

**1995-96 SESSION  
COMMITTEE HEARING  
RECORDS**

Committee Name:

*Joint Committee on  
Finance (JC-Fi)*

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR\_RCP\_pt01a
- 05hrAC-EdR\_RCP\_pt01b
- 05hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

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➤ Hearing Records ... HR

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➤ Miscellaneous ... Misc

➤ 95hrJC-Fi\_Misc\_pt50

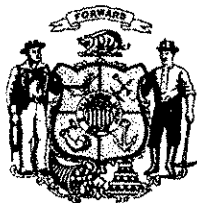
➤ Record of Comm. Proceedings ... RCP

➤ \*\*

# STATE OF WISCONSIN

SENATE CHAIR  
BRIAN B. BURKE

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Room 302  
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## JOINT COMMITTEE ON FINANCE

*Date:* September 9, 1996

*To:* The Members, Joint Committee on Finance

*From:* Dan Cautt, Secretary for s. 13.10 Actions

The next regular meeting of the Joint Committee on Finance under s. 13.10 is scheduled for Thursday, September 26, 1996 at 9:00 a.m. on the First Floor of 119 Martin Luther King, Jr. Blvd.

The status of the committee's biennial GPR supplementation and loan appropriation [s. 20.865(4)(a)] is summarized on the attachment.

Ten items are currently scheduled for committee action. In addition, there will be one or more reports submitted later.

The Governor's recommendations on the requests and State Budget Office analyses of them will be distributed to the members on September 19, 1996 along with the formal agenda. The Fiscal Bureau will distribute its own analyses of the requests. Materials in the September 19 distribution will be organized by tabbed section dividers marked with the Roman numerals in the upper-right corner of the attached requests.

The following is a summary of the items in the order that they will be heard on September 19, 1996.

I. Department of Corrections -- Michael J. Sullivan, Secretary

The Department of Corrections requests the transfer of \$2,925,800 GPR in fiscal year 1996-97 from the unreserved Committee's appropriation balance (s. 20.865(4)(a)) to the adult correctional services general program operations appropriation (s. 20.410(1)(a)) to cover a projected shortfall in program revenue funding for supplies and services to operate adult correctional institutions.

II. Department of Corrections -- Michael J. Sullivan, Secretary

The Department of Corrections requests that \$2,073,800 GPR designated for intergovernmental corrections agreements in the Committee's appropriation (s. 20.865(4)(a)) for fiscal year 1996-97 be transferred to the intergovernmental corrections agreement appropriation (s. 20.410(1)(ab)) to contract for prison beds outside of the State of Wisconsin. The department also requests approval to use up to \$1 million currently appropriated in s. 20.410(1)(ab) to contract for beds outside of Wisconsin and, in addition, requests the transfer of \$2,637,400 GPR from the unreserved balance of s. 20.865(4)(a) to s.20.410(1)(ab) for additional out-of state beds.

The Department of Corrections further requests that \$937,900 GPR designated for intensive sanctions in the Committee's appropriation (s.20.865(4)(a)) for fiscal year 1996-97 be transferred to the adult correctional services general program operations (s. 20.410(1)(a)) and , in addition, requests the transfer of \$2,111,100 GPR from the unreserved balance of s. 20.865(4)(a) to s. 20.410(1)(a) to cover the variable costs of additional inmate population housed in Wisconsin and out-of-state institutions and staffing and operation costs of a new dormitory at Taycheedah Correctional Institution.

III. Department of Natural Resources -- Craig Karr, Division Administrator, Customer Assistance and External Relations

The Department of Natural Resources is requesting that the Committee take action under s. 350.12(4)(br), as amended by 1995 Wisconsin Act 27, to increase the 1996-97 expenditure amount for supplemental trail aids within the snowmobile trail recreation aids appropriation under s. 20.370(5)(cs) by an additional \$133,000 SEG.

medium security inmates

\$41.08/day  
Texas  
\$55/day  
Wisc.

IV. Department of Commerce -- William McCoshen, Secretary

The Department of Commerce requests the following:

1. Increase the appropriation under s. 20.143(3)(r) Safety and Buildings Operation; Petroleum Inspection Fund by \$598,200 SEG in 1996-97 for one-time costs associated with upgrading petroleum laboratories.
2. Increase the appropriation under s. 20.143(3)(w) Petroleum Storage Environmental Remedial Action; Administration by \$160,000 SEG in 1996-97 for the development and maintenance of a PECFA database.
3. Increase the appropriation under s. 20.143(3)(v) Petroleum Storage Environmental Remedial Action; Awards by \$30,000,000 in FY97 for payment of additional PECFA awards.

V. Department of Transportation -- Nancy Maieski, Director of the Bureau of Real Estate and Jim McDonnell, Director of the Office of Policy and Budget

The Department of Transportation requests the Joint Committee on Finance's review and approval of the proposed Moving Cost Agreement for the Relocation of Outdoor Advertising Signs, as required by s. 9155(6y) of 1995 Wisconsin Act 115.

VI. Educational Technology Board -- Todd M. Penske, Executive Director  
Department of Administration -- George Lightbourn, Deputy Secretary

This item was submitted for committee approval under a 14-day passive review process on July 24, 1996. The committee chose to schedule it for review at the September 26 meeting under s. 13.10.

The Educational Technology Board (ETB) requests approval of an alternative staffing proposal. ETB proposes that interagency agreements be signed with the: University of Wisconsin - Extension (UWEX) for 1.0 FTE which consists of one distance/education technology agency employee; and the Department of Public Instruction (DPI) for 0.4 FTE which consists of two distance education/educational technology agency employees who would each work the equivalent of one day per week for the ETB. UWEX and DPI have tentatively agreed to the above interagency agreements, which the ETB considers a temporary measure for 1996-97.

VII. Department of Administration -- Nathaniel E. Robinson, Administrator, Division of Energy and Intergovernmental Relations

The department requests approval of a Stripper XVII Low Income Energy Assistance Oil Overcharge Plan proposal involving the disposition of \$1.265 million, plus interest, in Stripper monies in order to implement low income energy assistance pilot programs and to administer other energy efficiency and conservation initiatives.

VIII. Department of Veterans Affairs -- Charles Hoslet, Executive Assistant

The department requests one-time supplements in 1996-97 of \$84,100 SEG in the appropriation under s. 20.485(2)(u), Administration of Loans and Aids to Veterans and \$128,600 SEG in the appropriation under s. 20.485(3)(s) in order to fund the costs of migration to statewide information technology infrastructure standards.

IX. Department of Administration -- Mark Wahl, Administrator, Division of Technology Management

This item was submitted to the committee under s. 16.515 on July 10, 1996; the committee chose to schedule it for review at the September meeting under s. 13.10.

The Department of Administration requests approval of \$132,500 SEG in 1996-97 from the Information Technology Investment Fund for administration of the fund.

X. Department of Health and Family Services -- Joe Lekan, Secretary

As required by 1995 Wisconsin Act 27, the Department of Health and Family Services requests the approval of the model contract for counties to use when purchasing services in Community Based Residential Facilities under the Community Options Program.

Reports

R-1 Department of Administration Position Reports Required under s. 16.50.

