaired pupils); MARY GUIDO (licensed speech-language pathologist); JOHN WALDRON (school district special education director); JOANNE COLUMBO (licensed audiologist with expertise in educational audiology); AMY OTIS-WILBORN (educator of hearing impaired teachers); SUZETTE GARAY (technical college interpreter training instructor); SANDRA TONEY COOLEY (educational interpreter); ROBIN BARNES, KEVIN McDONOUGH, ALICE SYKORA (other members) (all appointed by state superintendent).

The Deaf and Hard-of-Hearing Education Council advises the state superintendent on issues related to pupils who are hearing impaired. It informs the superintendent on services, programs, and research that could benefit those students. The council makes recommendations for improving services provided by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing; reviews and makes recommendations on the level of quality and services available to hearing-impaired pupils; proposes ways to improve the preparation of teachers and other staff who provide services to the hearing impaired; and proposes ways to improve coordination between the department and providers of services to the hearing impaired. The council's 12 members serve 3-year terms. It was created by 2001 Wisconsin Act 57, and its composition and duties are prescribed in Sections 15.377 (2) and 115.372 of the statutes.

**Library and Network Development, Council on:** JOHN C. REID (public member), *chairperson*; A. EUGENE NEYHART (public member), *vice chairperson*; BARBARA ARNOLD (professional member), *secretary*; MARY M. BAYORGEON, CATHERINE HANSEN, LISA JEWELL, C. PATRICIA LAVIOLETTE, JOHN NICHOLS, KATHY PLETCHER, LISA SOLVERSON, LINDA STELTER, KRISTINE WENDT (professional members); MICHAEL BAHR, DONALD BULLEY, MIRIAM ERICKSON, ROBERT KOECHLEY, DOUGLAS H. LAY, CALVIN POTTER, KRISTI A. WILLIAMS (public members) (appointed by governor).

The 19-member Council on Library and Network Development advises the state superintendent and the administrator of the Division for Libraries, Technology, and Community Learning on the performance of their duties regarding library service. Members serve 3-year terms. The professional members represent various types of libraries and information services. The public members must demonstrate an interest in libraries and other types of information services. The council was created by Chapter 347, Laws of 1979, and its composition and duties are prescribed in Sections 15.377 (6) and 43.07 of the statutes.

**Professional Standards Council for Teachers:** LINDA HELF (public school teacher), *chairperson*; RYAN CHAMPEAU (public school principal), *vice chairperson*; REBECCA VAIL (public school district administrator), *secretary*; MARLENE OTT, TERRY SCHOESSOW, MURIEL SMITH-GROSS, MARY ZIMMERMAN, LYNN ZINDL (public school teachers); ANN CATTAU, LEAH JERABEK (public school pupil service professionals); DIANE OPPERMAN (public school special education teacher); GLORIA GOSS (private school teacher); JEFFREY BARNETT, CONNIE FOSTER (UW System educational faculty members); HILARY POLLACK (private college education faculty member); RUSS KAESKE, vacancy (public school board members); PAT LEWNO (parent of public school child); vacancy (student enrolled in teacher preparatory program) (appointed by state superintendent with senate consent).

The 19-member Professional Standards Council for Teachers advises the state superintendent regarding licensing and evaluating teachers; evaluation and approval of teacher education programs; the status of teaching in Wisconsin; school board practices to develop effective teaching; peer mentoring; evaluation systems; and alternative dismissal procedures.

Members serve 3-year terms, except the student member, who serves for 2 years. Public school teachers and pupil service professionals are recommended by the largest statewide labor organization representing teachers. The private school teacher is recommended by the Wisconsin Council of Religious and Independent Schools. The public school administrator and principal are recommended by their statewide organizations. Faculty members are recommended by the UW System president and the Wisconsin Association of Independent Colleges and Universities. The council

was created by 1997 Wisconsin Act 298, and its composition and duties are prescribed in Sections 15.377 (8) and 115.245 of the statutes.

**School District Boundary Appeal Board:** ELIZABETH BURMASTER (superintendent of public instruction); DON BRIC, JAMES CRANDALL, DENNIS KAVANAUGH, MARY MALONEY, MARIAN MIEDEN, SUE NANNINGA, MICHAEL PIERCE, JUDITH REMINGTON, PATTI SILVER, MARY THURMAIER, THERESE TRAVIA, WALTER WETZEL (appointed by state superintendent).

The 13-member School District Boundary Appeal Board hears appeals from persons aggrieved by actions taken under Chapter 117, Wisconsin Statutes, providing for school district reorganization. The appointed members include 4 each from large, medium, and small district school boards, who are appointed for staggered 2-year terms. No two members may live within the boundaries of the same CESA. The board was created by 1983 Wisconsin Act 27, and its composition and duties are prescribed in Sections 15.375 (2) and 117.05 of the statutes.

**Special Education, Council on:** PATRICIA YAHLE, *chairperson*; BASIMAH ABDULLAH, BRIAN ANDERSON, EVELYN AZBELL, JUDI BECKER, GERALD FULTS, REBECCA GROVES, CYNTHIA HIRSCH, MARY HOPKINS-BEST, GLEN LAMPING, KIRBY LENTZ, MONICA LOPEZ, MANUEL LUGO, CHARLOTTE PRICE, TONIA SMITH, CYNTHIA SQUIRE, BETH WROBLEWSKI (appointed by state superintendent).

The Council on Special Education advises the state superintendent on programs for children with disabilities. It assists in developing evaluations, and reporting data to the U.S. Department of Education, developing policies, and advising the state superintendent regarding the needs of children with disabilities. The number of council members is unspecified, but the following categories must be represented: regular and special education teachers; institutions of higher education that train special education personnel; state and local education officials; administrators of programs for children with disabilities; agencies involved in financing or delivery of related services; private schools and charter schools; a vocational, community, or business organization that provides transitional services; the Department of Corrections; parents of children with disabilities; and individuals with disabilities. Council members are appointed for 3-year terms, and the majority must be individuals with disabilities or parents of children with disabilities. The council was created as the Council on Exceptional Education by Chapter 89, Laws of 1973, and renamed and revised by 1997 Wisconsin Act 164. Its composition and duties are prescribed in Section 15.377 (4) of the statutes.

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## PUBLIC SERVICE COMMISSION

**Commissioners:** DANIEL EBERT, 267-7897, daniel.ebert@, *chairperson*; ROBERT M. GARVIN, 267-7899, robert.garvin@; MARK MEYER, 267-7898, mark.meyer@ (appointed by governor with senate consent).

*Executive Assistant to the Chairperson:* DAN SCHOOFF, 266-1261, dan.schooff@□

*Secretary to the Commission:* CHRISTY ZEHNER, 266-1247, christy.zehner@□

*Administrative Law Judge, Office of:* DAVID C. WHITCOMB, 261-8522, david.whitcomb@□

*Governmental and Public Affairs, Office of:* LINDA BARTH, *director*, 267-0912, linda.barth@□

*General Counsel:* DAVID J. GILLES, 266-1264, dave.gilles@□

*Legislative Liaison:* MATTHEW PAGEL, 266-1383, matthew.pagel@□

*Administrative Services, Division of:* GORDON GRANT, *acting administrator*, 267-9086, gordon.grant@

*Gas and Energy Division:* ROBERT NORCROSS, *administrator*, 266-0699, robert.norcross@

*Telecommunications Division:* GARY EVENSON, *administrator*, 267-6744, gary.evenson@

*Water, Compliance and Consumer Affairs, Division of:* AMELIA RAMIREZ, *administrator*, 267-7829, amelia.ramirez@

Address e-mail by combining the user ID and the state extender: [userid@psc.state.wi.us](mailto:userid@psc.state.wi.us)



**Mailing Address:** P.O. Box 7854, Madison 53707-7854. □

**Location:** Public Service Commission Building, 610 North Whitney Way, Madison. □

**Telephones:** 266-5481; Consumer affairs: (800) 225-7729 (in-state only) or 266-2001; TTY: □ (800) 251-8345 (in-state only) or 267-1479.