Attachment

**JOINT COMMITTEE ON FINANCE APPROPRIATION SUMMARY**  
 [reflecting Committee actions through July 10, 1996]

	1995-96	1996-97	1995-97 Biennium
<b>Biennial Appropriation Amount [s. 20.865(4)(a)]</b>	<b>\$11,368,000</b>	<b>\$34,044,500</b>	<b>\$45,412,500</b>
<u>Reserved For:</u>			
H&SS -- CARES Computer System for Econ. Support Progs.	\$1,587,000	\$1,796,600	\$3,383,600
H&SS -- KIDS Computer System for Child Support Enforcement	5,759,200	7,522,100	13,281,300
H&SS -- AFDC Consolidated Child Care	870,900	885,700	1,756,600
H&SS -- Child Care Administration	60,300	65,800	126,100
H&SS -- AFDC Self-Initiated Child Care	76,400	63,600	140,000
WCC -- Minimum Wage Increases	150,000	0	150,000
WI Institute for School Executives Payments	125,000	125,000	250,000
H&SS -- Community Options Program Data Collection	50,000	0	50,000
H&SS -- Self Suffic. First/Pay for Performance Waiver Progs. (Act	2,337,000	2,986,600	5,323,600
H&SS -- W2 Implementation (Act 289)	0	13,000,000	13,000,000
DOC -- Intergovernmental Corrections (Act 416)	0	2,073,800	2,073,800
DOC -- Intensive Sanctions (Act 416)	0	937,900	937,900
DOC -- Secure Work Program (Act 416)	0	183,800	183,800
Milwaukee County Child Welfare Servies (Act 303)	0	4,051,400	4,051,400
Sub-total Reserved Balance	<u>\$11,015,800</u>	<u>\$33,692,300</u>	<u>\$44,708,100</u>
<u>Releases from Reserved Balance</u>			
KIDS Computer System for Child Support Enforcement (10/26/95)	\$2,316,400	\$0	\$2,316,400
Self Sufficiency First/Pay For Performance Waiver Program (12/12	2,274,300	2,986,600	5,260,900
H&SS -- Community Options Program Data Collection (4/16/96)	0	50,000	50,000
H&SS -- Self Suffic. First/Pay for Perf Waiver Progs. (Act 12) (4/1	0	62,700	62,700
WI Institute for School Executives Payments (4/16/96)	250,000	0	250,000
DILHR -- KIDS (6/27/96)	0	4,303,200	4,303,200
Total Releases	<u>\$4,840,700</u>	<u>\$7,402,500</u>	<u>\$12,243,200</u>
<b>Remaining Reserved Balance</b>	<b>\$6,175,100</b>	<b>\$26,289,800</b>	<b>\$32,464,900</b>
<b>Net Unreserved Balance Available</b>	<b>\$352,200</b>	<b>\$352,200</b>	<b>\$704,400</b>
<u>Releases from Unreserved Balance</u>			
Judicial Commission-Judicial Council Meeting Expense (12/12/95)	\$10,000	\$10,000	\$20,000
UW System/UW-Extension Pay Plan Funding (12/12/95)	56,900	0	56,900
H&SS -- COP Data Collection (4/16/96)	0	137,300	137,300
HEAB -- Academic Excellence Scholarships (4/16/96)	85,400	0	85,400
DPI -- HEAB Secretary Project Position (6/27/96)		78,900	78,900
DHFS -- TPR Prosecution in Milwaukee Co. (6/27/96)		430,200	430,200
Courts -- Court Interpreter Reimbursement (7-10-96)	27,000	17,700	44,700
Total Releases	<u>\$179,300</u>	<u>\$674,100</u>	<u>\$853,400</u>
<u>Transfers to Committee's Appropriation</u>			
From DHSS s.20.435(2)(b) (6/27/96)		\$518,600	\$518,600
From DOC s.20.410(1)(a) (6/27/96)		\$104,700	\$104,700
<b>Net Unreserved Balance Remaining</b>	<b>\$172,900</b>	<b>\$301,400</b>	<b>\$474,300</b>
<b>TOTAL AVAILABLE</b>			
<b>(Net Reserved &amp; Unreserved Balance Remaining)</b>	<b>\$6,348,000</b>	<b>\$26,591,200</b>	<b>\$32,939,200</b>

Route:

Michael J. Sullivan  
 Dean Stensberg  
 Ave M. Bie  
 Ken Sondalle  
 Dick Verhagen  
 Terri L. Landwehr  
 Phil Kingston  
 Stephen M. Puckett  
 Russel L. Leik  
 Molly Sullivan Olson  
 Mary Cassady  
 Robert Margolies  
 Diane Fergot - OSCI  
 Rosie Eickhoff - KMCI

John Bett - DCI  
 Geri Youngwirth - DCI  
 Mike Traut - TCI  
 Barbara Staudenmeier - GBCI  
 Linda Bellman - OCI  
 Jose' Rodriguez - WRC  
 Ralph Larson - GBCI  
 Dick Polinske - WCI  
 Jack Kestin - CCI  
 Ronald Keenan - RCI  
 Jon Schubert - RCI  
 Peggy Kannenberg - JCI  
 Mike Johnson - FLCI  
 John Clark - OSCI

600 In-house sanctions  
 700 Texas  
 400 new inmates

110/month net  
 gross

SEP 5 1996

MALE ADMISSIONS TO DODGE CORRECTIONAL INSTITUTION  
 RECEPTION CENTER

MONTH	TOTAL 1989	TOTAL 1990	TOTAL 1991	TOTAL 1992	TOTAL 1993	TOTAL 1994	TOTAL 1995	TOTAL 1996
January	240	223	302	326	354	410	406	505
February	235	290	279	327	440	409	438	487
March	304	295	285	428	479	548	489	515
April	242	276	329	404	447	471	426	508
May	263	337	321	371	408	448	481	568
June	244	242	300	394	459	462	551	504
July	208	285	311	382	481	437	494	564
August	271	301	336	320	407	413	471	480
September	256	247	292	435	409	434	482	
October	292	303	367	392	471	433	461	
November	265	286	340	352	448	481	465	
December	271	252	303	455	443	493	478	
<b>TOTAL</b>	<b>3,091</b>	<b>3,337</b>	<b>3,765</b>	<b>4,587</b>	<b>5,246</b>	<b>5,439</b>	<b>5,642</b>	<b>4,131</b>
<b>AVERAGE</b>	<b>257.58</b>	<b>278.08</b>	<b>313.75</b>	<b>382.25</b>	<b>437.16</b>	<b>453.03</b>	<b>470.17</b>	<b>516.38</b>

cc: Institution Wardens  
 Jere Bauer - Legislative Fiscal Bureau  
 Roger Fetterly - Department of Administration  
 Sen. Gary Drzewiecki  
 Rep. Robert Goetsch  
 Bill Clausius  
 Tom Wickham

Route:

Michael J. Sullivan  
Dean Stensberg  
Ave M. Bie  
Ken Sondalle  
Dick Verhagen  
Terri L. Landwehr  
Phil Kingston  
Stephen M. Puckett  
Russel L. Leik  
Molly Sullivan Olson  
Mary Cassidy  
Robert Margolies  
Diane Fergot - OSCI  
Rosie Eickhoff - KMCI

John Bett - DCI  
Mike Traut - TCI  
Barbara Staudenmeier - GBCI  
Linda Bellman - OCI  
Jose' Rodriguez - WRC  
Geri Youngwirth - DCI  
Ralph Larson - GBCI  
Dick Polinske - WCI  
Jack Kestin - CCI  
Ronald Keenan - RCI  
Jon Schubert - RCI  
Peggy Kannenberg - JCI  
Mike Johnson - FLCI  
John Clark - OSCI

FEMALE ADMISSIONS TO DODGE CORRECTIONAL INSTITUTION  
RECEPTION CENTER\*\*

MONTH	TOTAL 1989	TOTAL 1990	TOTAL 1991	TOTAL 1992	TOTAL 1993	TOTAL 1994	TOTAL 1995	TOTAL 1996
January	*	29	20	31	31	31	41	37
February	*	16	12	34	38	48	35	51
March	*	22	21	38	38	32	50	49
April	*	18	25	32	44	42	31	42
May	*	24	26	25	35	33	50	42
June	*	18	22	36	41	39	38	39
July	*	20	27	32	33	35	40	56
August	*	19	36	26	24	29	42	55
September	*	15	20	38	39	30	43	
October	*	28	26	15	33	35	26	
November	*	25	28	36	37	33	36	
December	*	10	20	31	42	29	38	
<b>TOTAL</b>	*	244	283	374	435	416	470	371
<b>AVERAGE</b>	*	20.3	23.5	31.2	36.25	34.67	39.17	46.38

\* Unavailable at this time

\*\* Admissions were at Taycheedah Correctional Institution from January 1990 through June 17, 1996.

cc: Institution Wardens  
Jere Bauer - Legislative Fiscal Bureau  
Roger Fetterly - Department of Administration  
Sen. Gary Drzewiecki  
Rep. Robert Goetsch  
Bill Clausius  
Tom Wickeham

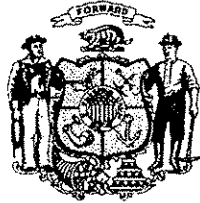


SEN. TIM WEEDEN  
JOINT COMMITTEE ON FINANCE  
119 M. LUTHER KING, JR. BLVD  
SUITE LL1

# STATE OF WISCONSIN

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## JOINT COMMITTEE ON FINANCE

### AGENDA

9:00 a.m., Thursday, September 26, 1996  
s. 13.10 Meeting  
on the First Floor of 119 Martin Luther King, Jr. Blvd.

- I. Consideration of the Governor's Partial Veto of the Joint Committee on Finance Actions Adopted at its July 10, 1996, s. 13.10 Meeting.
- II. Wisconsin Sesquicentennial Commission-- Richard Speros, Secretary, Department of Tourism
- III. Department of Corrections -- Michael J. Sullivan, Secretary
- IV. Department of Corrections -- Michael J. Sullivan, Secretary
- V. Department of Natural Resources -- Craig Karr, Division Administrator, Customer Assistance and External Relations
- VI. Department of Commerce -- William McCoshen, Secretary
- VII. Department of Transportation -- Nancy Maieski, Director of the Bureau of Real Estate and Jim McDonnell, Director of the Office of Policy and Budget
- VIII. Educational Technology Board -- Withdrawn.
- IX. Department of Administration -- Nathaniel E. Robinson, Administrator, Division of Energy and Intergovernmental Relations
- X. Department of Veterans Affairs -- Raymond G. Boland, Secretary

Joint Committee on Finance  
September 19, 1996  
Page 2

- XI. Department of Administration -- Mark Wahl, Administrator, Division of Technology Management
- XII. Department of Health and Family Services -- Joe Llean, Secretary
- XIII. Wisconsin Conservation Corps -- Randall Radtke, Executive Director

Reports

- R-1 Department of Administration Position Reports Required under s. 16.50.
- R-2 Public Lands Sales Proceeds

## TALKING POINTS IN SUPPORT OF THE GOVERNOR'S VETO

- The Fiscal Bureau pointed out in its analysis of the Supreme Court's s. 13.10 request:

**according to the Court's preliminary position description , a predominant number of the responsibilities that would be associated with the new position are already either assigned to the Director of State Courts by Supreme Court Rule (such as staffing committees), performed by the administrative assistant [to the chief justice] (on a part-time basis) or could be assigned to other justices (such as representing the Chief Justice at various events).**

- The Governor has consistently resisted increasing the number of full-time state employees and his veto of the Court's s. 13.10 request is a logical continuation of that policy.
- It seems only reasonable to ask the Court to wait and make this request during the 1997-1999 biennial budget process. Since the court has functioned effectively without the position envisioned by the Chief Justice, there is no exigency justifying s. 13.10 action on this request.
- Approving the Court's request would send the wrong signal to the State agencies and to the public. During this period of fiscal pressure, it is imperative that every agency of government (including the courts) control expenses. Adding this new full-time position to the cost of operating the judiciary will suggest a double standard. In other words, the agencies and the University have to cut positions in every place practicable, but the Supreme Court is exempt from this sort of belt-tightening.
- The Supreme Court is subject to the same oversight and identical scrutiny as the other branches of the government. This is the essence of our system of checks and balances.



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

A N  
7-7  
override  
file

September 26, 1996

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Consideration of the Governor's Partial Veto of the Joint Committee on Finance Actions Adopted at its July 10, 1996, s. 13.10 Meeting -- Agenda Item I

On July 31, 1996, the Joint Committee on Finance received the signed minutes from the Governor for the Committee's July 10, 1996, meeting under s. 13.10 of the statutes. In forwarding the signed minutes, the Governor indicated that he had vetoed, in its entirety, Agenda Item XVIII which provided \$87,200 GPR and 1.0 GPR position in 1996-97 to assist the Chief Justice of the Wisconsin Supreme Court in performing the administrative duties associated with that office.

Pursuant to s. 13.10(4) of the statutes, the Co-chairs have included this item on the agenda to be considered at this meeting, to determine whether the position of the Committee on this item should be upheld, notwithstanding the objections of the Governor.

On the matter of the Governor's veto of Agenda Item XVIII, the question before the Committee at this time is as follows:

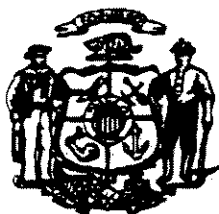
Shall the July 10, 1996, action of the Joint Committee on Finance on Agenda Item XVIII authorizing \$87,200 GPR and 1.0 GPR position in 1996-97 to assist the Chief Justice in performing administrative duties associated with that office be upheld, notwithstanding the objection of the Governor?

To uphold the original actions of the Committee, eleven affirmative votes are required.

In order to assist the Committee members in deciding this question, copies of the following documents are attached to this memorandum: (1) the Governor's veto message to the Committee; (2) the portion of the minutes of the Committee's July 10, 1996, actions showing the vetoed

language along with the signature page of those minutes; and (3) the Legislative Fiscal Bureau's June 27, 1996, paper originally prepared on Agenda Item XVIII.

Prepared by: Carri Jakel  
Attachments



**TOMMY G. THOMPSON**

**Governor  
State of Wisconsin**

July 30, 1996

The Honorable Brian B. Burke, Co-Chair  
The Honorable Ben Brancel, Co-Chair  
Members, Joint Committee on Finance  
119 Martin Luther King, Jr. Blvd.  
P. O. Box 7882  
Madison, WI 53707-7882

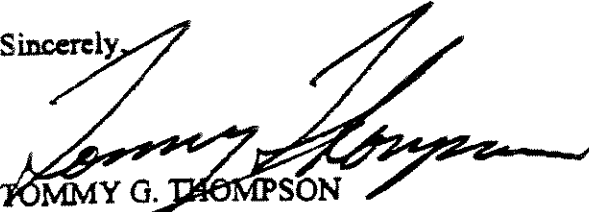
Dear Senator Burke, Representative Brancel and Members:

Attached are the signed minutes of the July 10, 1996 s. 13.10 meeting, continued from June 27, 1996.

Pursuant to the provisions of s. 13.10(4), I am objecting to the Committee's action under Item XVIII of the minutes.

Under Item XVIII, the Joint Committee on Finance authorized \$87,200 GPR (including one-time funding of \$5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice of the Supreme Court in performing the administrative duties of that office. I am vetoing this item entirely because it should more appropriately be addressed in the 1997-99 biennial budget process where the resource needs of the court can be fully evaluated. Given the critical fiscal pressures facing the courts and the rest of Wisconsin's justice system (including the present demands on district attorneys, the Department of Corrections, law enforcement and the State Public Defender), the Supreme Court should look to reallocate existing staff to perform administrative duties as has been done in the past.

Sincerely,

  
TOMMY G. THOMPSON  
Governor

Minutes, Joint Committee on Finance  
July 10, 1996  
Page 4

**XV. Department of Development**

Moved by Representative Brancel and seconded by Senator Burke to transfer \$8,500 GPR from the DOD general operations appropriation under s. 20.143(1)(a) to the appropriation under s. 20.143(1)(fd) to increase funding for the DOD contract with the Office of Rural Health.

Ayes, 13; Noes, 2 (Jauch, Weedon); Absent, 1 (George)

**XVI. Wisconsin Conservation Corps**

*[The co-chair placed this item on the table subject to future recall by the co-chairs.]*

**XVII. Supreme Court**

Moved by Representative Brancel and seconded by Senator Burke to approve the Director of State Court's request for a supplement from the Committee's appropriation of \$27,000 GPR in 1995-96 and \$17,700 GPR in 1996-97 for court interpreter reimbursement.

Ayes, 14; Noes, 1 (Cowles); Absent 1 (George)

*Secretary's Note: The appropriation receiving the supplement is under s. 20.625(1)(c) from the Committee's appropriation under s.20.865(4)(a).*

**XVIII. Supreme Court**

Moved by Senator Burke and seconded by Senator Decker to approve the Director of State Court's request for \$87,200 GPR (including one-time funding of \$5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice in performing the administrative duties of the office.

Ayes, 13; Noes, 2 (Cowles, Brancel); Absent, 1 (George)

*Secretary's Note: The appropriation increase and position are authorized under s. 20.680(1)(a).*

**XX. Department of Administration**

Moved by Representative Brancel and seconded by Senator Burke to approve the Chapter 20 schedules and corresponding summaries, as prepared by the Department of Administration and the Legislative Fiscal Bureau, subject to final approval by the Co-chairs of the Joint Committee on Finance.

Ayes, 15; Noes, 0; Absent, 1 (George)

Minutes, Joint Committee on Finance  
July 10, 1996  
Page 6

**Educational Technology Board**

Shall the April 16, 1996 action of the Joint Committee on Finance on Agenda Item XVII-E directing the Educational Technology Board to seek a statutory change as part of its next biennial budget request to permit the waiver of the 25% local match requirement for Pioneering Partners grants be upheld, notwithstanding the objection of the Governor?

Ayes, 10; Noes, 5 (Weeden, Cowles, Foti, Schneiders and Ourada); Absent, 1 (George)

*Secretary's Note: The Governor's vetoes were sustained.*

The presiding Co-chair made a unanimous consent request to receive the report submitted (as required under s. 16.50 showing the number of federally funded positions approved during January 1 - March 31, 1996). Without objection, it was so ordered.