**Fax:** 266-3957.

**E-mail Address:** pscsecs@psc.state.wi.us

**Internet Address:** <http://psc.wi.gov>

**Publications:** Biennial report; various statistics on electric utilities, gas utilities, and telephone companies and guides for utility customers.

**Number of Employees:** 173.50.

**Total Budget 2003-05:** \$45,024,100.

**Statutory References:** Sections 15.06 and 15.79; Chapter 196.

**Agency Responsibility:** The Public Service Commission (PSC) is responsible for regulating Wisconsin's public utilities and ensuring that utility services are provided to customers at prices reasonable to both ratepayers and utility owners. The commission regulates the rates and services of electric, gas distribution, heating, telephone, water, and combined water and sewer utilities. In most instances, its jurisdiction does not extend to the activities of electric cooperatives.

Responsibilities of the commission include setting utility rates, determining levels for adequate and safe service, and approving utility bond sales and stock offerings. It confirms or rejects utility applications for major construction projects, such as power plants. In addition to ensuring utility compliance with statutes, administrative codes, and record-keeping requirements, the commission's staff investigates and mediates thousands of consumer complaints annually. During the complaint process, commission staff reviews all pertinent information to make certain that the utility's handling of the complaint is in compliance with the applicable rules. The commission also rules on proposed mergers between utility companies.

**Organization:** The governor appoints the 3 full-time commissioners, with senate approval, to serve staggered 6-year terms, but an individual commissioner holds office until a successor is appointed and qualified. No commissioner may have a financial interest in a railroad or public utility or serve on or under a political party committee. The governor designates a chairperson who, in turn, may appoint division administrators from outside the classified service.

**Unit Functions:** The *Division of Administrative Services* provides personnel and business management services to the commission and maintains central records.

The *Gas and Energy Division* is responsible for all major aspects of state regulation of electric and natural gas utilities. It regulates rates charged by these utilities and their terms and conditions of service, and reviews their planning and construction activity. It oversees transmission line construction and natural gas pipeline operations. In addition, the division examines environmental impacts and energy use and conservation issues. The division also addresses stray voltage issues on farms and implements programs to increase competition in the electric utility industry. The division intervenes in actions that are pending before federal regulatory agencies and may affect Wisconsin ratepayers.

The *Telecommunications Division* is responsible for overseeing the telecommunication industry in Wisconsin and regulating those services that are subject to PSC jurisdiction within the mandates and direction of state law and related requirements of the Federal Telecommunications Act of 1996. Tasks of the division include: promoting competition and ensuring access to modern and affordable telecommunications, monitoring service quality and the deployment of advanced infrastructure, overseeing the Wireless 911 Fund that supports county and wireless emergency response systems, and assisting with administration of the Universal Service Fund Program. It also oversees the providers of retail and wholesale telecommunications services in the state by: administering price regulation plans and alternative forms of regulation; reviewing earnings and rate levels of companies subject to rate jurisdiction; reviewing tariffs, contracts, and agreements to prevent unfair cross-subsidies and other anticompetitive activities; certifying new providers in the state; arbitrating interconnection agreements between providers and approving negotiated agreements; and resolving interconnection disputes between service providers.

The *Division of Water, Compliance and Consumer Affairs* is responsible for the regulation of water and combined water and sewer utilities. It audits all utility records for compliance with commission directives and the Uniform System of Accounts and offers assistance to utilities to help them comply with state laws and rules. In addition to ensuring utility compliance with statutes, administrative codes, and record-keeping requirements, the commission's staff investigates and mediates thousands of consumer complaints annually.

**History:** Public utility regulation in Wisconsin followed and was closely related to railroad regulation. Railroads were the first modern enterprise to have their rates regulated, and Wisconsin became one of the first states to pass such laws. Chapter 273, Laws of 1874, established a railroad rate structure and provided for 3 appointed railroad commissioners to supervise rail freight operations. Two years later in Chapter 57, Laws of 1876, the legislature repealed much of the 1874 law and established a single appointed commissioner of railroads. The commissioner was made an elected official in 1881 (Chapter 300).

The forerunner of today's commission dates from Chapter 362, Laws of 1905, which created an appointed 3-member Railroad Commission to supervise rail operations, appraise railroad property, and set rates. With the enactment of Chapter 499, Laws of 1907, which extended the powers of the Railroad Commission, Wisconsin became the first state to regulate all public utilities.

Chapter 183, Laws of 1931, renamed the agency the Public Service Commission of Wisconsin and made it responsible for comprehensive motor carrier regulation in 1933 (Chapter 488). The 1967 executive branch reorganization continued the commission as an independent agency. Chapter 29, Laws of 1977, transferred the commission's railroad and motor carrier regulatory functions to the Transportation Commission (recreated in 1982 as the now defunct Office of the Commissioner of Transportation). Railroad regulation was assigned to the newly created Office of the Commissioner of Railroads by 1993 Wisconsin Act 123.

Laws passed in 1985 provided for a partial deregulation of public utility holding companies and telecommunications service, and 1993 Wisconsin Act 496 established a new regulatory framework for telecommunications utilities, which authorizes the commission to regulate the prices utilities charge rather than limiting their total earnings.

### Statutory Councils

**Telecommunications Privacy Council:** NEIL TRILLING, *chairperson*; CHERYL BARNES, MIKE CAUBLE, DAVID J. GILLES, LEONARD P. LEVINE, PAUL NELSON, SUE McALLAN ROSKA, MARLIN SCHNEIDER, LOUISE TRUBEK, PAUL VERHOEVEN, ROBERT WELLS, HENRY CLAY WHITE (appointed by Public Service Commission).

The Telecommunications Privacy Council advises the commission on guidelines designed to protect the privacy of users of telecommunications services. The number of members on the council is not specified, but all must represent telecommunications providers or consumers. The council was created by 1993 Wisconsin Act 496 and its composition and duties are prescribed in Section 196.209 of the statutes.

**Universal Service Fund Council:** RICHARD SCHLIMM, *chairperson*; JEFF BECK, JILL COLLINS, TOM FRAZIER, PAUL FUGLIE, HELEN GEE, WILL HUGHES, GWEN JACKSON, JEAN PAUK, GARY RADLOFF, PAMELA SHERWOOD, FRED WEIER, PAM YOUNG-HOLMES (appointed by Public Service Commission).

*Universal Services Manager:* ANITA SPRENGER, Public Service Commission, P.O. Box 7854, Madison 53707-7854; Telephone: 266-3843; Fax: 266-3957; TTY: (800) 251-8345 (in-state only) or 267-1479; anita.sprenger@

The Universal Service Fund Council advises the commission on the administration of the Universal Service Fund, which assists low-income customers, disabled customers, and customers in areas where telecommunication service costs are relatively high, in obtaining affordable access to basic telecommunication services. The Universal Service Fund manager acts as liaison between the commission and the council. The number of members on the council is not specified. All must represent telecommunication service providers or consumers, but the majority of members must be consumers. The council was created by 1993 Wisconsin Act 496 and its composition and duties are prescribed in Section 196.218 (6) of the statutes.

INDEPENDENT UNIT ATTACHED FOR BUDGETING, PROGRAM COORDINATION, AND RELATED MANAGEMENT FUNCTIONS BY SECTION 15.03 OF THE STATUTES

**OFFICE OF THE COMMISSIONER OF RAILROADS**

*Commissioner of Railroads:* RODNEY W. KREUNEN, 266-3182, rodney.kreunen@psc.state.wi.us □

*Legal Counsel:* DOUGLAS S. WOOD, 266-9536, woodd@psc.state.wi.us □

**Mailing Address:** P.O. Box 8968, Madison 53708-8968. □

**Location:** 610 North Whitney Way, Suite 110, Madison. □

**Telephone:** 261-8221. □

**Fax:** 261-8220. □

**Number of Employees:** 7.00. □

**Total Budget 2003-05:** \$1,172,200. □

**Statutory References:** Sections 15.06 (1) (a) and 15.795 (1); Chapters 189-192 and 195. □

**Agency Responsibility:** The Office of the Commissioner of Railroads enforces regulations related to railway safety and determines the safety of highway crossings including the adequacy of railroad warning devices. The office is funded by assessments on railroads.