  
\_\_\_\_\_

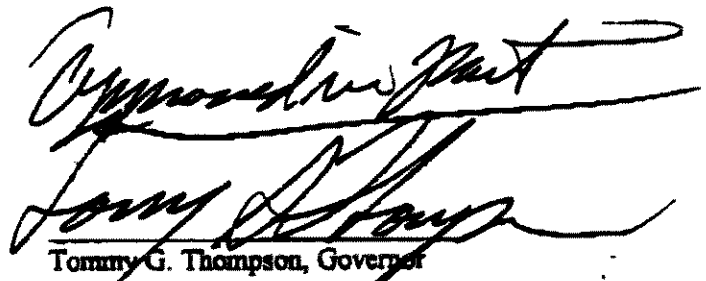
Daniel Caucutt, Secretary

Date: July 18, 1996

  
\_\_\_\_\_

Brian Burke, Co-Chair

Date: July 22, 1996

  
\_\_\_\_\_

Tommy G. Thompson, Governor

Date: July 30, 1996





## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 27, 1996

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Supreme Court--Section 13.10 Request for 1.0 Full-Time Position--Agenda Item XVIII

The Director of State Courts, on behalf of the Supreme Court, requests 1.0 GPR position beginning in 1996-97 to perform administrative functions for the Chief Justice of the Supreme Court. The position would be funded from the Supreme Court's sum sufficient GPR appropriation.

### BACKGROUND

As provided in Article VII of the Wisconsin Constitution, the Supreme Court consists of seven justices elected to ten-year terms. The justice with the longest seniority serves as Chief Justice, unless he or she chooses otherwise. The Chief Justice of the Supreme Court is the administrative head of the Wisconsin judicial branch. The Constitution provides that the Chief Justice shall exercise administrative authority pursuant to procedures adopted by the Supreme Court. Chief Justice Roland Day is retiring on July 30, 1996, and Justice Shirley Abrahamson will become Chief Justice on August 1, 1996.

Under s. 751.02, each justice has the authority to appoint and prescribe the duties of a secretary and a law clerk to assist the justice in performing his or her duties. In addition, the Supreme Court has authority to allocate court employees as it considers necessary for the execution of functions of the Supreme Court as well as the state court system as a whole.

### ANALYSIS

While there is no formal job description for the new position, Court officials indicate that the person would be directly assigned to, hired by and serve at the pleasure of the Chief Justice to assist in the additional administrative duties associated with the office. The position would

perform duties as prescribed by the Chief Justice which may include: (a) staffing special committees, commissions, task forces and programs the new Chief Justice is developing including one that involves bringing community volunteers into the courts; (b) coordinating special events such as conferences and symposia; (c) representing the Chief Justice at meetings and other public events; and (d) drafting and editing speeches and other correspondence. No salary level has been set, however court officials currently anticipate approximately \$60,000 annually (\$87,200 including fringe benefits, supplies and one-time costs of \$5,700).

Court officials indicate that the new position is needed because the Chief Justice, unlike the heads of other agencies, does not employ any personal staff whose primary responsibility is to assist him or her with the duties associated with being the administrator of the judicial branch of government. The Supreme Court's sum sufficient appropriation funds the seven justices, their law clerks and secretaries, in addition to three court commissioners and two legal secretaries assigned to them, two marshals and the office of the clerk of the Supreme Court. However, also funded from that appropriation is a position referred to as an administrative assistant to the Chief Justice and an executive secretary for the administrative assistant.

The Wisconsin Supreme Court Internal Operating Procedures describes the administrative assistant to the Chief Justice position as an attorney licensed to practice law in Wisconsin who is hired by and serves at the pleasure of the Chief Justice and who, under the direction of the Chief Justice: (a) serves as a liaison between the Chief Justice and the court offices and staff, court boards, committees, State Bar and governmental agencies; (b) is a legal advisor to the office of the clerk and Director of State Courts; (c) performs research, analyzes information and makes recommendations to the Chief Justice regarding court operations and procedures; (d) performs court commissioner duties; (e) assists the Chief Justice in the exercise of the court's administrative authority; and (f) assists the court and individual justices as directed by the Chief Justice.

While previous Chief Justices have not had any additional staff to assist in administrative duties associated with that position, Court officials indicate that past justices were able to use the existing administrative assistant position to assist with such duties on a one-quarter time to one-third time basis. However, over the past ten years the number of cases filed in the Supreme Court has increased 32% (1,124 cases filed in 1995 compared to 852 cases filed in 1985). Further, case filings are expected to rise to 1,300 cases this year. As a result, a majority of the administrative position's time (approximately 95%) is required to attend to legal duties related to the increased number of cases presented to the Court.

It should be noted that the Supreme Court also funds, under separate sum certain appropriations, the Director of State Courts' Office which, by Supreme Court Rule, is charged with the responsibility of the overall management of the judicial system. The Director is referred to as the chief nonjudicial officer of the state court system and is responsible for development of the budget, hiring and salary establishment of court personnel (except for the personal staffs of the justices and judges), acting as a legislative liaison, providing public information, providing a court information system, coordinating judicial education, providing planning and research for

the court system and staffing various judicial committees. The Office of the Director of State Courts employs 62.5 GPR positions to assist in the administration of the state courts. The Director serves at the pleasure of the Supreme Court, under the direction of the Chief Justice.

While the Director of State Courts is responsible for day-to-day administration of the state court system, Court officials indicate that due to the often confidential matters of the Court, the Director cannot act as a personal assistant to the Chief Justice. Therefore, the request for such a position was advanced.

On the other hand, according to the Court's preliminary position description, a predominant number of the responsibilities that would be associated with the new position are already either assigned to the Director of State Courts by Supreme Court Rule (such as staffing committees), performed by the administrative assistant (on a part-time basis) or could be assigned to other justices (such as representing the Chief Justice at various events). However, Court officials indicate that the new Chief Justice requires assistance to pursue a variety of new initiatives that will improve the relationship between courts and communities and the quality of justice in Wisconsin.

It could be argued that the request for additional position authority would be more appropriately addressed in 1997-99 budget deliberations. If a personal assistant is an overriding priority at this time the Court could (a) assign these duties to the current administrative assistant position; and/or (b) use existing staff within the Director of State Courts' Office to perform research and staff committees as provided under Supreme Court Rule. However, Court officials argue that existing staff cannot be diverted for this purpose due to increasing workload demands in the Director of State Courts' Office over recent biennia. Further, since the new Chief Justice will begin her term on August 1, 1996, with new programs that may be ready to be implemented (such as "Volunteers in the Courts" and a number of other community outreach initiatives being developed), it is argued that the request should be approved at this time in order to allow her to adequately discharge the duties of Chief Justice.

Since the requested position would be funded from a sum sufficient appropriation, no funds were requested. However, there would be a cost to the state for the position of approximately \$81,500 annually in addition to one-time costs of \$5,700.

## **ALTERNATIVES**

1. Approve the Director of State Courts' request for \$87,200 GPR (including one-time funding of \$5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice in performing the administrative duties of the office.

2. Deny the request.

Prepared by: Carri Jakel

- I. Consideration of the Governor's Partial Veto of the Joint Committee on Finance Actions Adopted at its July 10, 1996, s. 13.10 Meeting.

...

**JOINT COMMITTEE ON FINANCE APPROPRIATION SUMMARY**  
 [reflecting Committee actions through July 10, 1996]

	1995-96	1996-97	1995-97 Biennium
<b>Biennial Appropriation Amount [s. 20.865(4)(a)]</b>	<b>\$11,368,000</b>	<b>\$34,044,500</b>	<b>\$45,412,500</b>
<u>Reserved For:</u>			
H&SS -- CARES Computer System for Econ. Support Progs.	\$1,587,000	\$1,796,600	\$3,383,600
H&SS -- KIDS Computer System for Child Support Enforcement	5,759,200	7,522,100	13,281,300
H&SS -- AFDC Consolidated Child Care	870,900	885,700	1,756,600
H&SS -- Child Care Administration	60,300	65,800	126,100
H&SS -- AFDC Self-Initiated Child Care	76,400	63,600	140,000
WCC -- Minimum Wage Increases	150,000	0	150,000
WI Institute for School Executives Payments	125,000	125,000	250,000
H&SS -- Community Options Program Data Collection	50,000	0	50,000
H&SS -- Self Suffic. First/Pay for Perf. Waivers (Act 12)	2,337,000	2,986,600	5,323,600
H&SS -- W2 Implementation (Act 289)	0	13,000,000	13,000,000
DOC -- Intergovernmental Corrections (Act 416)	0	2,073,800	2,073,800
DOC -- Intensive Sanctions (Act 416)	0	937,900	937,900
DOC -- Secure Work Program (Act 416)	0	183,800	183,800
Milwaukee County Child Welfare Services (Act 303)	0	4,051,400	4,051,400
Sub-total Reserved Balance	<u>\$11,015,800</u>	<u>\$33,692,300</u>	<u>\$44,708,100</u>
<u>Releases from Reserved Balance</u>			
KIDS Computer System for Child Support Enforcement (10/26/95)	\$2,316,400	\$0	\$2,316,400
Self Suffic. First/Pay For Perf. Waivers (12/12/95)	2,274,300	2,986,600	5,260,900
H&SS -- Community Options Program Data Collection (4/16/96)	0	50,000	50,000
H&SS -- Self Suffic. First/Pay for Perf. Waivers (4/16/96)	0	62,700	62,700
WI Institute for School Executives Payments (4/16/96)	250,000	0	250,000
DILHR -- KIDS Computer System (6/27/96)	0	4,303,200	4,303,200
Total Releases	<u>\$4,840,700</u>	<u>\$7,402,500</u>	<u>\$12,243,200</u>
<b>Remaining Reserved Balance</b>	<b>\$6,175,100</b>	<b>\$26,289,800</b>	<b>\$32,464,900</b>
<b>Net Unreserved Balance Available</b>	<b>\$352,200</b>	<b>\$352,200</b>	<b>\$704,400</b>
<u>Releases from Unreserved Balance</u>			
Judicial Commission-Judicial Council Meeting Expense (12/12/95)	\$10,000	\$10,000	\$20,000
UW System/UW-Extension Pay Plan Funding (12/12/95)	56,900	0	56,900
H&SS -- COP Data Collection (4/16/96)	0	137,300	137,300
HEAB -- Academic Excellence Scholarships (4/16/96)	85,400	0	85,400
DPI -- HEAB Secretary Project Position (6/27/96)	0	78,900	78,900
DHFS -- TPR Prosecution in Milwaukee Co. (6/27/96)	0	430,200	430,200
Courts -- Court Interpreter Reimbursement (7/10/96)	27,000	17,700	44,700
Total Releases	<u>\$179,300</u>	<u>\$674,100</u>	<u>\$853,400</u>
<u>Transfers to Committee's Appropriation</u>			
From DHSS s.20.435(2)(b) (6/27/96)	0	\$518,600	\$518,600
From DOC s.20.410(1)(a) (6/27/96)	0	\$104,700	\$104,700
<b>Net Unreserved Balance Remaining</b>	<b>\$172,900</b>	<b>\$301,400</b>	<b>\$474,300</b>
<b>TOTAL AVAILABLE</b>			
<b>(Net Reserved &amp; Unreserved Balance Remaining)</b>	<b>\$6,348,000</b>	<b>\$26,591,200</b>	<b>\$32,939,200</b>



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

11-3

September 26, 1996

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Wisconsin Sesquicentennial Commission -- Section 13.10 Request to Authorize 4.0 FTE Project Positions for Commission Operations -- Agenda Item II

The Wisconsin Sesquicentennial Commission is requesting that the Joint Committee on Finance authorize 1.0 GPR unclassified project position and 3.0 PR unclassified project positions (and associated expenditure authority for the PR-funded positions) to staff Commission operations. The Commission requests that these project positions be authorized through March 31, 1999.

### BACKGROUND

The Wisconsin Sesquicentennial Commission is a 29-member body which is responsible for planning activities associated with the 150th anniversary of Wisconsin's admission as a state in 1848. The Commission is attached administratively to the Office of the Governor.

As a result of the enactment of 1995 Wisconsin Acts 27, 216 and 445, the following appropriations have been created and funded to support the Commission's activities:

- \$150,000 GPR has been appropriated in 1995-96 in a biennial appropriation [s. 20.525(1)(e) of the statutes] to support its general program operations. Funds appropriated in a biennial appropriation are available during both fiscal years of the biennium. Any unencumbered balance on June 30 of the second fiscal year lapses to the source fund.

- \$250,000 GPR has been appropriated in 1995-96 in a continuing appropriation [s. 20.525(1)(em) of the statutes] as a supplement to support its general program operations. Funds appropriated in a continuing appropriation are expendable until fully depleted or repealed by subsequent laws and do not lapse.

- \$1,250,000 GPR has been appropriated in 1995-96 in a new, continuing appropriation under the Committee's supplemental appropriations [s. 20.865(4)(c) of the statutes] for the purpose of supporting the Commission's general program operations. These funds may be released by the Committee to the Commission on a dollar-for-dollar matching basis once the Commission provides documentation that it has received the gift and grant seed monies. However, this matching release mechanism does not apply for the first \$250,000 of gifts and grants received by the Commission.

- The Commission also has three PR-funded gifts and grants appropriations: one for all monies received from general gifts, grants and bequests received by the Commission [s. 20.525(1)(g) of the statutes]; one for all monies received from the supplementation transfers made to the Commission by the Committee [s. 20.525(1)(k) of the statutes]; and an annual appropriation [s. 20.525(1)(h)] for expenditure license fee revenues received from the sale of Commission-licensed products relating to the sesquicentennial observance.

- The Commission has a SEG-funded continuing appropriation [s. 20.525(1)(qr) of the statutes] to which the net proceeds from the sale of special sesquicentennial motor vehicle registration plates will be deposited, beginning in 1997.

None of the acts establishing the above appropriations included any position authority for the Commission. Under s. 14.26(5g)(a) of the statutes, subject to receiving the necessary position authorization, the Commission may appoint staff outside the classified service and fix their compensation.

## ANALYSIS

The Commission is requesting that the Committee authorize 1.0 GPR unclassified project position through March 31, 1999, to function as executive director. The Commission proposes that this position be authorized under the agency's s. 20.525(1)(e) biennial general program operations appropriation. The Commission is also requesting that the Committee authorize 3.0 PR unclassified project positions through March 31, 1999, to function, respectively, as assistant director for merchandising and marketing, administrative assistant/office manager, and office receptionist. The Commission proposes to fund these positions from the agency's s.20.525(1)(g) general gifts and grants appropriation.

As identified by the Commission, the types of positions and the responsibilities of each position functions and characteristics of the positions are as follows:

**Executive Director.** An executive director would provide overall direction to the planning, funding, coordination and promotion of sesquicentennial events over the life of the Commission. Initially, the executive director will play an important role in securing private sector gifts and grants for the Commission. The executive director would initially be paid \$70,000 GPR annually (with fringe benefits, a cost of \$91,700 GPR annually). Since only nine months of funding for

the position would be required for the remainder of the 1996-97 fiscal year, a total of \$68,800 GPR would be expected to be expended for the position for that period.

**Assistant Director for Merchandising and Marketing.** An assistant director would coordinate the Commission's motor vehicle registration plate marketing effort as well as any other authorized merchandising activities. The assistant director would serve as the Commission's publicity liaison, coordinate Commission grant programs and oversee interagency coordination efforts. The assistant director would initially be paid \$45,000 PR annually (with fringe benefits, a cost of \$59,000 PR annually). Since only nine months of funding for the position would be required for the remainder of the 1996-97 fiscal year, a total of \$44,200 PR would need to be authorized for the position for that period.

**Administrative Assistant/Office Manager.** An administrative assistant/office manager would provide direct administrative support to the executive director, members of the Commission and other Commission staff. This person would oversee the daily operation of the office, coordinate research and correspondence, staff Commission meetings and assist with budget oversight. The office manager would initially be paid \$25,000 PR annually (with fringe benefits, a cost of \$32,800 PR annually). Since only nine months of funding for the position would be required for the remainder of the 1996-97 fiscal year, a total of \$24,600 PR would need to be authorized for the position for that period.

**Receptionist.** The Commission's request indicates that when its activities and the overall level of public interest are sufficient to necessitate an office receptionist, the Commission will consider hiring such a receptionist. Currently, the Commission assumes that the position would likely be required by early 1997. The position would handle and route public enquiries, provide clerical assistance, provide computer data base support and assist with other routine office activities. When hired, the receptionist would initially be paid \$18,000 PR annually (with fringe benefits, a cost of \$23,600 PR annually). If the receptionist position would be filled on or about January 1, 1997, a total of \$11,800 PR would need to be authorized for the position for the remainder of the 1996-97 fiscal year.