The governor appoints the commissioner with senate consent to a 6-year term and holds office until a successor is appointed. The commissioner may not have a financial interest in railroads and may not serve on or under any committee of a political party. The office was created by 1993 Wisconsin Act 123 as an independent regulatory agency to assume the functions relating to railroad regulation that 1993 Wisconsin Act 16 had transferred to the Public Service Commission when the Office of the Commissioner of Transportation was eliminated.



*A train arrives at the Milwaukee Airport Rail Station (MARS). The station, which opened in January 2005, was constructed using a combination of federal and state funds. MARS is one of just four Amtrak stations serving airports nationally. The facility, which is adjacent to General Billy Mitchell International Airport, also includes a 300-car parking lot. (Department of Transportation)*

**Department of  
REGULATION AND LICENSING**

**Secretary of Regulation and Licensing:** CELIA M. JACKSON, 266-1352, [drlsecretary@drl.state.wi.us](mailto:drlsecretary@drl.state.wi.us)

*Deputy Secretary:* SANDRA M. ROWE, 267-2435, [sandra.rowe@drl.state.wi.us](mailto:sandra.rowe@drl.state.wi.us)

*Executive Assistant and Legislative Liaison:* LARRY J. MARTIN, 266-8608, [larry.martin@drl.state.wi.us](mailto:larry.martin@drl.state.wi.us)

*Legal Services, Office of:* STEVE GLOE, *General Counsel*, 266-0011, [steve.gloe@drl.state.wi.us](mailto:steve.gloe@drl.state.wi.us)

**Mailing Address:** P.O. Box 8935, Madison 53708-8935.

**Location:** 1400 East Washington Avenue, Room 173, Madison.

**Telephones:** 266-2112 (for operator, select menu option “6”); TTY: 267-2416.

**Internet Address:** <http://drl.wi.gov>

**Fax:** 267-0644.

**Number of Employees:** 126.00

**Total Budget 2003-05:** \$22,261,600.

**Statutory References:** Sections 15.08, 15.085, 15.40, and 15.405-15.407; Chapters 440-459, 470, and 480.

*Enforcement, Division of:* ERIC CALLISTO, *administrator*, 266-3445, [eric.callisto@drl.state.wi.us](mailto:eric.callisto@drl.state.wi.us)

*Management Services, Division of:* ROBBI MURPHY, *administrator*, 261-2392, [robby.murphy@drl.state.wi.us](mailto:robby.murphy@drl.state.wi.us).

*Professional Credential Processing, Division of:* CATHY POND, *administrator*, 266-0557, [cathy.pond@drl.state.wi.us](mailto:cathy.pond@drl.state.wi.us)

*Board Services, Division of:* KIMBERLY NANIA, *administrator*, 261-2393, [kimberly.nania@drl.state.wi.us](mailto:kimberly.nania@drl.state.wi.us)

*Education, Office of:* BARBARA SHOWERS, *director*, 266-7703, [barbara.showers@drl.state.wi.us](mailto:barbara.showers@drl.state.wi.us)

*Business and Design Professions, Bureau of:* vacancy, *director*, 261-4486.

*Accounting Examining Board (266-2112):* NORBERT J. JOHNSON, *chairperson*; THOMAS J. KILKENNY, *vice chairperson*; FREDERICK W. FRANKLIN, *secretary*; KAREN J. BINDL, LUCRETIA MATTSON, ROMAN M. JUNGERS II\*, *vacancy\**.

*Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, Examining Board of (266-2112).*

The 5 professional sections listed below comprise the examining board for a total of 15 professional members and 10 public members. Examining board officers: JAY FERNHOLZ, *chairperson*; RICK A. VAN GOETHEM, *vice chairperson*; RUTH G. JOHNSON\*, *secretary*.

*Architect Section:* JAMES G. OTTO, *chairperson*; WALTER L. WILSON, *vice chairperson*; GARY A. GUST, *secretary*; ARNO W. HAERING\*, *vacancy\**.

*Landscape Architect Section:* JAY FERNHOLZ, *chairperson*; WAYNE G. TLUSTY, *vice chairperson*; RUTH G. JOHNSON\*, *secretary*; ROSHEEN STYCZINSKI, BERNIE A. ABRAHAMSON\*.

*Engineer Section:* LYNDA F. FARRAR\*, *chairperson*; NANCY L. SOB CZAK, *vice chairperson*; MARTIN J. HANSON, *secretary*; DALE R. PACZKOWSKI, *vacancy\**.

*Designer Section:* JAMES W. DORN, *chairperson*; SCOTT B. BERG, *vice chairperson*; DONNA M. ROZAR\*, *secretary*; MICHAEL J. OHBERG, *vacancy\**.

*Land Surveyor Section:* RICK A. VAN GOETHEM, *chairperson*; JAMES E. RUSCH, *vice chairperson*; ROBERT HOSKINS\*, *secretary*; MATTHEW J. JANI AK, *vacancy\**.

*Auctioneer Board (266-2112):* MARK SHAIN\*, *chairperson*; MARIE SKIC\*, *vice chairperson*; CARL THEORIN, *secretary*; JAY CLARKE, PATRICK J. MCNAMARA, TIMOTHY SWEENEY, ALAN S. HAGER\*.

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\*Asterisk indicates public member. Other members represent the profession regulated, unless otherwise noted. The governor appoints all examining board and council members with the advice and consent of the senate, unless otherwise indicated.

*Barbering and Cosmetology Examining Board* (266-2112): LEON G. LAUER, *chairperson*; JEANNIE M. BUSH (electrologist), *vice chairperson*; JEFFREY A. PATTERSON, *secretary*; MARY B. BLAKE, E. ROD GOTTFREDSEN; NANCY PAGGAG (representing a private school of barbering or cosmetology), JANICE M. BOECK (representing a public school of barbering or cosmetology), LEE MARTINEZ\*, *vacancy\**.

*Funeral Directors Examining Board* (266-2112): RICK D. UNBEHAUN, *chairperson*; J.C. FRAZIER, *vice chairperson*; BONNIE GIFT\*, *secretary*; DAVID E. OLSEN, CONNIE C. RYAN, ROSALIE A. MURPHY\*.

*Nursing Home Administrator Examining Board* (266-2112): JERRY SCHALLOCK, *chairperson*; DAVID M. EGAN, *vice chairperson*; PATRICIA A. SCHULZ, *secretary*; KENNETH D. ARNESON, MARY ANN CLARK, ROBERT A. KESSLER (physician), MARY K. LEASE (registered nurse), MARY F. PIKE\*, *vacancy\**. Nonvoting member: PATRICIA BENESH (designee of secretary of health and family services).

*Professional Geologists, Hydrologists and Soil Scientists, Examining Board of:* (266-2112).

The 3 professional sections listed below comprise the examining board for a total of 9 professional members and 3 public members. Examining board officers: STEPHEN V. DONOHUE, *chairperson*; TRACY C. BENZEL, *vice chairperson*; JOAN UNDERWOOD FALLON, *secretary*.

*Geologist Section:* THOMAS J. EVANS, *chairperson*; JOAN UNDERWOOD FALLON, *vice chairperson*; DAVID M. MICKELSON, *secretary*; *vacancy\**.