In reviewing these position requests, it may be noted that the Commission has the statutory responsibility to plan and prepare the state's sesquicentennial observance and to report annually to the Governor and the Legislature on its activities. With the 1998 observance year soon approaching, the Commission must begin a systematic effort to attract private sector donors, begin the operation of series of grant programs targeted to four different publics, and undertake marketing efforts to license sesquicentennial-related products and to promote the sesquicentennial motor vehicle registration plate which first becomes available January 1, 1997. All of these considerations tend to support the need to authorize the executive director, assistant director and administrative assistant project staff positions to enable the Commission to carry out its duties.

With respect to the receptionist position, the Commission indicates that it would likely hire a receptionist once there is sufficient office activity to warrant such a position. The Commission believes that this level of office activity would most probably be reached during early 1997.



However, given the uncertainty as to when the level of office activity will justify such a position and because the Commission currently has the authority to seek future position authorizations under s. 16.505(2) passive review procedures, the Committee could consider not authorizing the receptionist project position until the Commission has a better assessment of its future office staffing workload needs.

As noted above, if the Committee acts to provide the position authority for some or all of the requested positions, funding for the nine remaining months in 1996-97 would be required for three of the four positions. (If the receptionist position is also authorized, no more than six months of funding in 1996-97 would be required for that position.) There is currently more than sufficient GPR funding appropriated to support the requested executive director position. While the Commission currently has only \$35,000 in program revenues on hand, it indicates that it has in excess of \$400,000 in firm pledge commitments. Thus, the total of the available funding plus firm pledge commitments indicates that there would be more than sufficient revenues in 1996-97 to support the requested positions funded from the s. 20.525(1)(g) appropriation.

The Commission has proposed that the executive director position be authorized under the agency's s. 20.525(1)(e) GPR biennial appropriation. As a technical consideration, however, it may be noted that unless the Governor and the Legislature act to provide base level funding for this appropriation in the 1997-99 biennium, there will be no funding available in the appropriation to support the continuation of the executive director position after June 30, 1997. Therefore, it would appear to be more appropriate to fund the executive director position from the Commission's s. 20.525(1)(em) GPR continuing appropriation since the position could then be supported from the continuing resources available in that appropriation during both 1996-97 and also the 1997-99 biennium.

## ALTERNATIVES

1. Approve the Wisconsin Sesquicentennial Commission's request to authorize through March 31, 1999, 1.0 GPR unclassified project position (executive director) under s. 20.525(1)(e) of the statutes and 3.0 PR unclassified project positions (assistant director for merchandising and marketing, administrative assistant/office manager, and office receptionist) and associated expenditure authority of \$80,600 PR in 1996-97 under s. 20.525(1)(g) of the statutes to provide staff support for the Commission.

2. Modify the Wisconsin Sesquicentennial Commission's request by authorizing through March 31, 1999, 1.0 GPR unclassified project position (executive director) under s. 20.525(1)(em) of the statutes [rather than under s. 20.525(1)(e)] and 3.0 PR unclassified project positions (assistant director for merchandising and marketing, administrative assistant/office manager, and office receptionist) and associated expenditure authority of \$80,600 PR in 1996-97 under s. 20.525(1)(g) of the statutes to provide staff support for the Commission. [This alternative funds the executive director position from the Commission's GPR continuing appropriation rather than its GPR biennial appropriation.]

3. Modify the Wisconsin Sesquicentennial Commission's request by authorizing through March 31, 1999, 1.0 GPR unclassified project position under s. 20.525(1)(em) of the statutes *[rather than under s. 20.525(1)(e)]* and 2.0 PR unclassified project positions (assistant director for merchandising and marketing and administrative assistant/office manager) and associated expenditure authority of \$68,800 PR in 1996-97 under s. 20.525(1)(g) of the statutes to provide staff support for the Commission. *[This alternative funds the executive director position from the Commission's GPR continuing appropriation rather than its GPR biennial appropriation and denies authorization at this time for the Commission's receptionist position.]*

4. Deny the request.

Prepared by: Tony Mason

II. Wisconsin Sesquicentennial Commission-- Richard Speros, Secretary, Department of Tourism

The Wisconsin Sesquicentennial Commission requests approval of 1.0 unclassified GPR project position in the appropriation under s. 20.525(1)(e) and 3.0 unclassified PR project positions in the appropriation under s. 20.525(1)(g), all ending March 31, 1999, in order to carry out the mission of the Sesquicentennial Commission.

Governor's Recommendation

Approve the request.

**CORRESPONDENCE MEMORANDUM**

**STATE OF WISCONSIN  
Department of Administration**

**Date:** September 19, 1996

**To:** Members, Joint Committee on Finance

**From:** James R. Klauser, Secretary  
Department of Administration

**Subject:** Section 13.10 Request from the Wisconsin Sesquicentennial Commission for Staff Positions

**Request**

The Wisconsin Sesquicentennial Commission requests approval of 1.0 unclassified GPR project position in the appropriation under s. 20.525(1)(e) and 3.0 unclassified PR project positions in the appropriation under s. 20.525(1)(g), all ending March 31, 1999, in order to carry out the mission of the Sesquicentennial Commission.

**Background**

The Sesquicentennial Commission was created by 1991 Wisconsin Act 269 to plan activities associated with the 150<sup>th</sup> anniversary of Wisconsin's admission as a state in 1848. It's responsibilities and resources were expanded in 1995 Wisconsin Act 27. The appropriations provided included \$150,000 GPR and a continuing gifts and grants account. The Governor objected to Act 27's transfer of the commission to the State Historical Society and his veto effectively deactivated the commission until it could be returned to the Office of the Governor. This restoration was accomplished in 1995 Wisconsin Act 216. No positions were provided. The legislation permits staff to be employed outside the classified service subject to the position authorization provisions of s. 16.505 of the statutes. The commission met the week of September 2 and voted to petition the Joint Committee on Finance for four staff positions. The position descriptions and annual salary amounts are indicated in the attached summary.

**Analysis**

The positions requested are consistent with the intent and spirit of the enabling legislation: to prepare for Wisconsin's 150<sup>th</sup> anniversary as a state of the Union. A GPR appropriation is available in 1996-97 to cover the estimated costs of the executive director salary and fringe benefits. Because these funds are available without further authorization, and because the gifts and grants appropriation is continuing, no supplemental expenditure authority is included in the request. Actual cash contributions have not yet been deposited in the gift and grants appropriation that would fund three of the positions; however, commission officials working with private contributors provide assurances that grant commitments in fact have been

Members, Joint Committee on Finance  
September 19, 1996  
Page 2

secured.

It may be noted that the commission's GPR biennial appropriation has no dollar amount in 1996-97. Consequently, there is no adjusted base level of funding created, other things equal. Funding through the life of the project (March 1999) would have to be provided as a Governor's recommendation in the next budget.

**Recommendation**

Approve the request.

Prepared by: Dan Caucutt  
266-0777

## WISCONSIN SESQUICENTENNIAL COMMISSION

### Staffing

Executive Director: The Executive Director provides professional management services for the planning, funding, coordination and promotion of events throughout Wisconsin and beyond related to the observance of the sesquicentennial of Wisconsin statehood. The Executive Director would be paid a salary of \$70,000 plus benefits.

Assistant Director for Merchandising/Marketing\*: The Assistant Director for Sales & Marketing will be responsible for coordinating the Commission's license plate marketing and merchandising programs with a minimum sales target of \$2.1 million. The person will also coordinate external communications; serve as the liaison for the Commission's Public Relations/Communications Committee and the Department of Tourism; coordinate the Commission's four grants programs; and oversee inter-agency activities with the Department of Natural Resources; the Department of Agriculture, Trade & Consumer Protection; the Department of Public Instruction, etc. The Assistant Director for Sales & Marketing would be paid \$45,000 plus benefits.

Administrative Assistant/Office Manager\*: The Administrative Assistant/Office Manager provides administrative assistance to the Executive Director, Commission members and staff. The person will oversee the daily operations of the office including research and composition of correspondence and response to telephone inquiries; coordinate speaking engagements, Commission meetings, special projects; preparation of Commission minutes, etc. The person would also work with the Governor's office on budget oversight. The Administrative Assistant/Office Manager would be paid \$25,000 plus benefits.

Receptionist\*: When the Commission's programs and the public's interest in the sesquicentennial generates to a necessary level of activity, the Commission will consider hiring a Receptionist to serve as the main receptionist and initial resource for the Commission including telephone coverage, E-mail and mail response. The person will perform program assistant work; provide computer data base support; provide miscellaneous office support functions such as review of mail, copying, ordering supplies, errands, etc. The Receptionist would be paid \$18,000 plus benefits.

\*Positions funded through program revenue.

## WISCONSIN SESQUICENTENNIAL COMMISSION

P.O. Box 1848  
Madison, WI 53701-1848  
(608) 264-7990 beginning September 30, 1996

September 11, 1996

Honorable Brian Burke, Senate Co-Chair  
Joint Committee on Finance  
100 North Hamilton Street  
Room 302  
P. O. Box 7882  
Madison WI

Honorable Ben Brancel, Assembly Co-Chair  
Joint Committee on Finance  
119 Martin Luther King, Jr. Blvd.  
Suite LL2  
P. O. Box 8952  
Madison WI

Dear Senator Burke and Representative Brancel:

### Request

The Wisconsin Sesquicentennial Commission requests approval of 1.0 GPR unclassified project position in the appropriation under s.20.525(1)(e) and 3.0 PR unclassified project positions in the appropriation under s.20.525(1)(g) in order to provide staff for operations of the Commission. The project positions' end date is March 31, 1999.

### Background

The Wisconsin Sesquicentennial Commission was created by 1991 Wisconsin Act 269 to plan activities associated with the 150th anniversary of Wisconsin's admission as a state in 1848. In the last biennial budget bill, 1995 Wisconsin Act 27, the Commission was provided appropriations and statutory responsibilities and was transferred from the Office of the Governor to the State Historical Society. The Governor objected to this transfer and vetoed select provisions, indicating at the time a desire to retain the Commission under the Governor's Office. Subsequently, 1995 Wisconsin Act 216 restored the Commission and appropriations to the Office of the Governor.

Under current law the Commission has \$150,000 GPR in a continuing appropriation. In addition, it has a program revenue continuing appropriation for "all moneys received by the Wisconsin sesquicentennial commission from gifts, grants or bequests to be used for the purposes for which made and received." The Commission is authorized to employ staff outside the classified service subject to the provisions of s.16.505 of the statutes.

In its meetings the week of September 2, the Commission voted to seek approval of the Joint Committee on Finance under s.13.10 for four project positions: an Executive Director to be funded from the Commission's 20.525(1)(e) GPR appropriation, and three additional positions to be funded from the 20.525(1)(g) gifts and grants appropriation. These positions are described in the attachment.

At this time the Commission requests of the Joint Committee on Finance the addition of this late item to the agenda for the meeting under s.13.10 scheduled for September 26, 1996 and the authorization for the four unclassified project positions, as described, to end March 31, 1999. Because GPR funds have already been appropriated, and the program revenue appropriation is continuing in nature, supplemental expenditure authority is not included in this request.

Prior to the scheduled meeting under s.13.10, each member of the Joint Committee on Finance and the Legislative Fiscal Bureau will be provided a brief summary of the Wisconsin Sesquicentennial Commission's plans to date. I will attend the s.13.10 meeting and be available to answer any questions members may have.

Sincerely,

*Moose*

Richard "Moose" Speros  
Secretary, Department of Tourism  
Member, Wisconsin Sesquicentennial Commission

Attachment [position descriptions]

cc: Robert Lang  
Dan Caucutt



## WISCONSIN SESQUICENTENNIAL COMMISSION

### Staffing

Executive Director: The Executive Director provides professional management services for the planning, funding, coordination and promotion of events throughout Wisconsin and beyond related to the observance of the sesquicentennial of Wisconsin statehood. The Executive Director would be paid a salary of \$70,000 plus benefits.

Assistant Director for Merchandising/Marketing\*: The Assistant Director for Merchandising/Marketing will be responsible for coordinating the Commission's license plate marketing and merchandising programs with a minimum sales target of \$2.1 million. The person will also coordinate external communications; serve as the liaison for the Commission's Public Relations/Communications Committee and the Department of Tourism; coordinate the Commission's four grants programs; and oversee inter-agency activities with the Department of Natural Resources; the Department of Agriculture, Trade & Consumer Protection; the Department of Public Instruction, etc. The Assistant Director for Merchandising/Marketing would be paid \$45,000 plus benefits.

Administrative Assistant/Office Manager\*: The Administrative Assistant/Office Manager provides administrative assistance to the Executive Director, Commission members and staff. The person will oversee the daily operations of the office including research and composition of correspondence and response to telephone inquiries; coordinate speaking engagements, Commission meetings, special projects; preparation of Commission minutes, etc. The person would also work with the Governor's office on budget oversight. The Administrative Assistant/Office Manager would be paid \$25,000 plus benefits.

Receptionist\*: When the Commission's programs and the public's interest in the sesquicentennial generates to a necessary level of activity, the Commission will consider hiring a Receptionist to serve as the main receptionist and initial resource for the Commission including telephone coverage, E-mail and mail response. The person will perform program assistant work; provide computer data base support; provide miscellaneous office support functions such as review of mail, copying, ordering supplies, errands, etc. The Receptionist would be paid \$18,000 plus benefits.

\*Positions funded through program revenue.

~~1-3~~

Senator Burke  
Representative Brancel

Department of Corrections

Departmental Supplies and Services - Agenda Item III  
Texas Jail Contracts and Staffing Increases - Agenda Item IV

Motion:

Move to approve the following provisions:

1. Approve the agreement between the Texas counties of Hood, Johnson, Palo Pinto and Comanche and the Department which would provide up to 700 beds for Wisconsin inmates in Texas county jails between October 15, 1996 and June 30, 1997. Allow the Department to submit to the Committee for a 14-day passive review the names of any additional counties to be added as parties to this agreement and copies of the proposed agreements.

2. Provide \$3,881,500 GPR and 2.0 GPR positions (\$3,824,500 to appropriation s. 20.410(1)(ab) and \$56,900 and 2.0 positions to appropriation s. 20.410(1)(a)) to provide funding for the transfer of 360 inmates by December, 1996, and a total of 700 Wisconsin prisoners to Texas jails by May, 1997. Provide the funding from: (a) the release of \$2,073,800 from the Committee's appropriation (s. 20.865(4)(a)) for intergovernmental jail contracts; (b) the release of \$937,900 from the Committee's appropriation (s. 20.865(4)(a)) for intensive sanctions funding; and (c) the transfer of \$869,800 from the intensive sanctions appropriation (s. 20.410(1)(ai)).

3. Provide \$1,622,700 GPR and 58.44 GPR positions in 1996-97 for the Department of Corrections based on staffing ratios that would result from an increased number of inmate beds in existing correctional institutions. Transfer \$346,500 from the intensive sanctions appropriation (20.410(1)(ai) and \$1,276,200 from the serious juvenile offender appropriation (20.410(3)(cg)) to s. 20.410(1)(a).

4. Provide \$775,900 GPR for inmate expenses to cover the projected increase in the average daily population of prison inmates in 1996-97. Transfer \$775,900 from the serious juvenile offender appropriation under s. 20.410(3)(cg) to s. 20.410(1)(a).

5. Require the Department to submit a report to the Joint Committee on Finance by March 3, 1997, regarding the status of the Department's supplies and services expenditures to date and potential funding available through lapse in appropriation s. 20.410(1)(a).

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Note:

This motion incorporates Alternative 3 from the Legislative Fiscal Bureau paper on Agenda Item III and Alternatives A2, B2, C2, D2 and E1 from the paper on Agenda Item IV. Funding for the motion would be provided as follows: \$2,073,800 from the Committee's reserve appropriation for jail contracts; \$937,900 from the Committee's reserve appropriation for the intensive sanctions program; \$1,216,300 from the Department of Corrections' appropriation for the intensive sanctions program (appropriation s. 20.410(1)(ai)); and \$2,052,100 from the Department's appropriation for the serious juvenile offender program (s. 20.410(3)(cg)).



## Legislative Fiscal Bureau

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September 26, 1996

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Corrections -- Increased GPR Funding for Supplies and Services -- Agenda Item III

### INTRODUCTION

The Department of Corrections requests the transfer of \$2,925,800 GPR from the Joint Committee on Finance's appropriation under s. 20.865(4)(a) to Corrections general program operations appropriation under s. 20.410(1)(a) to provide funding for supplies and services.

### BACKGROUND

The private business/prison employment program was created in 1995 Act 27. Under the program, up to three private businesses may utilize inmate labor and prison space to manufacture products or components or to provide services for sale on the open market. A portion of inmate wages is retained by Corrections to offset state costs. Corrections estimated that the retained inmate wages would generate \$3.2 million in 1996-97. During the agency's biennial budget briefing before the Committee, the Department of Corrections indicated that it was confident that the estimated revenue could be realized. As a result, the Legislature created a PR general program operations appropriation in Corrections, provided an additional \$3.2 million in PR expenditure authority in 1996-97 and reduced the Department's GPR appropriation for supplies and services by a corresponding amount.