*Hydrologist Section:* STEPHEN V. DONOHUE, *chairperson*; ROBERT J. KARNAUSKAS, *vice chairperson*; *vacancy*, RUTH G. JOHNSON\*.

*Soil Scientist Section:* TRACY C. BENZEL, *chairperson*; ROBERT C. WENDT, *vice chairperson*; JON H. GUMTOW, *secretary*; *vacancy\**.

*Real Estate Appraisers Board* (266-2112): MARK KOWBEL (licensed appraiser), *chairperson*; SHARON FIEDLER (certified residential appraiser), *vice chairperson*; ROGER ROSLANSKY\*, *secretary*; KAREN SCOTT (certified general appraiser), *vacancy* (assessor), LAMARR J. FRANKLIN\*, *vacancy\**.

*Direct Licensing and Real Estate, Bureau of:* ROXANNE PETERSON, *director*, 266-5521, □  
roxanne.peterson@drl.state.wi.us □

*Real Estate Board* (266-2112): RICHARD A. KOLLMANSBERGER, *chairperson*; PETER A. SVEUM, *vice chairperson*; MARIA E. WAITS\*, *secretary*; LLOYD P. LEVIN, LISABETH WEIRICH, REBECCA J. DYSLAND\*, *vacancy\**.

*Real Estate Curriculum and Examinations, Council on* (266-2112): PETER SVEUM (member of Real Estate Board designated by board), *chairperson*; SUSAN E. HAMER, RICHARD HINSMAN, PEGGY LOVEJOY, BARBARA MCGILL, PAUL G. HOFFMAN\*, LAWRENCE SAGER\*.

*Health Professions, Bureau of:* TOM RYAN, *director*, 266-8098, thomas.ryan@drl.state.wi.us

*Controlled Substances Board* (266-2112): CYNTHIA BENNING (designated by Pharmacy Examining Board), *chairperson*; DAROLD A. TREFFERT (psychiatrist), *vice chairperson*; YVONNE M. BELLAY (designated by secretary of agriculture, trade and consumer protection), *secretary*; ROBERT BLOCK (designated by attorney general), DOUG ENGLEBERT (designated by secretary of health and family services); CECILIA J. HILLARD (pharmacologist).

*Dentistry Examining Board* (266-2112): BRUCE BARRETTE (dentist), *chairperson*; RICHARD J. STRAND (dentist), *vice chairperson*; NANETTE KOSYDAR DREVES (dental hygienist), *secretary*; LORI R. BARBEAU, KEITH D. CLEMENCE, WILBER G. GILL, KAREN M. JAHIMIAC (dentists); DAVID T. CARROLL, CATHERINE E. SCHLEIS (dental hygienists); JUDITH E. FICKS\*, ANNE N. TAYLOR\*.

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\*Asterisk indicates public member. Other members represent the profession regulated, unless otherwise noted. The governor appoints all examining board and council members with the advice and consent of the senate, unless otherwise indicated.

## Boards and Councils within the Department of Regulation and Licensing

Unit	Statutory Citation	Session Laws Creating or Amending	Duties Specified in Wisconsin Statutes
Accounting Examining Board	S. 15.405 (1)□	Ch. 337, L. 1913; Ch. 327, L. 1967.	Ch. 442
Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, Examining Board of	S. 15.405 (2)	Ch. 644, L. 1917; Ch. 486, L. 1931; Ch. 547, L. 1955; Ch. 446, L. 1969;□ 1993 WisActs 463 and 465,□ 1997 WisAct 300.□	Ch. 443□
Auctioneer Board	S. 15.405 (3)□	1993 WisAct 102.	Ch. 480
Barbering and Cosmetology Examining Board□	S. 15.405 (17)□	Ch. 221, L. 1915 (Committee of Examiners in Barbering); Ch. 431, L. 1939 (Board of Examiners in Cosmetology); 1987 WisAct 265 (combined the 2).	Ch. 454
Chiropractic Examining Board	S. 15.405 (5)□	Ch. 408, L. 1925.	Ch. 446
Controlled Substances Board	S. 15.405 (5g)□	Ch. 384, L. 1969; Ch. 219, L. 1971; 1995 WisAct 305.	Ch. 961
Dentistry Examining Board	S. 15.405 (6)□	Ch. 129, L. 1885; 1997 WisAct 96	Ch. 447
Funeral Directors Examining Board	S. 15.405 (16)	Ch. 420, L. 1905; Ch. 39, L. 1975 and 1983 WisAct 485.	Ch. 445
Hearing and Speech Examining Board	S. 15.405 (6m)□	Ch. 300, L. 1969; 1989 WisAct 316.	Ch. 459
Council on Speech-Language Pathology and Audiology	S. 15.407 (4)	1989 WisAct 316.	S. 459.23 and 459.44
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board	S. 15.405 (7c)	1991 WisAct 160, 2001 WisAct 80.	S. 457.03
Massage Therapy and Bodywork Council	S. 15.407 (7)	2001 WisAct 74	Ch. 460
Medical Examining Board	S. 15.405 (7)	Ch. 264, L. 1897.	Ch. 448, Subchap.II
Athletic Trainers Affiliated Credentialing Board	S. 15.406 (4)	1999 WisAct 9.	Ch. 448, Subchap.VI
Dietitians Affiliated Credentialing Board□	S. 15.406 (2)	1993 WisAct 443; 1997 WisAct 75	S. 448.74□
Occupational Therapists Affiliated Credentialing Board	S. 15.406 (5)	1999 WisAct 180.	Ch. 448, Subchap.VII
Perfusionists Examining Council	S. 15.407 (2m)	2001 WisAct 89□	S. 448.40 (2)
Physical Therapists Affiliated Credentialing Board	S. 15.406 (1)	Ch. 327, L. 1967; 1993 WisAct 107, 2001 WisAct 70.□	S. 440.035□
Physician Assistants, Council on	S. 15.407 (2)	Ch. 149, L. 1973.	S. 448.20
Podiatrists Affiliated Credentialing Board	S. 15.406 (3)	1997 WisAct 175.	Ch. 448, Subchap. IV
Respiratory Care Practitioners Examining Council□	S. 15.407 (1m)	1989 WisAct 229.	S. 15.407 (1)□
Nursing, Board of	S. 15.405 (7g)	Ch. 346, L. 1911.	S. 441.01
Registered Nurses, Examining Council on	S. 15.407 (3)(a)	Ch. 365, L. 1921.	S. 441.05
Licensed Practical Nurses, Examining Council on□	S. 15.407 (3)(b)	Ch. 402, L. 1949.	S. 441.10□
Nursing Home Administrator Examining Board	S. 15.405 (7m)	Ch. 478, L. 1969.	Ch. 456
Optometry Examining Board	S. 15.405 (8)□	Ch. 488, L. 1915.	Ch. 449
Pharmacy Examining Board	S. 15.405 (9)	Ch. 167, L. 1882.	Ch. 450
Pharmacist Advisory Council	S. 15.407 (6)	1997 WisAct 68.	S. 450.025
Professional Geologists, Hydrologists and Soil Scientists,□ Examining Board of□	S. 15.405 (2m)	1997 WisAct 300.	Ch. 470□
Psychology Examining Board	S. 15.405 (10m)	Ch. 290, L. 1969.	Ch. 455
Real Estate Appraisers Board	S. 15.405 (10r)	1989 WisAct 340.	S. 458.03
Real Estate Board	S. 15.405 (11)	Ch. 656, L. 1919; Ch. 94, L. 1981.	Ch. 452
Real Estate Curriculum and Examinations, Council on	S. 15.407 (5)	1989 WisAct 341; 1989 WisAct 359.	S. 452.06 (2)
Veterinary Examining Board	S. 15.405 (12)□	Ch. 294, L. 1961.	Ch. 453

*Hearing and Speech Examining Board* (266-2112): GERARD L. KUPPERMAN (hearing instrument specialist), *chairperson*; ALMA PETERS (speech-language pathologist), *vice chairperson*; TERRENCE M. GREENLEAF (hearing instrument specialist), *secretary*; THOMAS E. FISHER (audiologist), STEVEN A. HARVEY (otolaryngologist), JOSEPH M. HULWI (hearing instrument specialist), MICHAEL K. THELEN (audiologist), MARLYN S. WORKINGER (speech-language pathologist); KATIE LEPAK\* (hearing aid user), BRUCE BAIER\*.

*Speech-Language Pathology and Audiology, Council on* (266-2112): MICHAEL J. COLLINS, DEBRA K. MC LAUHLIN, LYNN L. REINEMANN (speech-language pathologists), JOHN G. KNOX, GREGORY N. WIERSEMA (audiologists).

*Medical Examining Board* (266-2112): ALFRED L. FRANGER, *chairperson*; BHUPINDER S. SAINI, *vice chairperson*; LIEF W. ERICKSON, JR., *secretary*; JON E. GUDEMAN, SUJATHA KAILAS, JACK M. LOCKART, DANIEL J. MIOTA (DO), IAN MUNRO, GENE MUSSER, SANDRA L. OSBORN; MARY R. COOK\*, VIRGINIA S. HEINEMANN\*, *vacancy\**. Nonvoting member: *vacancy* (Patients Compensation Fund Peer Review Council).

*Athletic Trainers Affiliated Credentialing Board* (266-2112): BRADLEY J. SHERMAN, *chairperson*; RUSSELL D. DELAP, *vice chairperson*; WILLIAM H. BARTLETT (MD), *secretary*; HEIDI J. GUTSCHOW, KATHLEEN A. O'CONNELL; JOHN SYBELDON\*.

*Dietitians Affiliated Credentialing Board* (266-2112): SUSAN A. NITZKE, *chairperson*; VIRGINIA JORDAN, *vice chairperson*; DIANE L. JOHNSON, *secretary*; DELORES A. PRICE\*.

*Occupational Therapists Affiliated Credentialing Board* (266-2112): CINDY ERB, *chairperson*; GAIL C. SLAUGHTER, *vice chairperson*; JUDITH E. FICKS\*, *secretary*; MYLINDA BARISAS-MATULA, DEBORAH MCKERNAN-ACE, DOROTHY J. OLSON (occupational therapy assistants), *vacancy\**.

*Perfusionists Examining Council* (266-2112): GARY HAWKINS, JR., DAVID B. HELLENBRAND, MATTHEW J. HIETPAS, W. DUDLEY JOHNSON (physician); *vacancy\**. (Medical Examining Board appoints all except the public member.)

*Physical Therapists Affiliated Credentialing Board* (266-2112): LAURIE B. KONTNEY, *chairperson*; OTTO A. CORDERO, *vice chairperson*; BARBARA A. FLAHERTY, *secretary*; *vacancy* (physical therapist assistant); *vacancy\**.

*Physician Assistants, Council on* (266-2112): DANIEL S. BARRY, *chairperson*; RICHARD L. FAUST, *vice chairperson*; JERRY NOACK (designee of vice chancellor for health sciences, UW-Madison), *secretary*; *vacancy*; MARY PANGMAN SCHMITT\*. (Medical Examining Board appoints the physician assistant members.)

*Podiatrists Affiliated Credentialing Board* (266-2112): LISA REINICKE, *chairperson*; P. MICHAEL JACOBS, *vice chairperson*; IAN FURNESS, *secretary*; DEBRA S. TRUCKEY\*.

*Respiratory Care Practitioners Examining Council* (266-2112): SUSAN EVANS, *chairperson*; ANN M. JOHNSON, ANN M. MEICHER, EDWARD WINGA (MD); *vacancy\**. (Medical Examining Board appoints all except public member.)

*Pharmacy Examining Board* (266-2112): MICHAEL BETTIGA, *chairperson*; SUSAN SUTTER, *vice chairperson*; CHARLOTTE L. RASMUSSEN\*, *secretary*; CYNTHIA A. BENNING, JOHN P. BOHLMAN, FREDERIC E. MOSKOL; GEORGINA FORBES\*. □

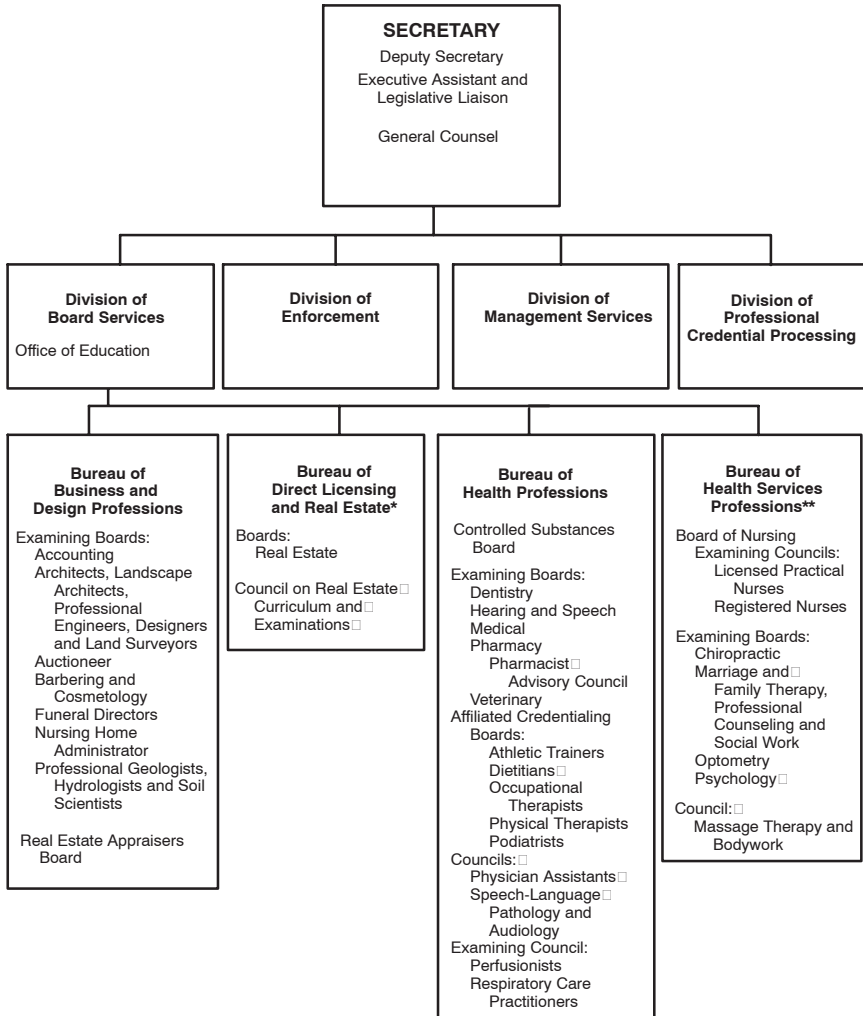
*Pharmacist Advisory Council* (Inactive). □

*Veterinary Examining Board* (266-2112): LARRY D. MAHR, *chairperson*; JAMES R. JOHNSON, *vice chairperson*; JOANN KLEMAN (veterinary technician), *secretary*; MARTHINA L. GREER, DONALD J. PETERSON, ROBERT R. SPENCER; SARAH KAMKE\*, THERESA L. WAAGE\*.

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\*Asterisk indicates public member. Other members represent the profession regulated, unless otherwise noted. The governor appoints all examining board and council members with the advice and consent of the senate, unless otherwise indicated.

DEPARTMENT OF REGULATION AND LICENSING



\*The Bureau of Direct Licensing and Real Estate has direct licensing responsibilities for auctioneers; real estate brokers and salespersons; time-share salespersons; interior designers; charitable organizations; professional fund-raisers and fund-raising counsels; cemetery authorities, salespersons, and preneed sellers; private detectives, private detective agencies, and private security persons; home inspectors; and boxing.