The Joint Committee on Finance is required to hold a public hearing before a private industry/prison employment project may begin. On April 2, 1996, Corrections requested that the Committee hold a public hearing related to two private industry/prison employment projects. This hearing was held on April 16, 1996. Subsequent to the Committee's meeting, Corrections established the two projects. The third project is currently being developed.

## SUMMARY OF REQUEST

Corrections estimates that the program revenue generated from the private business/prison employment program will only generate \$274,200 in 1996-97, instead of \$3,200,000. The Department is, therefore, requesting supplemental GPR funding of \$2,925,800 GPR in 1996-97 to replace the program revenue.

## ANALYSIS

The Department of Corrections has \$5,123,600 budgeted in 1996-97 for supplies and services in the adult correctional institutions. These costs are funded from GPR (\$1,923,600) and PR (\$3,200,000). Supplies and services budgets are allocated by Corrections to each correctional institution. Costs funded from supplies and services include security supplies, telephone costs, educational supplies, law library costs and travel expenses. In addition to these costs, each institution receives a general allocation based on projected inmate populations to fund general administrative expenses and some program activities. These costs include insurance, data processing, printing, office supplies, housekeeping supplies, and employe uniforms and glasses.

The Department is not able to provide current information on how its supplies and services budget is divided between items for 1996-97, but has indicated that, in general, the distribution has not changed in recent years. Based on prior budgets, the Department's supplies and services for 1996-97 would be as follows:

Security Supplies	\$192,200
Telephone	438,100
Educational Supplies	292,900
Law Library	111,300
Travel	816,700
General Supplies and Services	<u>3,272,400</u>
Total	\$5,123,600

Under s. 13.101 of the statutes, the Committee may supplement an agency's appropriation if any emergency exists, no funds are available and the purpose is authorized or directed by the Legislature. The Department indicates that an emergency exists because the \$3.2 million in revenue previously estimated by Corrections is now not expected to be received. According to the Department, if the revenue shortfall is not addressed, costs for supplies and services will need to be "pooled" with costs associated with food, clothing, inmate wages and other supplies for prisoners. To the extent that supplies and services costs cannot be funded through "pooling", the Department indicates that it would delay making payments to the Department of Administration and some vendors. Delayed payments would need to be addressed in future fiscal years.

In addition to revenue generated from inmate wages from the private business/prison employment, the PR general program operations appropriation created by the Legislature in Act

27 for correctional institutions also receives revenue from: (a) room and board charges to inmates on work release; (b) third-party medical and dental insurance collections; and (c) a \$2.50 fee charged to inmates requesting medical services. For 1996-97, budgeted revenues and expenditures from the appropriation are as follows:

<u>Purpose</u>	<u>Source</u>	<u>Appropriation</u>
Institutional Supplies	Private Business/Prison Employment	\$3,200,000
Other		
Center System Supplies	Work Release Room and Board	425,000
Physician Supervisor (0.5 FTE)	Medical and Dental Service Fees	65,000
Health Services and Third Party Collection (0.5 FTE)	Third Party Medical Insurance	<u>100,000</u>
Subtotal		590,000
Total		\$3,790,000

As shown in the table, revenue sources other than the private business initiative are budgeted to generate \$590,000 in 1996-97. While Corrections officials are currently estimating revenues from these sources of approximately \$475,000 for the year, no additional funds have been requested to address a potential shortfall in this area. The Department indicates that it will address part of this shortfall by not filling the 0.5 PR position associated with third party medical insurance collections. Consequently, authorization for this position could be deleted by the Committee.

The Department's estimate of \$274,200 in program revenue for 1996-97 related to the private business/prison employment program appears to be reasonable based on the current private ventures and the Department's assumptions regarding the start of increased employment of inmates. To the extent, however, that startup is slower than anticipated or fewer inmates are employed, revenues could be lower.

In 1995-96, supplies and service funding for the Adult Institutions was budgeted at approximately \$5.1 million GPR, while expenditures were approximately \$6.1 million GPR. The Department indicates that it reallocated monies internally. The \$3,200,000 GPR reduction in 1996-97 was to be replaced by program revenue. Since PR revenues are now estimated to be significantly less, the effect is a significant reduction to base resources for institutional supplies and services. Therefore, in order to maintain base funding the Committee could approve the Department's request.

On the other hand, during deliberations on the 1995-97 biennial budget, the Department had expressed confidence that \$3.2 million from the private business/ prison employment program could be generated in 1996-97. Subsequent to the budget, no proposal was forwarded to the Legislature during subsequent legislative floor periods indicating that these revenue levels would not be obtained. During the January to March, 1996, legislative floor period, the Department was selecting participating businesses and should have had an indication of the number of businesses

that would be operating for a full year and the number of inmates that would participate. The Department should have, at that time, been able to determine that the original revenue estimates would not be realized. It could be argued, therefore, that the revenue shortfall is due not to a current emergency situation but rather the Department's initial estimate of potential revenues and subsequent lack of action in making timely requests to the full Legislature to correct the initial estimate.

Further, the appropriation for which the Department is requesting supplemental funding (s. 20.410(1)(a)) is funded at \$234,584,000 GPR in 1996-97. This appropriation funds salaries and fringe benefits for personnel in the prisons and central administration, and inmate food and supplies, as well as departmental supplies and services. The Committee should note that for the previous three fiscal years, Corrections has lapsed between 1% and 3% from this appropriation. If this appropriation lapsed 1.25% in 1996-97, this lapse would be sufficient to cover the additional funds requested. Corrections, with the approval of DOA, may reallocate any excess funds that can be identified (such as salary or permanent property) to meet supply costs.

Given questions that could be raised about the emergency nature of the request and the potential for a lapse from the appropriation, the Committee could deny the Department's request. If, prior to the end of 1996-97, the anticipated lapse and revenue from the PR appropriation are not sufficient to fund supplies and services, a new request could be submitted for the June, 1997, s. 13.10 meeting based on actual experience.

In its original request, the Department asked that funding be provided from the Committee's supplemental appropriation under s. 20.865(4). However, because the unreserved balance in that appropriation is only \$474,300 another funding source needs to be identified.

Subsequent to its request, Corrections officials estimated that approximately \$5.0 million in 1996-97 may be available to address its request under s. 13.10, through a transfer from the serious juvenile offender appropriation under s. 20.410(3)(cg). The purpose of the serious juvenile offender (SJO) appropriation is to provide reimbursement for correctional costs for certain violent juvenile offenders and additional juveniles adjudicated as serious offenders after July 1, 1996. Under 1995 Act 416, the Corrections budget adjustment act, the SJO appropriation is set at \$14,056,700 GPR in 1996-97. Based on updated estimates of average daily populations and certain assumptions concerning how juveniles will transition from institutional care to various types of community programming, the Department now projects that SJO expenditures for 1996-97 will be \$9.0 million.

The number of new serious juvenile offender dispositions that will be made in 1996-97 is a critical consideration in projecting any potential surplus. The SJO disposition option (available for juveniles committing an offense on or after July 1, 1996) is new and no historical data is available at this time. Further, to the extent that additional juveniles receive SJO dispositions, counties will retain a greater proportion of their youth aids allocation; this financial incentive may result in counties seeking SJO dispositions whenever possible. Due to these factors, the DOC estimate of SJO dispositions in 1996-97 is speculative. It does appear, however, that there will

be sufficient funding in the serious juvenile offender appropriation available for transfer to fund this request.

As a technical matter, since the PR general program operations appropriation was generally used in Act 27 to offset GPR on a dollar-for-dollar basis, any GPR supplement should be reflected in a corresponding PR authority reduction.

## ALTERNATIVES

1. Approve the Department's request to transfer \$2,925,800 GPR in 1996-97 from the Committee's appropriation under s. 20.865(4)(a) to the Department's general program operation appropriation under s. 20.410(1)(a) for supplies and services costs. In addition, reduce PR funding by a corresponding amount and delete 0.5 PR position.

2. Transfer \$2,925,800 GPR in 1996-97 from the Serious Juvenile Offender appropriation under s. 410(3)(cg) to the Department's general program operation appropriation under s. 20.410(1)(a) for supplies and services costs. In addition, reduce PR funding by a corresponding amount and delete 0.5 PR position.

3. Deny the request. Under this alternative, the Department could submit a request to the Committee at the June, 1997, s. 13.10 meeting if a funding supplement is required.

Prepared by: Jere Bauer