\*\*The Bureau of Health Services Professions conducts the direct licensing responsibilities for the certification of acupuncturists and direct registration for music, art, and dance therapists.



*Health Services Professions, Bureau of:* JEFF SCANLAN, *director*, 267-7223, □  
jeff.scanlan@drl.state.wi.us □

*Nursing, Board of* (266-2112): KIMBERLY NANIA, *director*; JACQUELINE A. JOHNSRUD (RN), *chairperson*; JUNE A. BAHR (LPN), *vice chairperson*; KATHLEEN L. SULLIVAN (RN), *secretary*; TERRIE T. GARCIA (RN), MARGARET HEINE (LPN), MARILYN A. KAUFMANN (RN), BLAINE J. ROPSON (RN), MARIE KOHLBECK\*, *vacancy\**.

*Registered Nurses, Examining Council on:* (Inactive).

*Licensed Practical Nurses, Examining Council on:* (Inactive).

*Chiropractic Examining Board* (266-2112): JAMES W. WEBER, *chairperson*; WENDY M. HENRICH, *vice chairperson*; STEVEN J. SILVERMAN, *secretary*; STEVEN R. CONWAY, SUSAN FEITH\*, CHAR D. GLOCKE\*.

*Marriage and Family Therapy, Professional Counseling and Social Work Examining Board* (266-2112). The following 3 sections comprise the examining board, for a total of 10 professional members and 3 public members. Examining board officers: LINDA SCHWALLIE, *chairperson*; GEORGE J. KAMPS, *vice chairperson*; EVELYN PUMPHREY, *secretary*.

*Marriage and Family Therapist Section:* LINDA SCHWALLIE, *chairperson*; ANN MARIE STARR, *vice chairperson*; BRUCE P. KUEHL, *secretary*; ABE RABINOWITZ\*.

*Professional Counseling Section:* SUSAN M. PUTRA, *chairperson*; LAMARR J. FRANKLIN\*, *vice chairperson*; EVELYN PUMPHREY, *secretary*; LESLIE D. MIRKIN.

*Social Work Section:* GEORGE J. KAMPS (clinical social worker), *chairperson*; MARY JO WALSH (advanced practice social worker), *vice chairperson*; ERIC M. ALVIN (government social worker), *secretary*; ADA WILLIAMS PARR (independent social worker), *vacancy\**.

*Optometry Examining Board* (266-2112): KERRY L. GRIEBENOW, *chairperson*; LEON D. GRIFFIN, JR., *vice chairperson*; KATHI LEACH, *secretary*; GREGORY A. FOSTER, RICHARD T. WRIGHT, SWAMINAT BALACHANDRAN\*, RAYMOND W. HEISER\*.

*Psychology Examining Board* (266-2112): DON J. CROWDER, *chairperson*; TIMOTHY P. MELCHERT, *vice chairperson*; MCARTHUR WEDDLE\*, *secretary*; BARBARA SELDIN, *vacancy*, B. ANN NEVIASER\*.

*Massage Therapy and Bodywork Council:* CLAUDE GAGNON, *chairperson*; CARIE MARTIN, *vice chairperson*; LILLIAN C. POUNDS, *secretary*; MARY ELLEN MARTIN, AMY REMILLARD, VLAD THOMAS, XIPING ZHOU.

**Publications:** Biennial reports; Consumer Complaints; Other Resources; The Impaired Professionals Procedure; Information About Your Hearing; *Regulation: In Partnership with the Consumer*; Wisconsin Directory of Accredited Schools of Nursing; plus informational bulletins for credential holders, regulatory digests, monthly disciplinary reports, and statute/rules codebooks.

**Agency Responsibility:** The Department of Regulation and Licensing is responsible for credentialing and regulating various professions and occupations in the state. It provides administrative services to the state occupational regulatory authorities responsible for regulation of occupations and offers policy assistance in such areas as evaluating and establishing new professional licensing programs, creating routine procedures for legal proceedings, and adjusting policies in response to public needs. Currently, the department and regulatory authorities are responsible for regulating about 314,000 credential holders and 109 types of credentials.

The department investigates and prosecutes complaints against credential holders and assists with drafting statutes and administrative rules. Through the Office of Impaired Professional Procedures, it enforces participation agreements with credential holders who are chemically impaired, allowing them to retain their professional credentials if they comply with requirements, including treatment for chemical dependency.

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\*Asterisk indicates public member. Other members represent the profession regulated, unless otherwise noted. The governor appoints all examining board and council members with the advice and consent of the senate, unless otherwise indicated.

The department provides direct regulation and licensing of certain occupations and activities and also regulates schools of barbering and cosmetology; aesthetics; electrology; and manicuring. It is assisted by the Controlled Substances Board, which promulgates rules regulating the use of substances that have a potential for abuse.

Numerous boards and regulatory authorities attached to the department have independent responsibility for the regulation of specific professions in the public interest. Within statutory limits, they determine the education and experience required for credentialing, develop and evaluate examinations, and establish standards for professional conduct. These standards are set by administrative rule and enforced through legal action upon complaints from the public. The regulatory authorities may reprimand a credential holder; limit, suspend, or revoke the credential of a practitioner who violates laws or board rules; and, in some cases, impose forfeitures.

Regulatory authority members must be state residents, and they cannot serve more than two consecutive terms. No member may be an officer, director, or employee of a private organization that promotes or furthers the profession or occupation regulated by that board.

**Organization:** The governor appoints the secretary of the department with the advice and consent of the senate. The secretary appoints a deputy secretary, an executive assistant, and the heads of various subunits from outside the classified service.

The boards and councils attached to the department consist primarily of members of the professions and occupations they regulate. In 1975, the legislature mandated that at least one public member serve on each board. In 1984, it required an additional public member on most boards. Public members are prohibited from having ties to the profession they regulate. In most cases, the governor appoints all members of the licensing and regulatory boards with the advice and consent of the senate. However, in some cases, council members are appointed by the governor without senate confirmation, by the secretary of the department, or by their related examining boards.

**Unit Functions:** The *Division of Board Services* provides professional support to the department's regulatory boards and committees, including legal services, technical and policy support, and consultation services for continuing education and examination requirements.

The *Division of Enforcement* investigates complaints against credential holders and initiates formal disciplinary actions, where appropriate. The division also inspects business establishments of credential holders and has authority to audit specific trust accounts and financial records.

The *Division of Management Services* provides administrative and technical support assistance to the department and boards, including human resources, information technology, budget and fiscal, and administrative support services.

The *Division of Professional Credential Processing* receives applications for licenses and permits, creates applicant records, and determines whether credential criteria have been met.

**History:** Chapter 75, Laws of 1967, created the Department of Regulation and Licensing and attached to it 14 separate examining boards that had been independent agencies. The 1967 reorganization also transferred to the department some direct licensing and registration functions not handled by boards, including those for private detectives and detective agencies, charitable organizations, and professional fund-raisers and solicitors.

The department's responsibilities have changed significantly since its creation. Initially, it performed routine housekeeping functions for the examining boards, which continued to function as independent agencies. Subsequently, a series of laws required the department to assume various substantive administrative functions previously performed by the boards and to provide direct regulation of several professions.

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## Department of REVENUE

**Secretary of Revenue:** MICHAEL L. MORGAN, 266-6466, michael.morgan@; Fax: 266-5718.

*Deputy Secretary:* LAURA J. ENGAN, 266-6466, laura.engan@; Fax: 266-5718.

*Executive Assistant/Information Director:* AUDRA BRENNAN, 266-6466, audra.brennan@; Fax: 266-5718.

*General Counsel, Office of:* LILI BEST CRANE, *chief counsel*, 266-3974, lili.crane@; Fax: 266-9949.

*Technology Services, Office of:* OSKAR ANDERSON, *director*, 266-0218, oanderson@; Fax: 263-9923.

*Legislative Liaison:* SHERRIE GATES-HENDRIX, 267-1262, sgateshe@

*Communications Director:* EVA ROBELIA, 261-2271, eva.robelia@; Fax: 266-5718.

Address e-mail by combining the user ID and the state extender: [userid@dor.state.wi.us](mailto:userid@dor.state.wi.us)

*Enterprise Services Division:* KIRBIE G. MACK, *administrator*, 264-8175, kirbie.mack@

*Budget and Strategic Services Bureau:* PAT LASHORE, *director*, 266-3347, plashore@

*Financial and Management Services Bureau:* ANTHONY TIMMONS, *director*, 266-8469, anthony.timmons@

*Human Resource Services Bureau:* PAT JACKSON-WARD, *assistant director*, 266-3842, patricia.jackson-ward@

*Income, Sales and Excise Tax Division:* DIANE L. HARDT, *administrator*, 266-2772, dhardt@; LILI BEST CRANE, *deputy administrator*, 266-2772, lili.crane@; Division Fax: 261-6240. □

*Audit Bureau:* VICKI GIBBONS, *director*, 266-2772, vgibbons@ □

*Compliance Bureau:* VICKI R. SIEKERT, *director*, 266-9635, vsiekert@ □

*Lottery Division:* MICHAEL J. EDMONDS, *administrator*, 267-4500, michael.edmonds@; SAVERIO MAGLIO, *deputy administrator*, 267-4817, saverio.maglio@; Division Fax: 264-6644.

*Operations Bureau:* ANDREW BOHAGE, *director*, 264-6644, abohage@

*Product Development Bureau:* SAVERIO MAGLIO, *director*, 267-4817, saverio.maglio@

*Retailer Relations Bureau:* BOB HAYD, *director*, 267-7180, rhayd@

*Processing and Customer Service Division:* PAT LASHORE, *administrator*, 266-2772, plashore@; Division Fax: 266-9829.

*Customer Service and Education Bureau:* CATHERINE BINK, *director*, 266-2772, cbink@

*Processing Bureau:* CHERYL SULLIVAN, *director*, 266-2772, cheryl.sullivan@

*Research and Policy Division:* vacancy, *administrator*, 267-8973; Division Fax: 266-8704.

*Income Tax Policy and Economic Team:* REBECCA BOLDT, *team leader*, 266-6785, rboldt@

*Sales and Property Tax Policy Team:* PAUL ZIEGLER, *team leader*, 266-5773, paul.ziegler@

*State and Local Finance Division:* MICHAEL LEHMAN, *administrator*, 266-0939, michael.lehman@; JEAN GERSTNER, *deputy assistant administrator*, 266-9759, jgerstne@; Division Fax: 264-6887.

*Assessment Practices Bureau:* FRANK HUMPHREY, *director*, 261-5364, fhumphre@

*Property Tax Bureau:* DANIEL DAVIS, *director*, 261-5350, ddavis@

**Mailing Address:** P.O. Box 8933, Madison 53713-8933.

**Locations:** 2135 Rimrock Road, Madison, and district and branch offices throughout the state.

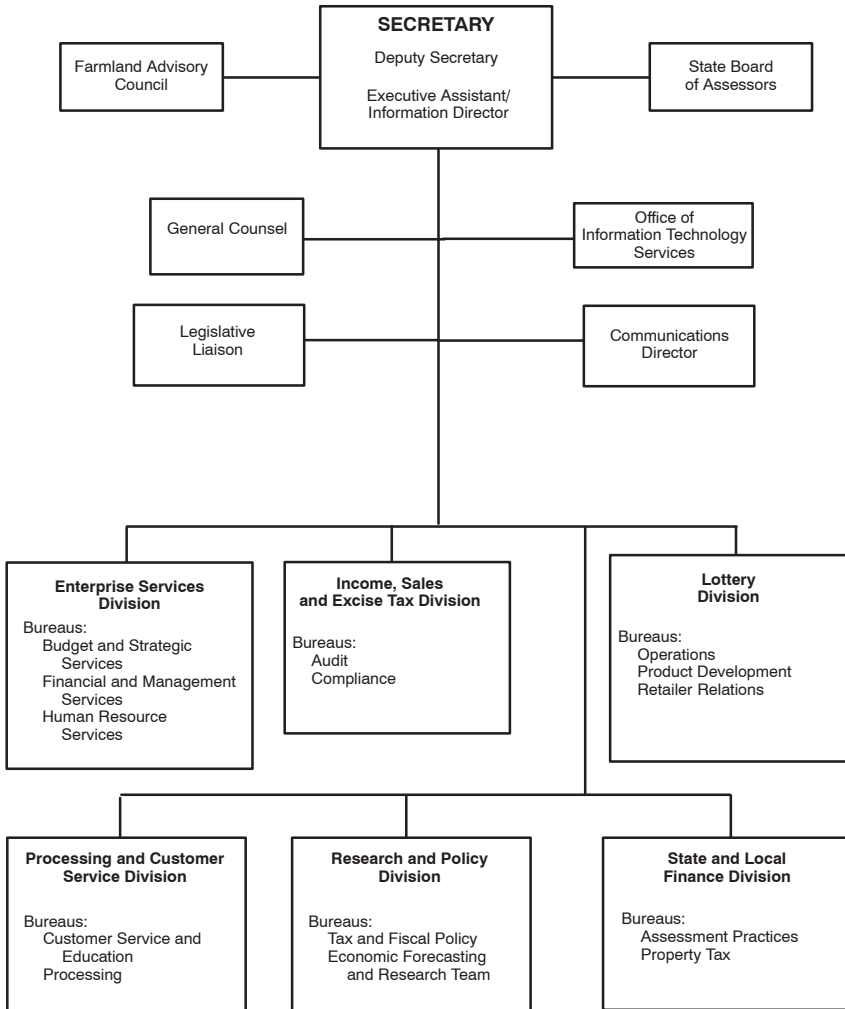
**Telephone:** (608) 266-2772.

**Fax:** (608) 267-0834.

**Internet Address:** <http://www.dor.state.wi.us>

**Publications:** *Agricultural Assessment Guide*; biennial report; *County and Municipal Revenues and Expenditures*; A Guide for Property Owners; *Quarterly Economic Outlook*; Summary of

DEPARTMENT OF REVENUE



Unit attached for administrative purposes under Sec. 15.03: Investment and Local Impact Fund Board

Tax Exemption Devices; *Town, Village, and City Taxes*; *Wisconsin Tax Bulletin*; and various brochures on specific issues.

**Number of Employees:** 1,195.85.

**Total Budget 2003-05:** \$320,333,100.

**Statutory References:** Sections 15.43 and 15.435; Chapters 70-79, 125, and 139.

**Agency Responsibility:** The Department of Revenue administers all major state tax laws (except the insurance premiums tax) and enforces the state’s alcohol beverage and tobacco laws. It estimates state revenues, forecasts state economic activity, helps formulate tax policy, and administers the Wisconsin Lottery. It also determines equalized value of taxable property and

assesses manufacturing property. It administers local financial assistance programs and assists local governments in their property assessments and financial management.

**Organization:** The department is administered by a secretary who is appointed by the governor with the advice and consent of the senate. The secretary appoints the administrators of the Income, Sales and Excise Tax Division and the Processing and Customer Service Division from the classified service and the other division administrators from outside the classified service.

**Unit Functions:** The *Office of General Counsel* provides legal counsel and opinions; drafts and reviews tax legislation and administrative rules; represents the department in all cases brought before the Tax Appeals Commission; and represents the department in nontax cases before administrative agencies. It also is responsible for providing a prompt and impartial review of all assessments appealed by individuals, partnerships, trusts, and corporations relating to income, franchise, sales, use, withholding, and gift taxes and the homestead tax credit.

The *Enterprise Services Division* establishes policies and provides centralized support services in the areas of personnel, employee development, equal employment, employment relations, fiscal management, budget and management analysis, procurement, and other management services.

The *Income, Sales and Excise Tax Division* administers and collects taxes under the state income, sales, estate, and excise tax laws. It also administers the earned income tax credit, farmland tax relief credit, and farmland preservation credit programs.

The *Lottery Division* administers the Wisconsin Lottery. It manages the design, distribution, and sale of lottery products; conducts lottery game drawings; handles media relations; assists retailers with marketing lottery products; and answers players' questions.

The *Processing and Customer Service Division* processes tax returns and administers the homestead tax credit, promotes electronic filing opportunities, answers customer inquiries, and informs taxpayers about state tax laws and taxpayer assistance programs.

The *Research and Policy Division* provides detailed analyses of fiscal and economic policies to the departmental secretary, the governor, and other state officials. It assesses the impact of current and proposed tax laws, prepares official general fund tax collection estimates, issues quarterly forecasts of the state's economy, and develops statistical reports.

The *State and Local Finance Division* assists local units of government by supervising administration of the general property tax, establishing equalized values, and providing financial management assistance. It assesses all manufacturing property and administers the state's utility, pipeline, railroad, and airline taxes. It also administers the state shared revenue program, various tax credit programs, and the general purpose financial reporting requirements for counties and municipalities.

**History:** The antecedents of the Department of Revenue date back at least to Chapter 130, Laws of 1868, which created a State Board of Assessors, composed of the secretary of state and the entire state senate, to perform the state's taxing functions. At that time, the property tax was the state's primary source of revenue.

Chapter 235, Laws of 1873, changed the board's composition to the secretary of state, state treasurer, and attorney general. The 1899 Legislature created the Office of Tax Commissioner (Chapter 206) to supervise the state's taxation system and made the commissioner a member and presiding officer of the State Board of Assessors.

The composition of the State Board of Assessors was changed again in Chapter 237, Laws of 1901, when the legislature replaced the constitutional officers with two assistant commissioners. The 1905 Legislature abolished the State Board of Assessors (Chapter 380) and assigned its functions to a 3-member Tax Commission, appointed by the governor with the advice and consent of the senate. This structure lasted until Chapter 412, Laws of 1939, created the Department of Taxation, headed by a single commissioner. Chapter 75, Laws of 1967, renamed the agency the Department of Revenue and the commissioner became the secretary.

Throughout the years, certain tax-related functions have been moved from one agency or level of government to another. For example, local officials originally assessed manufacturing property, but the 1973 Legislature gave the department responsibility for assessing all manufacturing property in the state.



*Department of Revenue employees Bhaheetharan Sathasivam and Andrea Priboth staff a Volunteer Tax Assistance (VITA) site. The VITA program is a cooperative effort by the Internal Revenue Service and individual states in which trained volunteers provide free income tax help to low-income, elderly, disabled, and other needy individuals. Approximately 40,000 persons are helped each year at about 40 locations around the state. (Department of Revenue)*

Similarly, the 1939 Legislature made the Department of Taxation responsible for performing audits upon the request of local governmental units. After assignment to several other agencies, the legislature returned this function to the Department of Revenue in 1971. In 1983, the legislature repealed the department's mandatory municipal audit functions but left intact its discretionary oversight of municipal accounting.

The department currently is responsible for administration of the Wisconsin State Lottery. The lottery was originally created by 1987 Wisconsin Act 119 and administered by the Lottery Board. It was later managed by the Wisconsin Gaming Commission. 1995 Wisconsin Act 27, which transferred the State Lottery to the Department of Revenue, also repealed the commission and created the Gaming Board. The Gaming Board was repealed in 1997 Wisconsin Act 27.

### **Statutory Board and Council**

**State Board of Assessors:** WILLIAM B. WARDWELL, *chairperson*; LINDA ADLER, THOMAS HYLAND, STEVE LARRABEE, JULIE MATHES, DANIEL STORM, MARK A. WEBER (Department of Revenue employees appointed by secretary).

The State Board of Assessors investigates objections to the amount, valuation, or taxability of real or personal manufacturing property, as well as objections to the penalties issued for late filing or nonfiling of required manufacturing property report forms. The number of board members is determined by the secretary, but all must be department employees. The board was created by Chapter 90, Laws of 1973, and its composition and duties are prescribed in Section 70.995 (8) of the statutes.

**Farmland Advisory Council:** MICHAEL L. MORGAN (secretary of revenue), *chairperson*; JOHN MALCHINE (agribusiness), CARL AXNESS (knowledgeable about agricultural lending practices), BRUCE JONES (UW System agricultural economist), TIM HANNA (mayor of a city of 40,000 or more population), LINDA BOCHERT (environmental expert), vacancy (representing nonagricultural business), STEVE HINTZ (urban studies professor), HERB TAUCHEN (farmer) (all appointed by secretary of revenue); MELVIN RAATZ (assessor) (appointed by secretary of revenue as an advisor to council).

**Contact:** MICHAEL L. MORGAN, 266-6466.

**Agency Responsibility:** The 9-member Farmland Advisory Council advises the Department of Revenue on implementing use-value assessment of agricultural land and reducing urban sprawl. It is required to report annually to the legislature on the usefulness of use-value assessment as a way to preserve farmland, discourage urban sprawl, and reduce the conversion of farmland to other uses. It also recommends changes to the shared revenue formula to compensate local governments adversely affected by use-value assessment. In carrying out its duties, it cooperates with the Wisconsin Strategic Growth Task Force of the State Interagency Land Use Council. The council was created by 1995 Wisconsin Act 27, and its composition and duties are prescribed in Section 73.03 (49) of the statutes.

INDEPENDENT BOARD ATTACHED FOR BUDGETING, PROGRAM COORDINATION, AND RELATED MANAGEMENT FUNCTIONS BY SECTION 15.03 OF THE STATUTES

#### INVESTMENT AND LOCAL IMPACT FUND BOARD (“THE MINING BOARD”)

**Investment and Local Impact Fund Board:** ROGER O. DAY, JR. (public member), *chairperson*; MARY P. BURKE (secretary of commerce), MICHAEL L. MORGAN (secretary of revenue); RONALD E. HENKEL, DANIEL B. MERRIAM (public members); MICHAEL BRANDNER, ELIZABETH SORENSEN (municipal officials); ERHARD HUETTL, vacancy (county officials); SIDNEY BJORKMAN (school board member); RICHARD L. GURNOE (Native American member). (All except *ex officio* members or their designees are appointed by governor with senate consent.)

**Contact:** BLAIR P. KRUGER, (608) 266-1310. □

**Mailing Address:** P.O. Box 8933, Madison 53708-8933. □

**Location:** State Revenue Building, 2135 Rimrock Road, Madison. □

**Statutory References:** Sections 15.435 (1) and 70.395 (2). □

**Agency Responsibility:** The 11-member Investment and Local Impact Fund Board administers the Investment and Local Impact Fund, created by the same law to help municipalities alleviate costs associated with social, educational, environmental, and economic impacts of metalliferous mineral mining. The board certifies to the Department of Administration the amount of the payments to be distributed to municipalities from the fund. It also provides guidance and funding to local governments throughout the development of a mining project.

The board's 9 appointed members serve staggered 4-year terms, including the 5 local officials recommended by: the League of Wisconsin Municipalities (1), the Wisconsin Towns Association (1), the Wisconsin Association of School Boards (1), and the Wisconsin Counties Association (2). A Native American member is recommended by the Great Lakes Inter-Tribal Council, Inc. Certain board members must meet qualifications based on residence in or adjacent to a county or municipality with a metallic minerals ore body or mineral development. The board was created by Chapter 31, Laws of 1977.

Currently, there are no operating or proposed mines in the state, and the board is inactive.

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